



APRIL 16th, 2013 6:00 P.M.
Nesmith Lane Conference Center- GSU

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman Phil Boyum
3. Recognitions/Public Presentations:
 - A) Kelly Collingsworth request to update Council on the Great American Cleanup
 - B) Presentation of the Great American Cleanup proclamation to Kelly Collingsworth representing Keep Bulloch Beautiful
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 04-02-2013 Council Minutes
 - b) 04-02-2013 Executive Session Minutes
 - B) Notification of alcohol license application:
 - a) Licensee: Gregory Milo Parker
DBA: Parker's #41
Location: 24151 Highway 80 East
Type of Alcohol License: Retail Beer & Wine Packaged
Type of Business: Convenience Store – Packaged Beer & Wine
 - C) Consideration of a Motion to approve an Outdoor Event Permit:
 - a) Applicant's Name: Jon Starkey
Date and Time of Event: May 4, 2013, 7:00 p.m.
Location of Event: University Plaza
Type of Event: Outside Gathering with Band and DJ
Products served: Beer, Wine, and Liquor
 - D) Consideration of a Motion to approve a Special Event Permit:
 - a) Applicant's Name: Larry T Scarboro
Date and Time of Event: May 4, 2013, 9:00 p.m.
Location of Event: Springhill Suites
Type of Event: 5th Annual All White Ball – Big Head Barber/Salon
Products served: Beer and Wine
 - E) Consideration of a Motion to declare the listed trucks and equipment as surplus and be disposed of, as recommended by the Purchasing Department.
6. Consideration of a Motion to approve **APPLICATION # SE 13-03-01**: Marcella Dickerson-Jones requests a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a group home in the R-15 (Single-Family Residential) District for property located at 104 South Zetterower Avenue. (Tax Parcel number S40000004 000).

7. Consideration of a Motion to approve **APPLICATION # V 13-03-02**: Maxwell-Reddick & Associates, Inc., requests a variance from Article VII Section 703 of the *Statesboro Zoning Ordinance* regarding density increase in the R-4 (High Density Residential) District for property located at 552 East Main Street (Tax Parcel number MS82000033 000).
8. Consideration of a Motion to award a contract to purchase a heated asphalt/re-claimer trailer from KM International at a bid price of \$41,324.00.
9. Consideration of a Motion to adopt **Resolution 2013-09**. Resolution accepting rights of way of one (1) street as public street to be owned and maintained by the City of Statesboro. The street to be considered for acceptance is Vaden Dr. located beside the new Nissan Car Dealership on Brannen St.
10. Consideration of a Motion to adopt **Resolution 2013-10**. Resolution accepting rights of way of one (1) street as a public street to be owned and maintained by the City of Statesboro. The street to be considered for acceptance is a .056 mi. long segment of street, yet to be named, located behind the new Nissan dealership located on Brannen Street.
11. Consideration of a Motion to award a contract to Tyson Utilities Construction, Inc. in the amount of \$34,838.92 for a sewer line extension, which will eliminate the need for the Sandy Hill Pump Station
12. Consideration of a Motion to Approve Award of Contract to Y-Delta Inc. in the amount of \$625,451.93 to make intersection and water main improvements at the W. Main St./ S. College St. intersection. Award requires increasing the overall project budget to \$674,000 to cover costs associated with USPO easement acquisition, utility relocations, and higher than anticipated costs of intersection improvements due to city initiated road closure restrictions. Requested budget increase to be covered by savings from cost under runs on other recent capital improvements. Improvements to be funded by 2007 SPLOST.
13. Consideration of a motion to award the bid for two (2) new compressed natural gas powered refuse cab and chassis units to Peach State Ford Truck Sales for a total amount of \$286,360.00 for both units.
14. Consideration of a motion to purchase two (2) New Way front load refuse bodies with compressed natural gas systems for a total amount of \$260,507.10.
15. Other Business from City Council
16. Public Comments (General)
 - A) Mr. Bill Thomas request to speak with Council on Government Transparency
17. Consideration of a Motion to Adjourn

**Keep America Beautiful, Inc.
Great American Cleanup**

WHEREAS, Keep America Beautiful, Inc., is a national nonprofit organization dedicated to helping individuals improve their community environments, and has established the Great American Cleanup™ as its signature national effort for involving American citizens in environmental stewardship;

WHEREAS, Keep America Beautiful's Great American Cleanup, is celebrating its 29th Anniversary in 2013, featuring a over 3.8 million volunteers participating in over 30,000 events in over 16,000 communities in all 50 states;

WHEREAS, the city of Statesboro is proud of its natural resources and its neighborhoods and seeks to protect and improve our community through the action of citizens, schools, government and businesses working together;

WHEREAS, the City Council of Statesboro have recognized the important commitment to improve American communities through litter prevention, beautification and solid waste management initiatives, and are committed to help spread the word about the importance of volunteerism and motivate everyone in our communities to become stewards of the environment;

NOW, THEREFORE, I, Mayor Joe R. Brannen, do hereby proclaim Saturday, April 20, 2013 Keep America Beautiful's Great American Cleanup™ and call upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today and for future generations. So declared on this the 16th day of April, 2013.

Joe R. Brannen, Mayor



**CITY OF STATESBORO
CITY COUNCIL MINUTES
April 2, 2013**

A regular meeting of the Statesboro City Council was held on April 2, 2013 at 9:00 am in the Council Chambers at City Hall Present were Mayor Joe R. Brannen, Council Members: Will Britt, Phil Boyum, John Riggs and Gary Lewis. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Attorney Alvin Leaphart, and City Engineer Robert Cheshire. Councilman Travis Chance and Director of Community Development Mandi Cody were absent. The meeting was called to order by Mayor Joe Brannen

The Invocation was given by Allen Muldrew Director of the Downtown Statesboro Development Authority and the Pledge of Allegiance was led by Mayor Pro Tem Will Britt.

Recognitions/Public Presentations:

Recognition of the Finance Department for receiving the FY 2013 Distinguished Budget Award

Mayor Brannen presented the Finance Department with the FY2013 Distinguished Budget Award

David Gerrald of L&D Produce would like to address Council regarding yard sales.

David Gerrald has a tax certificate to sell produce on the vacant lot across from Lowes on Hwy 80 East. Mr. Gerrald is now asking Council to approve yard sales at this same location. The discussion was to allow the sale of produce and yard sales for a period of 6 months. These events would be monitored by the Police Department and re-evaluated at the end of the 6 months. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve the 6 months trial basis for the sale of produce and yard sales. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Public Comments (Agenda Item): None

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

- a) 03-19-2013 Council Work Session Minutes
- b) 03-19-2013 Council Minutes
- c) 03-19-2013 Executive Session Minutes

Consideration of a Motion to approve 2nd reading of Ordinance 2013-05: An Ordinance Amending Article III of Chapter 18 of the Statesboro Code of Ordinance (Dealers in Precious Metals and Gems)

Consideration of a motion to surplus an IBM 6400 Printer and a Buster Duplo V-700 Decollator which has outlived their usefulness as part of the late notice process for utility billing.

Notification of alcohol license application:

- a) Licensee: Darin H. Van Tassell**
DBA: The Clubhouse
Location: 2704 Old Register Road
Type of Alcohol License: Pouring – Beer & Wine
Type of Business: Restaurant
- b) Licensee: Kalayanee Raiwa (Changing Owners)**
DBA: Coconut Thai Cuisine
Location: 7 College Plaza
Type of Alcohol License: Pouring – Beer & Wine
Type of Business: Restaurant

Consideration of a Motion to approve the destruction of 55 boxes of records that have met the Georgia State Retention Schedule

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve the consent agenda in its entirety. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve “Vehicle for Hire”:

Spells Taxi Service – Alisha Stevens (Driver)

D W Yellow Cab Drivers

- a) Casandra Champion**
- b) Frank Williams**
- c) Shawn M Apfel**

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to approve the “Vehicle for hire drivers” with the exception of Frank Williams. Within the motion made, Mayor Pro Tem Will Britt stated Mr. Williams would need to talk with City Attorney Alvin Leaphart concerning his background history and then be brought back for Council. Council would then approve or deny the application. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve Resolution 2013:07: A Resolution in Support of the Development of Downtown Property thru the Georgia Department of Community Affairs’ Downtown Development Revolving Loan Fund Program.

Councilman Boyum made a motion, seconded by Councilman Lewis to approve Resolution 2013:07: A Resolution in Support of the Development of Downtown Property thru the Georgia Department of Community Affairs’ Downtown Development Revolving Loan Fund Program. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to allow staff to enter into contract negotiations with Ecological Planning Group, LLC to provide professional services associated with the creation of the City's Comprehensive Stormwater Management Program.

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to enter into contract negotiations with Ecological Planning Group, LLC to provide professional services associated with the creation of the City's Comprehensive Stormwater Management Program. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve application for grant funding for the maintenance and upkeep of equipment for the Statesboro Police Department CBRN Response Team (Chemical Biological Radiological Nuclear) in the amount of \$5,000.00. The grant is funded by the Georgia Emergency Management Agency under the State Homeland Security Grant Program and is a continuation of the GEMA Law Enforcement CBRN Program.

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to approve application for grant funding for the maintenance and upkeep of equipment for the Statesboro Police Department CBRN Response Team (Chemical Biological Radiological Nuclear) in the amount of \$5,000.00. The grant is funded by the Georgia Emergency Management Agency under the State Homeland Security Grant Program and is a continuation of the GEMA Law Enforcement CBRN Program. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve application for grant funding offered by the NTOA (National Tactical Officers Association) for the Statesboro Police Department's Emergency Response Team. NTOA is currently offering several grants for equipment that would be utilized by SPD ERT.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve application for grant funding offered by the NTOA (National Tactical Officers Association) for the Statesboro Police Department's Emergency Response Team. NTOA is currently offering several grants for equipment that would be utilized by SPD ERT. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the I-16/HWY301 Advisory Committee to move forward with the Engineering/Design of the water and sewer extension to I-16/301 under the existing Engineering Services contract with Hussey, Gay, Bell & DeYoung Inc.

Councilman Boyum made a motion, seconded by Councilman Lewis to approve the I-16/HWY301 Advisory Committee to move forward with the Engineering/Design of the water and sewer extension to I-16/301 under the existing Engineering Services contract with Hussey, Gay, Bell & DeYoung Inc. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2013-08: A Resolution adopting the schedule of fees and charges for the water and wastewater department of the City of Statesboro, Georgia

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to approve **Resolution 2013-08**: A Resolution adopting the schedule of fees and charges for the water and wastewater department of the City of Statesboro, Georgia. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award a three year contract for brokerage services for property and casualty insurance.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to award a three year contract to Glen Davis and Associates for brokerage services for property and casualty insurance. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award the bid for the West Main and College Street Sanitary Sewer Improvements to American Infrastructure Tech in the amount of \$143,400.00.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to award the bid for the West Main and College Street Sanitary Sewer Improvements to American Infrastructure Tech in the amount of \$143,400.00. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the application for the Bullet Proof Vest Partnership federal grant funding FY2013 for vest purchases for the Police Department.

Councilman Riggs made a motion, seconded by Councilman Lewis to approve the application for the Bullet Proof Vest Partnership federal grant funding FY2013 for vest purchases for the Police Department. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Director of Human Resource Jeff Grant announced that Richard Smiley in the Public Works Department was the winner of the “Biggest Loser” competition. He received a check for \$250.00 from the City of Statesboro

Public Comments (General)

Councilman Boyum thanked everyone that helped with the Community Grant Block. He also stated citizens are excited about the I-16 project and he was impressed with the Transform Health Clinic. Councilman Boyum recognized Jeff Harrison with the Statesboro Herald stating it was his birthday today.

Consideration of a Motion to enter into Executive Session to discuss “Acquisition of Property” in accordance with O.C.G.A. §50-14-3 (2012)

Councilman Lewis made a motion at 10:05 am, seconded by Councilman Boyum to enter into Executive Session to discuss “Acquisition of Property” in accordance with O.C.G.A. §50-14-3 (2012) with a ten minutes break. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Present for the Executive Session was Mayor Brannen and Council Members: Will Britt, Phil Boyum, John Riggs and Gary Lewis. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Attorney Alvin Leaphart, DSDA Director Allen Muldrew, GSU Representatives Dominique Halaby and Charles Patterson.

Mayor Brannen called the regular session back to order at 11:21am with no action taken.

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to purchase the Yard and Haus Building located at 62 E. Main Street with the terms of the agreement with Farmers and Merchants Bank and the purchase amount of \$420,000.00 with a closing date no later than December 31, 2013. The agreement would also include a temporary occupancy agreement of \$1000.00 per month until the close of the sale. The purpose of the purchase is to expand the City Campus facility to include a Fab Lab and Innovation Center. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to make a contribution to the GSU Archery and Shooting Center in the amount of \$500,000.00. Councilman Britt, Riggs and Lewis voted in favor of the motion. Councilman Boyum voted against the motion. The motion carried by a 3-1 vote.

Consideration of a Motion to Adjourn

Councilman Boyum made a motion, seconded by Councilman Riggs to adjourn. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 11:45 am.

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 3/26/13 NEW ☒ RENEWAL ☐

TYPE OF BUSINESS TO BE OPERATED:

<input checked="" type="checkbox"/>	RETAIL BEER & WINE PACKAGED ONLY	\$1,250.00	Pro-rated 625.00
<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 Gregory M. Parker

OWNERS NAME Gregory M. Parker, Inc.

DBA (BUSINESS NAME) Parker's #41 -

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

BUSINESS ADDRESS 24151 Highway 80 E Statesboro, GA

BUSINESS MAILING ADDRESS 222 Drayton St. Savannah, GA 31401

BUSINESS TELEPHONE # 912-231-1001

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE # _____

APPLICANTS AGE _____

ARE YOU A CITIZEN OF THE UNITED STATES? ☒ YES ☐ NO

HAVE YOU 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? _____

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 1

PLEASE LIST BELOW:

Gregory M. Parker _____

CITY OF STATESBORO
P O BOX 348
STATESBORO, GEORGIA 30459
Telephone (912) 764-5468 Fax (912) 764-4691

APPLICATION FOR AN OUTDOOR EVENT PERMIT
45 DAY NOTICE IS REQUIRED BEFORE THE EVENT

APPLICATION FEE (NONREFUNDABLE) - \$25.00
LICENSE FEE - \$5000.00

DATE OF APPLICATION April 5, 13

DATE OF EVENT May 4, 2013

TIME OF EVENT 7pm

LOCATION OF EVENT University Plaza

TYPE OF EVENT (DETAILED DESCRIPTION) Outside Gathering with
Stage + Band + DJ. Submitted Outside Drawings of Parking Lot

PRODUCTS TO BE SERVED: X BEER X WINE X LIQUOR

ARE FLYERS BEING DISTRIBUTED? YES X NO
IF YES ATTACH TO APPLICATION.

DESCRIPTION OF THE AREA, INCLUDING THE SIZE AND THE MAXIMUM
NUMBER OF PERSONS FOR SUCH AREA Submitted Professional

Drawings of site Plan to Scale. 8 1/2 x 11 and
a 24 x 36.

DESCRIPTION OF THE METHOD AND STRUCTURES THAT WILL BE USED
TO SECURE AND SEPARATE SUCH AREA FROM OTHER PUBLIC AREAS

6ft. metal fence

ATTACH AN 8 ½ x 11 INCH MAP IN ACCORDANCE WITH SEC. 6-56 (b)(4) OF
THE CITY OF STATESBORO ALCOHOL ORDINANCE.

NAME OF APPLICANT Jon Starkey

APPLICANT'S ADDRESS 121 Pine needle Rd. Statesboro Ga. 30458

APPLICANT'S PHONE NUMBER (912) 541-1529

PLEASE INITIAL EACH STATEMENT:

APPLICANT IS REQUIRED TO ATTEND THE COUNCIL MEETING. JS

I HAVE RECEIVED A COPY OF THE ALCOHOL ORDINANCE. JS

I WILL ABIDE BY THE CITY OF STATESBORO ALCOHOL
ORDINANCE. JS

I WILL PROVIDE, AT MY OWN EXPENSE, A SUFFICIENT NUMBER OF
SECURITY PERSONNEL AT ANY OUTDOOR EVENT DETERMINED BY
THE DIRECTOR OF PUBLIC SAFETY OR HIS DESIGNEE. JS

I WILL PROVIDE TEMPORARY OUTDOOR TOILET FACILITIES
DETERMINED BY THE DIRECTOR OF PUBLIC SAFETY OR HIS
DESIGNEE. JS

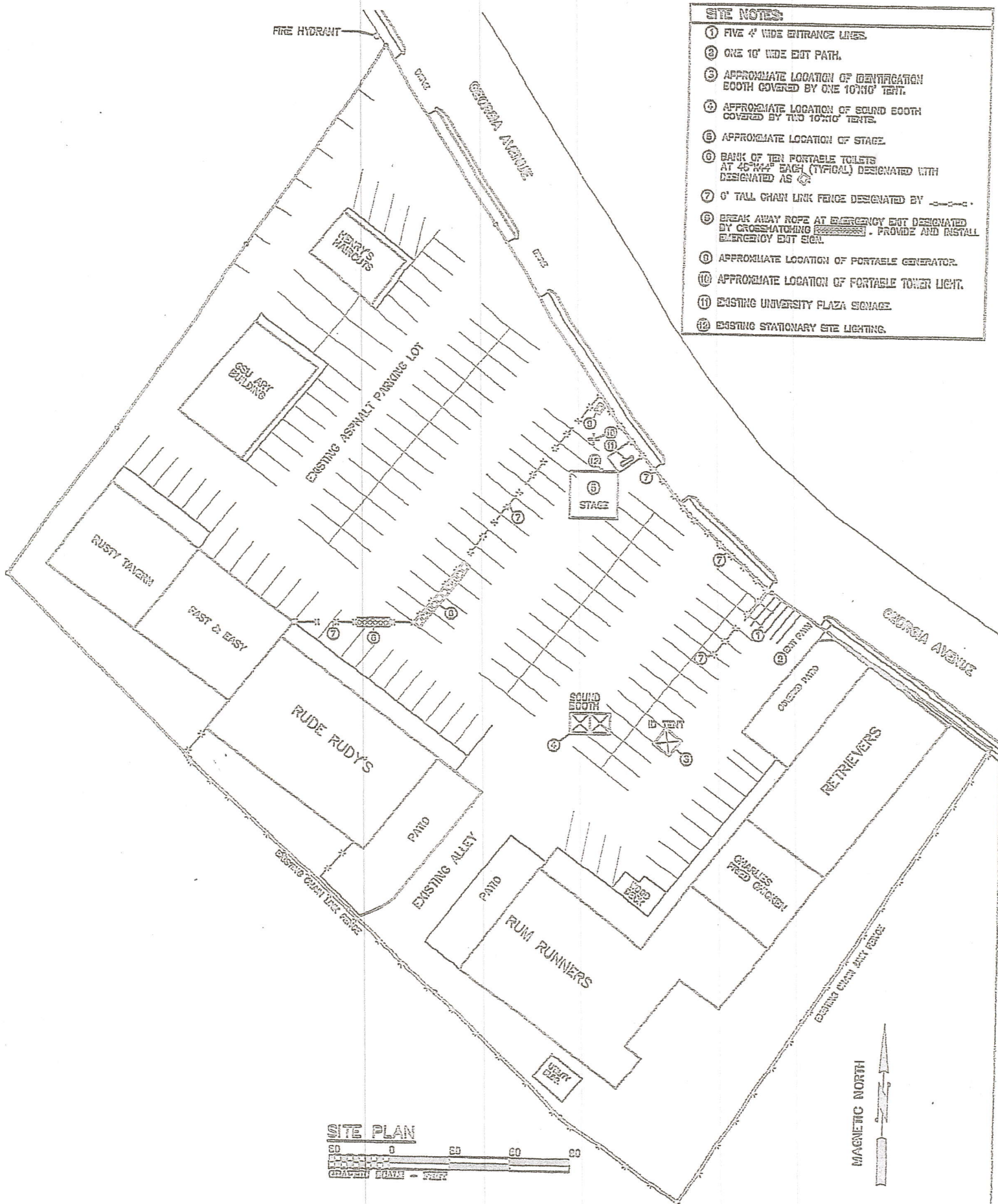
JS
SIGNATURE OF APPLICANT

April 5, 13
DATE

OFFICE USE:

DATE OF COUNCIL MEETING _____

DATE APPROVED BY MAYOR AND CITY COUNCIL _____



CITY OF STATESBORO
P O BOX 348
STATESBORO, GEORGIA 30459
Telephone (912) 764-5468 Fax (912) 764-4691

APPLICATION FOR A SPECIAL EVENT PERMIT
30 DAY NOTICE IS REQUIRED BEFORE THE EVENT

DATE OF APPLICATION 3-8-13

DATE OF EVENT 5-4-13

TIME OF EVENT 9:00 pm

LOCATION OF EVENT Spring Hill Marriott

TYPE OF EVENT (DETAILED DESCRIPTION) 5th Annual All

White Affair (L Ball) Big Head Barber/Salon

IF THIS IS A THEATRE PRODUCTION, PROVIDE A DESCRIPTION.

PRODUCTS TO BE SERVED: ☒ BEER ☒ WINE ☐ LIQUOR

** ALCOHOL MUST BE PURCHASED THROUGH A LICENSED
WHOLESALE DISTRIBUTOR.

NAME OF WHOLESALE DISTRIBUTOR _____

ADDRESS AND PHONE NUMBER OF WHOLESALE DISTRIBUTOR _____

**THE APPLICANT IS NOT ALLOWED TO HAVE A CASH BAR AT THE
EVENT.

WILL THERE BE FOOD SERVED? IF SO WHO WILL BE CATERING?

N/A

WILL THERE BE MUSIC AND DANCING? IF SO DESCRIBED

Live Drummer & and DJ

IF RAISING MONEY FOR A CHARITY, WHAT IS THE NAME OF THE ORGANIZATION _____

PROVIDE A NAME AND PHONE NUMBER OF THE CHARITY ORGANIZATION CONTACT _____

IF THE EVENT IS FOR A CHARITY, PROVIDE A COPY OF THE APPROVED RECOGNITION OF EXEMPTION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE.

ARE FLYERS BEING DISTRIBUTED? _____ YES ☒ NO
IF YES ATTACH TO APPLICATION.

NAME OF APPLICANT Harry T. Scarborough

APPLICANT'S ADDRESS 27 West Main

APPLICANT'S PHONE NUMBER 912-678-1673

APPLICANT IS REQUIRED TO ATTEND THE COUNCIL MEETING.

I HAVE READ AND AGREE TO THE REQUIREMENTS OF THIS PERMIT.

[Signature]
SIGNATURE OF APPLICANT

OFFICE USE:
DATE OF COUNCIL MEETING _____

DATE APPROVED BY MAYOR AND CITY COUNCIL _____

Memorandum

To: Frank Parker

CC: Wayne Johnson

From: Van H. Collins

Date: 4/4/2013

Re: Recommendation to declare the listed trucks and equipment as surplus and be disposed of, as recommended by the Purchasing Department.

The Water/Sewer Department has the following trucks and equipment that we would recommend to have declared as surplus and be disposed of, as recommended by the Purchasing Department.

1995 Ford F-150 truck – VIN#1FTEF15X195NA46379

2001 Chevrolet 1500 truck – VIN#1GCEC14VX17284548

Richmond Boring Machine – SN#4D88455806541 – Wisconsin Engine, with trailer and three sets of augers (sizes 4”, 6” and 8”)

Racine Construction tool pump (hydraulic driven) – SN#25433-7941540

Stanley Hydraulic Jackhammer – SN#N/A, includes hoses

As always, I appreciate any consideration given to this request.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SE 13-03-01
SPECIAL EXCEPTION REQUEST
104 SOUTH ZETTEROWER AVENUE

LOCATION: 104 South Zetterower Avenue

REQUEST: Special Exception to allow a group home in the R15 (Single Family Residential) District.

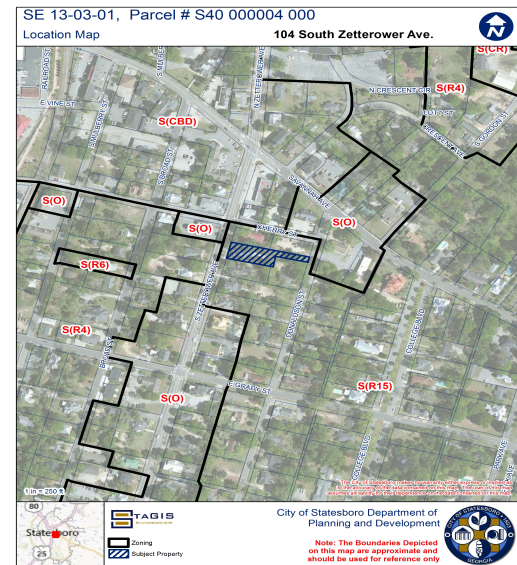
APPLICANT: Marcella Dickerson-Jones

OWNER(S): Dr. John C. Adams, Jr.

LAND AREA: .30 Acres

PARCEL TAX MAP #s: S40 000004 000

COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

The applicant requests a Special Exception to allow for the utilization of the property located at 104 South Zetterower Avenue as a group home for girls aged 13 to 17 years old. The subject site is zoned R15 (Single Family Residential), which does not permit group homes by right. (See **Exhibit A – Location Map**)

BACKGROUND:

There is no past zoning history on this property. This .30 acre single lot contains a vacant 2,366 square foot building and has been utilized for solely for residential purposes in the past.

It should be noted that the purpose of this application is to consider whether the property may qualify for a zoning recommendation for the requested use as a group home.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	R15 (Single Family Residential)	Doctor's Office
SOUTH:	R15 (Single Family Residential)	Small Scale Retail and Single Family Residential
EAST:	O (Office)	Offices
WEST	R4 (High Density Residential)	Small Scale Retail and Apartments

The subject property is located in mixed-use area with offices and small-scale retail surrounding the entire subject property. Property to the northwest was recently rezoned to R4 (High Density Residential) for apartments. (See **Exhibit B**)

COMPREHENSIVE PLAN:

The subject site lies within the “Urban Core” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The “Urban Core” character areas are identified as the activity and cultural hub of the region and support a wide range of acceptable uses. As a major gateway into downtown, traditional development patterns of buildings along the sidewalk and a lively streetscape are respected and promoted.

Neighborhood-scaled retail and commercial, arts and entertainment venues, civic centers, office, neighborhood services, lofts, mixed use, multi-story buildings with retail on the street and office/residential above are all appropriate land uses for properties within the Urban Core character area. Some suggested development and implementation strategies for the area include the following:

- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment.
- Redevelop warehouses for major employer/tenant to build critical mass downtown.

Statesboro Comprehensive Plan, Community Agenda pages 12-13.

To achieve the *Comprehensive Plan*’s vision of evolving into an attractive destination and becoming a regional leader in quality growth, the community should promote the idea that all residents have a right to quality housing regardless of social economic standing by monitoring housing needs, continuing to emphasize walkability, and embracing diverse housing options. “Whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character.”

Statesboro Comprehensive Plan, Community Agenda page 7.

The *Comprehensive Plan* also lists mixed use as a preferred development strategy and recognizes the opportunity to increase residential opportunities in the downtown area, which strengthens the Urban Core. The grant of a Special Exception at this site would further support mixed use, infill and redevelopment as encouraged by the *Comprehensive Plan*. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city services as a result of this request.

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard zone. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The .30 acre site is currently zoned R15 (Single Family Residential) with one vacant 2,366 square foot building on the property which has historically been utilized in a residential manner. The R15 (Single Family Residential) district has a stated purpose of establishing reasonable standards of performance and selection of uses permitted in order to maintain and protect the desirable benefits that single family residential uses have throughout the community.

This location is proposed to be utilized as a group home for the 24 hour supervision, room and board, and education of fire and household safety for approximately six (6) girls ages 13 to 17 years old who reside in the building. The applicant stated that the residents would rotate out from the department of justice or other related programs. It should be noted that the *Statesboro Zoning Ordinance* states that no more than three (3) unrelated individuals may reside in the same household located in any residential district, such as this one; however, it continues to state that such regulation does not include any organization or institutional group but does not define what those are.

Although not defined by the *Statesboro Zoning Ordinance*, a group home is generally classified as a home in which those who reside share a common area and are offered services such as transportation, education, food, etc. but are not cared for medically or physically like that of a personal care home. *Page 80 of Land Use Planning and Development Regulation Law* says that “the argument in favor of allowing group homes in single family areas is that society, whether government by zoning or private parties by covenant, ought not deny such persons the opportunity to enjoy at least a semblance of a way of life that is often characterized as the American dream”. The Federal Fair Housing Act backs that up by providing protection from discriminatory treatment in the pursuit of housing for disabled, troubled, or elderly persons.

The applicant is requesting a Special Exception to permit the use of a Group Home in the R15 (Single Family Residential) district. Special Exceptions allow for a land use that are not permitted as right within a zoning district but which may be granted where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a group home is not a use permitted by right within the R15 (Single Family Residential) zoning district; however, the *Statesboro Zoning Ordinance* lacks regulations providing guidance as to which zoning district for which this type of use is permissible. Given past case history and the intent of the *Statesboro Zoning Ordinance*, staff believes the proposed use of a group home may be restricted to industrial related districts; therefore, this proposed use by this applicant necessitates approval by the Mayor and Council as for previous applicants.

Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council “in determining compatibility” of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.**
 - Staff is unaware of any environmental impacts this request would cause.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.**
 - The proposed is not expected to cause an increased negative impact on vehicular traffic.
- C. Off street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.**
 - The applicant has indicated that there will be six (6) residents. According to Article XVI of the *Statesboro Zoning Ordinance*, the applicant must have 1.4 parking spaces for every four (4) beds. This site has adequate room for the required parking and may utilize alternative surface material such as gravel, grass, dirt, etc.
- D. Public facilities and utilities are capable of adequately serving the proposed use.**
 - The Fire Inspector has met with the applicant and stated that a registered architect must design and mark his seal on architectural and fire protection system drawings, a sprinkler system and fire alarm must be installed, and a rated assembly wall must be installed to separate the sleeping units.
 - Building Inspections by the Building Inspections Division (Building Official) have not been conducted but may be required in the permitting stage.
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.**
 - The proposed use is not expected to have an adverse effect on property values in the area given the uses of surrounding structures.
- F. Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.**
 - The existing structure is approximately 2,366 square feet in size and contains approximately 3 bedrooms and 1 bath with a total of 6 rooms.
- G. Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.**
 - This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.

Additionally, § 2406 also requires consideration of the following factors given for standards for determination in a zoning change in “balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property” given in § 2007 of the *Statesboro Zoning Ordinance*”:

- 1. Existing uses and zoning or [of] property nearby.**
 - Surrounding properties are zoned R15 (Single Family Residential), O (Office), and R4 (High Density Residential) and uses range from single family residential to small-scale retail.
- 2. The extent to which property values are diminished by the particular zoning restrictions.**
- 3. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
- 4. The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - There is a seemingly increasing need for group living arrangements such as that being offered by this applicant.
- 5. The suitability of the subject property for the zoned purposes.**
 - This property is designed to meet the zoning regulations set forth by the *Statesboro Zoning Ordinance* as necessary.

6. **The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.**
 - The subject site has historically been utilized as a single family home only but has been vacant for quite some time.
 - Surrounding properties appear to be developed and occupied.
7. **The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.**
 - The proposed use should not negatively impact any of the above.

STAFF RECOMMENDATION:

Based on the factors of consideration for Special Exceptions given in Section 2406 of the *Statesboro Zoning Ordinance* and the *Statesboro Comprehensive Plan*, staff recommends approval of the Special Exception requested by this application.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 4-0 to recommend approval of the Special Exception requested by this application.

EXHIBIT A: LOCATION MAP

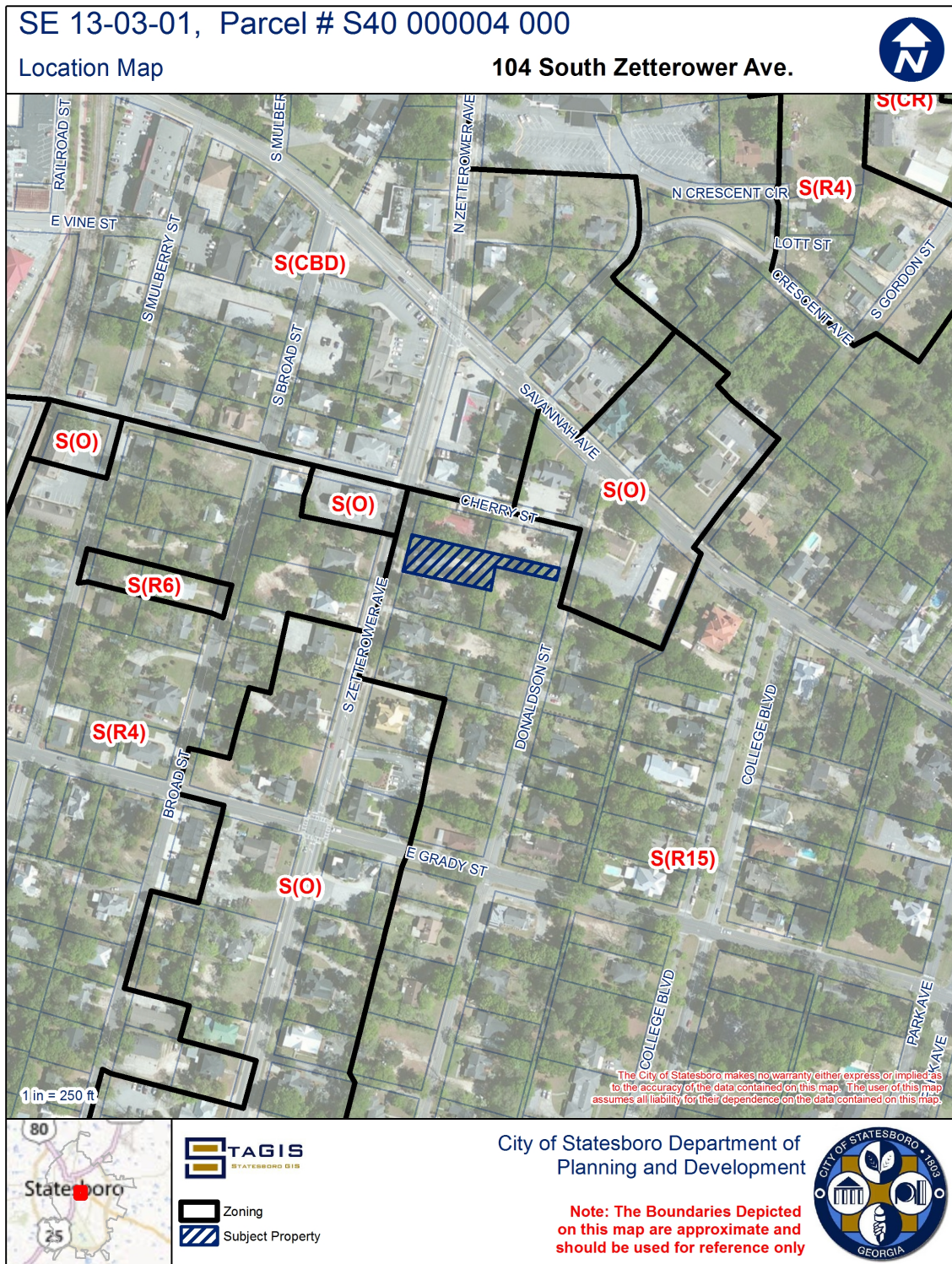


EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: Subject Property.



Figure 2: Rear of the subject property.

EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 3: Rear exit from subject site.



Figure 4: Photo showing available parking at the rear of the subject site.

EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 5: Property across South Zetterower Avenue from subject site.



Figure 6: Properties adjacent to subject site across South Zetterower Avenue – Brick structure recently rezoned.

EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 7: Adjacent doctor's office abutting subject property.



Figure 8: Properties to the west of the subject property.



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 13-03-02 VARIANCE REQUEST 552 EAST MAIN STREET

LOCATION: 552 East Main Street

REQUEST: Variance from Section 703 of the *Statesboro Zoning Ordinance* to increase maximum density from 18 units per acre to 19 units per acre.

APPLICANT: Wardlaw Investments, LLP

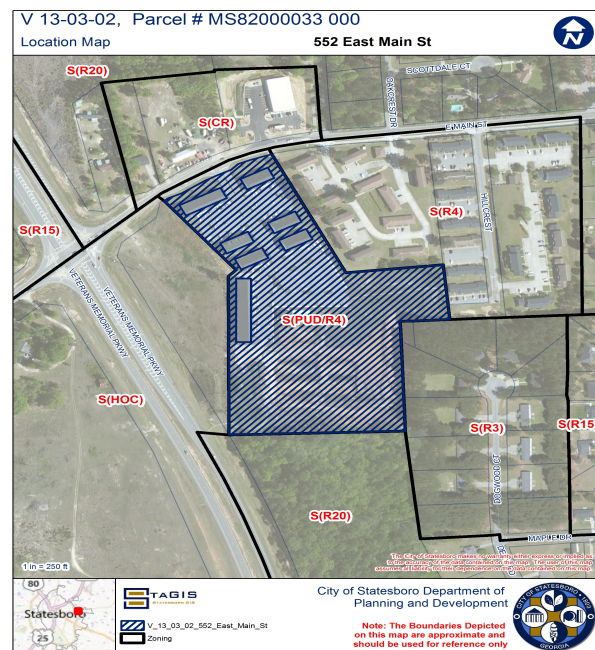
OWNER(S): Wardlaw Investments, LLP

LAND AREA: 12.83 Acres

PARCEL TAX MAP #s: MS82000033000,
MS82000033001,
MS82000033002,
MS82000033003,
MS82000033004,
MS82000033005,
MS82000033006,
MS82000033008

COUNCIL DISTRICT: 1 (Boyum)

CURRENT ZONING: PUD/R4 (Planned Unit Development with High Density Residential Overlay)



PROPOSAL:

The applicant is requesting a variance from Section 703 of the *Statesboro Zoning Ordinance* for property located at 552 East Main Street – Village at Millcreek to allow an increase in the number of previously approved units/bedrooms from 18 units per acre to 19 units per acre resulting in a bedroom increase from 460 to 488.

BACKGROUND:

The 12.83 acre subject site of this request is known as Village at Millcreek which currently consists of seven (7) residential buildings and a clubhouse totaling 72 units and 144 bedrooms. The subject site was rezoned from R3 (Medium Density Residential) to R4 (High Density Residential) in 2005 followed by a zoning map amendment from R4 (High Density Residential) to its current zoning designation of PUD/R4 (Planned Unit Development with a High Density Residential overlay) in 2006. Council's approval was to allow single family attached dwelling units with a cap of 17 units per acre and a maximum of 2 bedrooms per unit (total of 436 bedrooms). In 2008, City Council granted an amendment to the PUD/R4 (Planned Unit Development with High Density Residential overlay) district to increase the cap on the number of units to 18 units per acre (total of 460 bedrooms). The applicant requests to increase the maximum number of units from the previously approved 18 units per acre to 19 units per acre.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail)	Auto Sales & Retail
SOUTH:	R3 (Medium Density Residential) & R20 (Single Family Residential)	Duplexes & Single Family Homes
EAST:	R4 (High Density Residential)	Apartments
WEST	HOC (Highway Oriented Commercial)	Vacant - Bypass

The subject site is surrounded by a mix of uses including a small car lot and Dollar General to the north with apartments, duplexes and single family homes surrounding the subject site.

COMPREHENSIVE PLAN:

The subject site lies within the “Emerging Activity Center” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The “Emerging Activity Center” character areas are directly influenced by Mill Creek Park. As the largest public recreation facility in the city and county, Mill Creek Park is a family oriented area including opportunities for restaurants, retail, and family entertainment. Land uses in this area should be considered as annexation becomes a possibility.

Small and mid-size regional retail and commercial, office, entertainment, services, multi-family, and mixed use are all appropriate land uses for properties within the “Emerging Activity Center” character area. Some suggested development and implementation strategies for the area include the following:

- New development should be master-planned and carefully linked to surrounding developed areas through a network of streets.
- Wherever possible, connect new development with existing and proposed networks of bicycle paths and multiuse trails.

Statesboro Comprehensive Plan, Community Agenda page 19.

To achieve the *Comprehensive Plan’s* vision of evolving into an attractive destination and becoming a regional leader in quality growth, the community should promote the idea that all residents have a right to quality housing regardless of social economic standing by monitoring housing needs, continuing to emphasize walkability, and embracing diverse housing options. “Whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character.”

Statesboro Comprehensive Plan, Community Agenda page 7.

The existing multi-family structures located on the subject site is an appropriate land use encouraged by the *Comprehensive Plan*. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city services as a result of this request.

ENVIRONMENTAL:

The subject property does contain wetlands but is not located in a special flood hazard zone. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The applicant has requested a variance from Section 703 regarding density of the *Statesboro Zoning Ordinance* to increase the previously approved development cap of 18 units per acre for the existing and proposed development at 552 East Main Street - better known as Village at Millcreek. Section 703 of the *Statesboro Zoning Ordinance* limits developments within R4 (high density residential) districts to 12 dwelling units per developable acre. However, after the previous grant of 18 dwelling units per acre (230 dwelling units), the development was capped at 460 bedrooms (assuming 2 bedrooms per unit).

Of the 230 dwelling units (460 bedrooms) granted by City Council, Village at Millcreek has been permitted for 72 units with 144 bedrooms total, so far. The request to increase the number of units will allow a total of 244 units (or 488 bedrooms) for an increase of 14 units (or 28 bedrooms) from that which was previously approved.

The *Statesboro Zoning Ordinance* does not expressly regulate the number of bedrooms per acre. However, bedroom density is generally accepted as the better method of impact than unit density and the City has generally considered 4 bedrooms per unit in its density related development requests. The applicant is proposing to add some units to existing buildings and possibly build an additional building. At 2 bedrooms per unit, the result would be an additional 28 bedrooms. See **Exhibit B**.

More recent density variances for the R4 district have allowed density increases up to 29 dwelling units per acre considering four (4) bedrooms per unit resulting in 116 bedrooms per developable acre – such instance can be seen in Case V 11-07-03 granted to Monarch Apartments with a development cap of 579 bedrooms. This request would not have an impact that large as the applicant is only requesting an increase of 28 bedrooms for the entire site for a total of 488 bedrooms.

Section 1801 of the *Statesboro Zoning Ordinances* authorizes the City Council to grant variances from provisions of the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and states that the Mayor and Council [should] consider the following in its consideration of a variance request:

- A. 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;**
 - There are no special conditions relating to the land.
- B. The special conditions and circumstances do not result from the actions of the applicant;**
- C. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - There is no hardship created by applying City Council’s previous approval of a cap of 18 dwelling units per acre.
- D. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
 - This request would only increase the number of units by approximately 1 unit per developable acre while staying well below other recently approved density variances.
 - An increase of 28 bedrooms should not have a negative impact on traffic volume at this location.
 - No additional significant impact is anticipated.

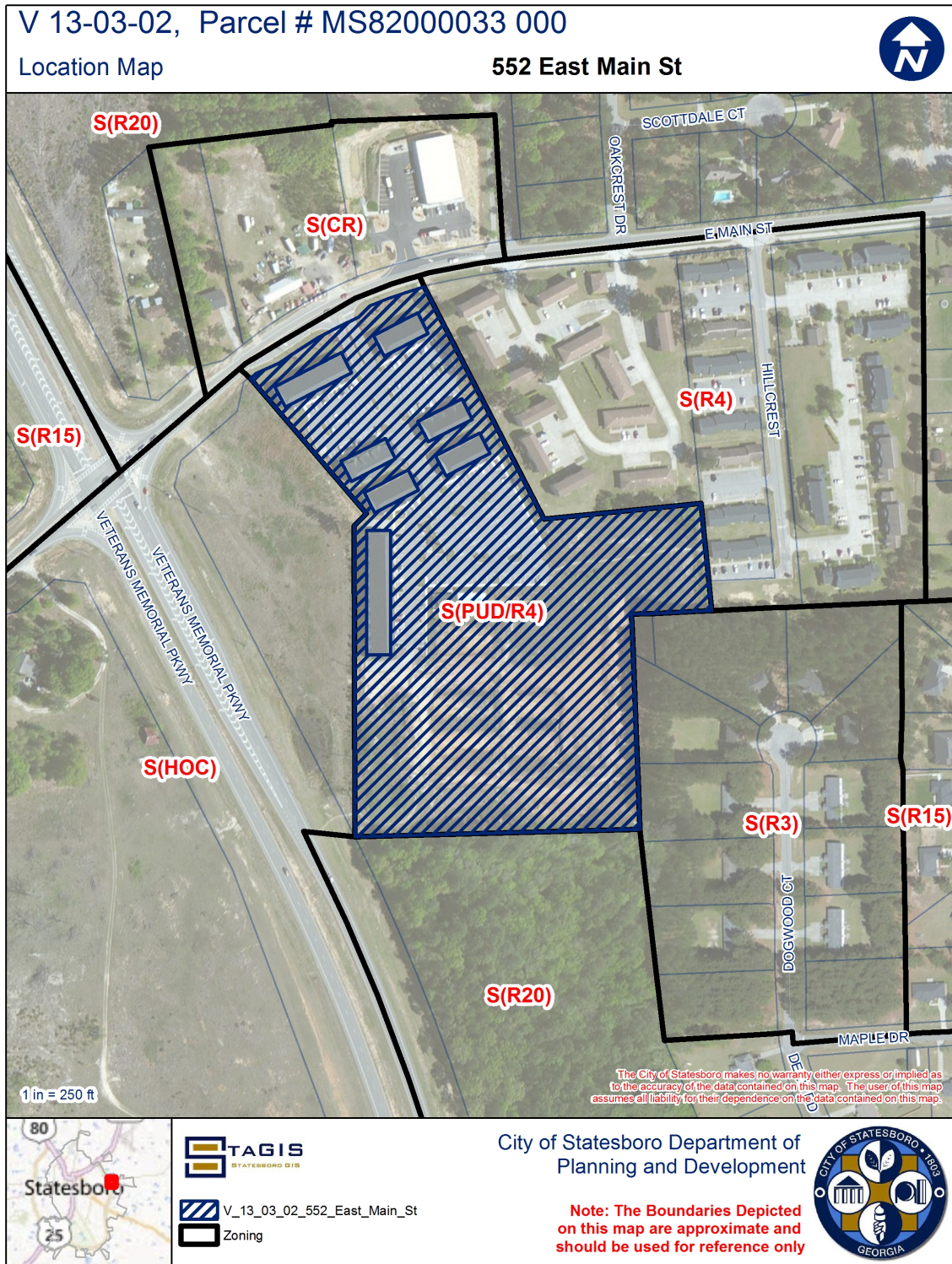
STAFF RECOMMENDATION:

Although there is no hardship based on the factors of consideration given in Section 1801 as applied to this request, the adopted policies of the *Comprehensive Plan*, and past actions of the City Council show that this request will not have a negative impact; therefore, staff has no objection to City Council granting approval of the requested variance to increase density to 19 units per acre for a total of 488 bedrooms.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 4-0 to recommend approval of the requested variance with a development cap of 19 units per acre for a total of 488 bedrooms.

EXHIBIT A: LOCATION MAP



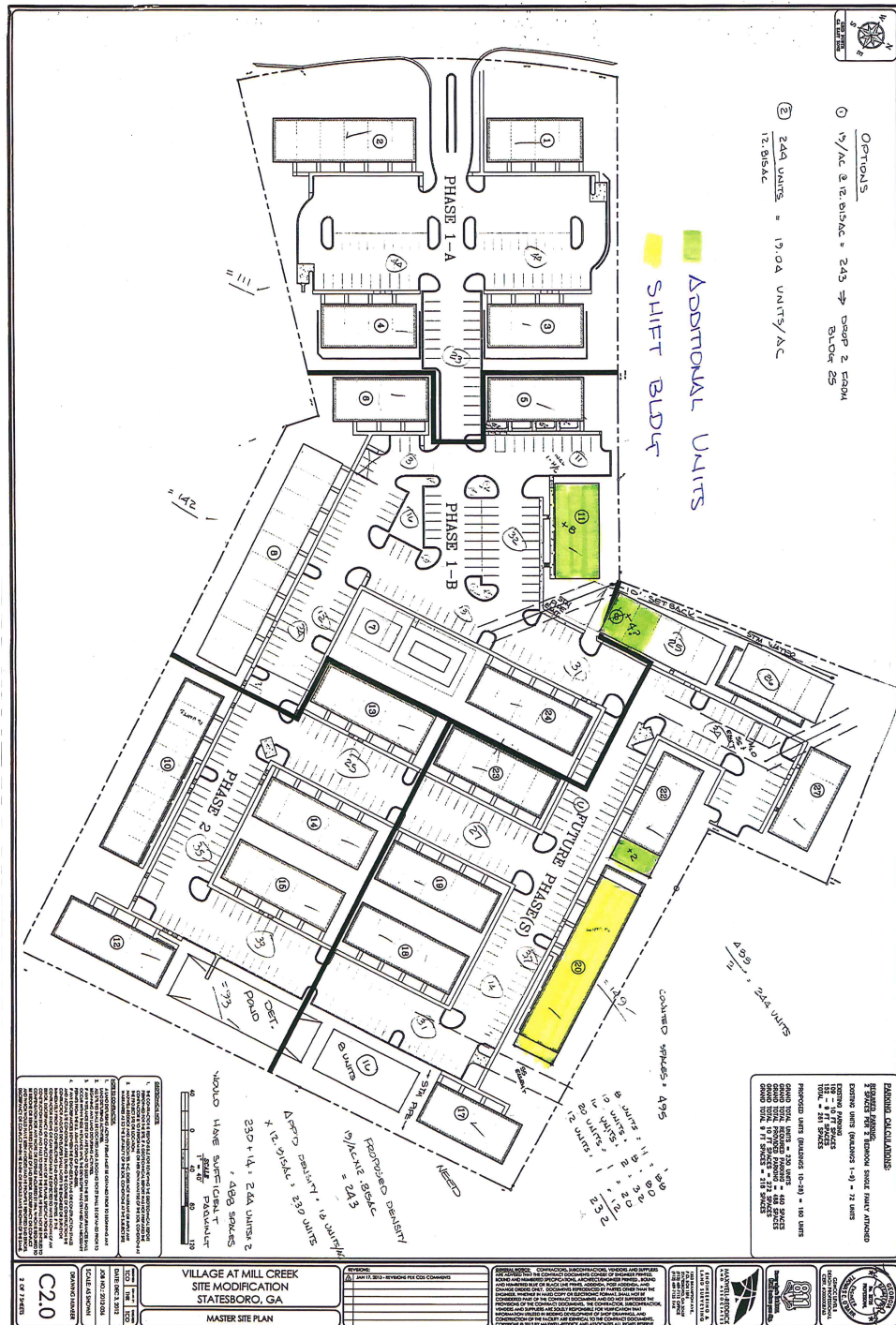


EXHIBIT C: LETTER FROM APPLICANT

Wardlaw Investments, LLP requests an increase in density for The Village at Mill Creek (Mill Creek), an apartment complex located at 552 East Main Street in Statesboro. All of the apartments completed or to be constructed are 2-bedroom units. Mill Creek is a unique property in Statesboro in that students make up only 5% of the renter population with the remaining 95% being families, professional married/singles, and graduate students. The Mill Creek location offers these tenants a life style that cannot be found in the immediate vicinity.

The requested variance would increase the number of 2-bedroom apartments in the complex from 230 to 244, or 6%. This would increase the density from 18 bedrooms per acre to 19.05 bedrooms per acre. This increase will be accommodated by adding 2 apartment units to Bldg 22, 4 apartment units to Bldg 25 and constructing Bldg 11 (8 apartment units) in the existing parking lot adjacent to the complex's mail kiosk. Sufficient space will be maintained between adjacent planned buildings to allow firefighting equipment access to the back of the expanded buildings. There are also sufficient parking spaces constructed and/or planned on the remainder of the property to accommodate the increased density. The increased density would have little to no effect on the surrounding community or transportation systems.

Other apartment communities that are either operating or are currently under construction have been approved with more density than the revised density requested by Wardlaw Investments. The approved density from a sampling of other approved apartment communities are listed below:

<u>Complex</u>	<u>Property Area (AC)</u>	<u>No. of Bedrooms</u>	<u>Density (BR/AC)</u>
Copper Beech	20.193	790	39.12
Campus Crossing	14.34	600	41.84
Monarch 301	10.01	504	50.35
Mill Creek (proposed)	12.815	488	38.08

The average occupancy rate in Mill Creek since its initial construction averages 96%. New buildings are occupied immediately upon receipt of a Certificate of Occupancy. Professionals who don't want to live in student communities have few alternatives for apartments in the Statesboro area. As a result, Mill Creek offers an attractive alternative to renting in a student community, renting a house or purchasing a home. Increasing the density will provide additional alternatives for professionals seeking to live in an apartment environment.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: Subject Property.



Figure 2: Subject Property.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.)



Figure 3: Building under construction.



Figure 4: Construction site at rear of subject property for future buildings.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.)



Figure 5: Car lot across East Main Street from the subject site.



Figure 6: Retail store across East Main Street from subject site.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.)



Figure 7: Fence separating subject site from abutting apartment complex.



Figure 8: Bypass abutting subject site.

Memo



TO: Frank Parker, City Manager

FROM: Darren Prather, Purchasing Director

DATE: 4-8-13

Re: Recommendation: Bid Award—Heated Asphalt/Re-claimer Trailer

The City of Statesboro issued an invitation to bid on a heated asphalt/re-claimer trailer. This piece of equipment will allow patching of roadways and has a feature that will recycle old asphalt to apply to these needed repair areas as well. This is funded by CIP # ENG-STS 85 in the amount of \$43,000. An invitation to bid was sent to the following:

- | | |
|--|--------------------|
| 1. Consolidated Pipe and Supply (Savannah) | No Bid |
| 2. Spaulding Manufacturing (Michigan) | No Bid |
| 3. KM International, (Michigan) | \$41,324.00 |
| 4. Reynolds-Warren (Lake City, GA) | \$57,605.00 |

After having the Streets Department review the submitted specifications, it is recommended the bid award be made to KM International as they have submitted the lowest responsive price of \$41,324.00. It is suspected the price differential is due to the fact KM International is a direct distributor of the equipment. Every effort was made to obtain bids from the other two vendors in this process. The model of this equipment is KM8000Thpd. This model meets or exceeds all of the required specifications and options requested in this invitation to bid. To review this equipment, please visit the website of www.kminb.com

Resolution 2013-09: A RESOLUTION ACCEPTING RIGHT OF WAY OF VADEN DRIVE TO BE OWNED AND MAINTAINED BY THE CITY OF STATESBORO, GEORGIA.

WHEREAS, Kathryn S. Lovett Family Limited Partnership is the owner of one street segment known as Vaden Drive, and wishes to convey said street to the City of Statesboro; and

WHEREAS, with the planned growth of the surrounding area, the City believes it is in the best interest of the public for those roads to be public streets, owned and maintained by the City;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled this _____ day of _____, 2013, as follows:

Section 1. That Vaden Drive is hereby formally accepted by dedication to the City of Statesboro as a public street and rights of way to be owned and maintained by the City of Statesboro.

Section 2. That this Resolution authorize and direct the Mayor of the City of Statesboro, Georgia to accept the dedication of the following described property by virtue of a right of way deed.

Section 3. All of that certain tract or parcel of land situate, lying and being in the 1209th G. M. District of Bulloch County, Georgia, and in the City of Statesboro, being that certain 80' right-of-way of Vaden Drive, containing 0.76 acres, more or less, as more particularly shown as a Proposed 80' Right-of-Way on a plat prepared by Wright C. Powers, Georgia Registered Land Surveyor, dated November 17, 2011, and recorded in Plat Book 64, Page 641, Bulloch County records.

The above referenced plat and the description thereon are by reference incorporated herein for all purposes of this description.

Section 4. 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 _____, 2013.

THE CITY OF STATESBORO, GEORGIA.

By: _____
Mr. Joe Brannen, Mayor

Attest: _____
Ms. Sue Starling, City Clerk

Request for Street Dedication

The undersigned owner(s)/developer(s)/authorized agent(s) to dedicate to the City of Statesboro the STREET described below:

Street Name: Vaden Drive

Starting at Point: Intersection with Brannen Street

Ending at Point: At end of and intersection with 60' (road name TBD)

Length (in feet): 415.22'

Width of Right-of-Way (in feet): 80'

Name of Subdivision: Lot 2, Statesboro Dealership Properties, LLC

Plate Book Number and Page Number (for final subdivision plat): 65/138

I fully understand and agree that the street described above becomes a City maintained street only after the City approves my dedication request and declares to accept it as part of the City street system.

Kathryn S. Lovett Family Limited Partnership

By: K.S. Lovett Enterprises, Inc., General Partner

By Karen E. Lene President 1/31/2013

Owner/Developer/Authorized Agent

Date

Return recorded document to:
City of Statesboro
P.O. Box 348
Statesboro, Georgia 30459

STATE OF GEORGIA

COUNTY OF BULLOCH

RIGHT-OF-WAY DEED

THIS INDENTURE, made this 8th day of February, 2013, between KATHRYN S. LOVETT FAMILY LIMITED PARTNERSHIP, as party of the first part, hereinafter called "Grantor," and MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA, as party of the second part hereinafter called "Grantee," the words "Grantor" and "Grantee" to include their respective heirs and assigns where the context requires or PERMITS:

WITNESSETH that Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good consideration shown, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, dedicated, and confirmed, and by these presents does grant, bargain, sell, alien, convey, dedicate, and confirm unto the said Grantee, all of the following described property, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference

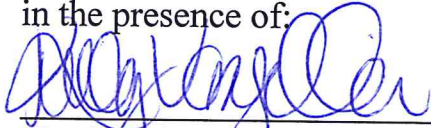
TO HAVE AND TO HOLD the said tract or parcel of and with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anyway appertaining to, the only proper use, benefit and behoof of the said Grantee forever in fee simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of all persons whomsoever.

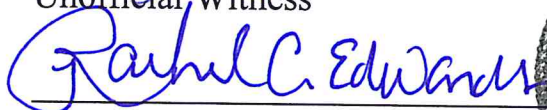
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

GRANTOR:
KATHRYN S. LOVETT FAMILY
LIMITED PARTNERSHIP,
BY: K. S. LOVETT ENTERPRISES,
INC., General Partner

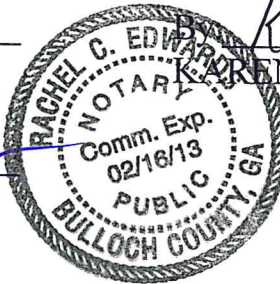
Signed, sealed and delivered
in the presence of:



Unofficial Witness



Notary Public



 (Seal)
KAREN E. LOVETT, President

ACCEPTED BY GRANTEE: MAYOR AND CITY COUNCIL OF THE CITY OF
STATESBORO, GEORGIA

Unofficial Witness

Notary Public

By: _____ (Seal)
JOE BRANNEN, MAYOR, President

Attest: _____ (Seal)
SUE STARLING, CITY CLERK

Exhibit "A"

All that certain tract, parcel or lot of land lying and being in the 1209th G.M.D. District, City of Statesboro, Bulloch County, Georgia, and being particularly described as an 80' Proposed Right of Way separating Lot 1 and Lot 2, as shown on that certain plat entitled "Minor Subdivision Plat of 28.37 acre parcel of the lands of Dr. Kathryn S. Lovett and Karen E. Lovett, Tax Map Parcel MS84000100 000", said plat being recorded December 28, 2011 at Deed Book 00064, Page 0641, Bulloch County Georgia Superior Court Records.

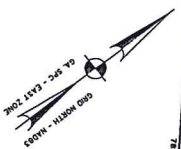
It being the express of this instrument to convey said 80' Right of Way to the City of Statesboro.

LEGEND

- MEANDER POOL AND K
- CORRELLITE MUDHOLE
- RICH PEE (PC)
- RICH PEE (SE)

WETLAND AREAS

The map shows a rectangular area labeled 'WETLAND AREAS'. Inside the rectangle, there is a small circle (●) and a square (■). To the right of the rectangle, there is a larger circle (○).



Case	Co Length	DeLo
1	1.06	6.6400
2	1.17	10.1117
3	1.2	5.35037
4	1.3	5.35435
5	1.4	5.35435
6	1.5	6.65632
7	1.6	5.45114
8	1.7	5.45114
9	1.8	8.61738
10	1.9	5.15538
11	2.0	5.15538
12	2.1	5.15538
13	2.2	5.15538
14	2.3	5.15538
15	2.4	5.15538
16	2.5	5.15538
17	2.6	5.15538
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TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN IS A CORRECT REPRESENTATION OF THE LAND PLATTED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM TECHNICAL STANDARDS AND REQUIREMENTS OF LAW.

WRIGHT C. POWERS, JR.
GEORGIA REGISTERED LAND SURVEYOR
LICENSE NO. 2612

MINOR SUBDIVISION
PLAT OF
A 28.37 ACRE PARCEL
OF THE LANDS OF
DR. KATHRYN S. LOVETT &
KAREN E. LOVETT
TAX PARCEL: MS84000100 0000

CITY OF STATESBORO, GMD 1202
BULLOCH COUNTY, GEORGIA
Prepared for
DAN VADEN, LLC.

THOMAS & HUTTON
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Job 23288

TERESA P. TUCKER
Chief Superior Court, BUTLACH County, Ga
BA 00164 Pr 1641

Resolution 2013-10: A RESOLUTION ACCEPTING RIGHT OF WAY OF A YET TO BE NAMED ROAD BEHIND THE VADEN NISSAN CAR DEALERSHIP TO BE OWNED AND MAINTAINED BY THE CITY OF STATESBORO, GEORGIA.

WHEREAS, Statesboro Dealership Properties, LLC is the owner of one street segment that has yet to be named, and wishes to convey said street to the City of Statesboro; and

WHEREAS, with the planned growth of the surrounding area, the City believes it is in the best interest of the public for those roads to be public streets, owned and maintained by the City;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled this _____ day of _____, 2013, as follows:

Section 1. That the yet to be named road is hereby formally accepted by dedication to the City of Statesboro as a public street and rights of way to be owned and maintained by the City of Statesboro.

Section 2. That this Resolution authorize and direct the Mayor of the City of Statesboro, Georgia to accept the dedication of the following described property by virtue of a right of way deed.

Section 3. All of that certain tract or parcel of land situate, lying and being in the 1209th G. M. District of Bulloch County, Georgia, and in the City of Statesboro, being that certain 60' right-of-way of the yet to be named road, containing 0.41 acres, more or less, as more particularly shown as a Proposed 60' Right-of-Way on a plat prepared by Wright C. Powers, Georgia Registered Land Surveyor, dated October 31, 2012, and recorded in Plat Book 65, Page 138, Bulloch County records.

The above referenced plat and the description thereon are by reference incorporated herein for all purposes of this description.

Section 4. 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 _____, 2013.

THE CITY OF STATESBORO, GEORGIA.

By: _____

Mr. Joe Brannen, Mayor

Attest: _____

Ms. Sue Starling, City Clerk

Memorandum

To: Frank Parker

CC: Wayne Johnson

From: Van H. Collins

Date: 4/4/2013

Re: Recommendation to award a contract to Tyson Utilities Construction, Inc. in the amount of \$34,838.92 for a sewer line extension, which will eliminate the need for the Sandy Hill Pump Station.

Sealed quotes were received and opened on April 1, 2013 for the extension of a sewer line, which will eliminate the need for the Sandy Hill Pump Station. We received four quotes, which are as listed below:

Tyson Utilities Construction, Inc.	\$34,838.92
Allied Utilities, Inc.	\$35,646.00
Y-Delta, Inc.	\$36,756.40
Southeastern Civil, Inc.	\$40,122.50

We have a total of \$50,000.00 approved in the FY2013 Capital Improvement Program for this project, which will be under budget. Therefore, it is my recommendation to award a contract to the low bidder, Tyson Utilities Construction, Inc, in the amount of \$34,838.92 for the installation of this sewer line.

As always, I appreciate any consideration given to this request.



City of Statesboro Engineering Department

P.O. Box 348
Statesboro, Georgia 30459

912.764.0655
912.764.0664 (Fax)

MEMORANDUM

To: Frank Parker, City Manager

From: Robert Cheshire, PE, City Engineer *RC*
Marcos Trejo Jr., Engineer I *MT*

Re: Recommendation of Low Bidder for "West Main Street at College Street Intersection and Utility Improvements"

Date: April 11, 2013

Bids for the above referenced project were received on April 4, 2013. The bid results are as follows:

- Y-Delta, Inc.: \$681,324.48
- Mclendon Enterprise: \$713,491.88
- Millcreek construction: \$799,789.07

Our cost estimate for the project was \$625,000.00. After receiving the bids, the Engineering Dept. worked with Maxwell-Reddick & Associates, the design engineer for the project, to modify the scope of the project in an effort to reduce quantities and costs. As allowed per O.C.G.A. 36-91-21, we negotiated with the low bidder for a modified project cost of \$625,451.93.

There are several potential reasons why the bids submitted were higher than our estimate. To lessen the impact on downtown businesses and traffic, the Engineering Dept. placed tight restrictions on the amount of time that the streets and intersection can be closed. We also included penalties to the contractor if the road closure allowances are not met. Additionally, in an effort to minimize the construction impacts on traffic at this busy intersection, we placed stringent time limits on the project duration, so the work would be completed during the summer months when local schools are on summer vacation. Strong liquidated damages to the contractor were included in the contract if the project completion date is not met. Estimating the costs of meeting these requirements was difficult on our part. Thus, because of the scope and challenges associated with this project, there were only a few local contractors who showed the desire and interest to submit a bid.

Y-Delta Inc. meets all requirements of the bid package. Y-Delta Inc. was the prime contractor for the widening of East Main Street Streetscape project and has completed numerous other projects for the City. Based on the factors discussed above, and on our assertion that re-bidding the project would probably not result in receiving more interest or lower bids, it is the Engineering Dept.'s recommendation to award the contract in the amount of \$625,451.93 to the low bidder, Y-Delta Inc.



City of Statesboro

Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

MEMO

To: Frank Parker, City Manager
From: Jason Boyles, Senior Assistant City Engineer
Date: April 10, 2013
Re: Recommendation of Bid for Purchase of Two (2) New CNG Powered Cab & Chassis Units

The Purchasing Department conducted a sealed bid process for the purchase of two (2) new compressed natural gas powered cab and chassis units for use with front load refuse bodies (to be awarded separately). To maintain a competitive bid environment, bids were sent to a total of six (6) vendors. On April 10, 2013 the city received two sealed bids. The purchasing director and I have reviewed the bids received and recommend that the bid be awarded to Peach State Ford Truck Sales in the total amount of \$286,360.00. This bid was the lowest bid received and exceeds all minimum specifications. This equipment will be purchased with Solid Waste Collection operating funds and is priced within our budget estimate.

Bid Results:

<u>Vendor</u>	<u>Total Bid Received</u>
Peach State Ford Truck Sales	\$286,360.00
Consolidated Disposal Systems	\$315,974.00
Advantage Trucks	No Bid Received
Action Truck Center	No Bid Received
Crescent Ford Trucks	No Bid Received
Cherokee Truck Center	No Bid Received

From research, meetings with vendors, and trips to agencies with CNG refuse operations, the Autocar cab & chassis and Cummins ISL-G compressed natural gas engine combination was specified because it provides the City with several competitive advantages. First, is the historical significance of the relationship between Cummins and Autocar. Much of the testing and development by Cummins of the ISL-G natural gas engine was conducted in an Autocar cab & chassis. Thus, Autocar has been running the Cummins ISL-G engine since its inception over 5 years ago (mostly in California). Second, Autocar provides a faster, more reliable delivery timeline. Peach State has specified a delivery timeline to the body manufacturer of 4 months, whereas other manufacturers have told us that it would be a minimum of 8 months. This timeline is critical to avoid delay for the Natural Gas Department to close out their upcoming contract for the CNG fill station installation and in-service. Third, Autocar offers several performance advantages over other manufacturers including turning angle (radius) and better visibility with rear corner windows. This results in superior maneuverability in tight areas and better visibility, thereby increasing productivity and reducing the potential for accidents. Finally, Peach State is offering to provide reimbursement to the City of Statesboro Fleet Maintenance Division for warranty repairs. This will reduce downtime and maintenance costs.

If I can be of further assistance please do not hesitate to contact me.

Cc: Robert Cheshire, PE, City Engineer
Darren Prather, Purchasing Director
Mike Clifton, Sanitation Superintendent



City of Statesboro

Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

MEMO

To: Frank Parker, City Manager
From: Jason Boyles, Senior Assistant City Engineer
Date: April 10, 2013
Re: Recommendation for Purchase of Two (2) New Way Front Load Refuse Bodies
with Compressed Natural Gas (CNG) Equipment

The Sanitation Division is requesting to purchase two (2) New Way front load refuse bodies with compressed natural gas tanks and appurtenances in the amount of \$130,253.55 each (\$260,507.10 total) for use with CNG cab and chassis units (to be awarded separately). Included in the total amount is the manufacture of the body, installation of body, CNG tanks and fill ports, CNG controls systems, and installation of all other necessary CNG equipment. This price is based on a "piggyback" of a bid with the Commonwealth of Kentucky for a New Way solid waste body. This equipment will be purchased with Solid Waste Collection operating funds and is priced within our budget estimate. The purchasing director, Darren Prather, and I are in agreement with this recommendation.

The Commonwealth of Kentucky conducts a competitive state purchasing contract similar to the State of Georgia. As noted in previous bid piggyback purchases for fire engines, City ordinance allows for piggybacking of bids and purchasing contracts with other governmental agencies. All pertinent documentation with the Commonwealth of Kentucky has been verified by staff.

From research and trips to agencies with CNG refuse operations, staff learned that the most common cause of operational problems experienced by other agencies after they transitioned their fleet to CNG is due to their CNG equipment being installed by a third party vendor. The advantage that is offered by New Way is that installation of all CNG tanks and appurtenances occurs at the New Way factory (a factory trained and authorized CNG installation center). This provides the City less operational downtime and better support and communication with the body manufacturer in the event of a technical issue with either the CNG equipment or the refuse body. In addition, the authorized New Way dealer for Georgia has agreed to include shipment of the complete units from the factory in Iowa, include a CNG front fuel fill port, and provide a tank size increase from 60 DGE to 70-75 DGE at no additional charge.

If I can be of further assistance please do not hesitate to contact me.

Cc: Robert Cheshire, PE, City Engineer
Darren Prather, Purchasing Director
Mike Clifton, Sanitation Superintendent