



September 7, 2011 9:00 A.M.

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman John Riggs
3. Approval of Minutes:
 - a) August 16, 2011 Council Minutes
 - b) August 16, 2011 Work Session Minutes
4. Recognitions/Public Presentations:
 - a) Michael Jones representing the Boys and Girls Club request to speak to Council concerning the Club's needs.
 - b) Statesboro Fire Department recognizes firefighters with Departmental Service Metals
 - c) Employee of the Month presented to Isaiah Lucas in the Landfill Division of Public Works.
5. Public Comments (Agenda Item):
6. Consideration of a Motion to approve Special Event Permits:
 - a) Gallery reception for Averitt Center for the Arts
 - b) Theatre Production Intermission for Averitt Center for the Arts
 - c) Beer tasting and Concert Fundraiser- Georgia Southern Botanical Garden
7. Consideration of a Motion to approve/deny 2nd reading for the application of alcohol license:
 - a) Kenneth L. Brown (Lily's Café)
8. Public Hearing and Consideration of a Motion to approve the following zoning map amendment and variance request from the Statesboro Zoning Ordinance.
Progress Builders, LLC requests at the following regarding property located at 816 South Main Street.
 - a) **APPLICATION # RZ 11-07-02** to rezone from CR (Commercial Retail) to R4 (High Density Residential).
 - b) **APPLICATION # V 11-07-03** from Section 703 of the *Statesboro Zoning Ordinance* regarding density.
 - c) **APPLICATION # V 11-07-04** from Section 702 of the *Statesboro Zoning Ordinance* regarding height.

9. Public Hearing and Consideration of a motion to approve the following variance request from the *Statesboro Zoning Ordinance*.
 - a) **APPLICATION # V 11-07-05**: Tippins-Polk Construction, Inc. requests a variance from Section 1600 of the *Statesboro Zoning Ordinance* regarding parking for property located on Northside Drive West.
10. Public Hearing and Consideration of a Motion to approve **Resolution 2011-29**: A Resolution setting the millage rate for Ad Valorem (Property) Taxes for the 2011 Calendar Year for the City of Statesboro at 6.358.
11. Consideration of a Motion to approve the due date for the City of Statesboro Property Tax Bills to be December 20, 2011.
12. Consideration of a motion to temporarily suspend the following occupational tax certificates (business licenses) of the following establishments:
 - a) Phone Net Sweeps: 120 Northside Drive East
 - b) Cyber Center Café: 441 and 443 South Main Street
 - c) Advance South, LLC dba Statesboro Business Center: 860 Buckhead Drive Suite A3
13. Consideration of a Motion to approve **Resolution 2011-30**: A Resolution approving the placement of a temporary moratorium for 6 months regarding occupational tax certificates (business license) for internet sweepstake cafes.
14. Consideration of a motion to declare a 1985 Ford bucket truck as surplus and be disposed of by electronic auction.
15. Consideration of a motion to declare a 1990 Ford dump body truck as surplus and be disposed of by electronic auction.
16. Consideration of a Motion to award the purchase of two (2) 2011 Ford F-150 Styleside Supercab Pick-up trucks, for the Water/Wastewater Department, to Rozier Ford in the amount of \$40,564.00.
17. Consideration of a Motion to approve the purchase of a dump truck for the City of Statesboro Natural Gas Department thru the Georgia State Contract.
18. Consideration of a Motion to award the bid for a 2012 Ford F-450 Cab and Chassis to Wade Ford(Smyrna, Ga.) in the amount of \$26,425.00.
19. Consideration of a Motion to award the bid for a 2012 Ford F-350 Cab and Chassis with service body to Wade Ford (Smyrna, Ga.) in the amount of \$31,440.00.
20. Reports from Staff:
 - a) City Manager's Report
 - b) Department Head Reports

21. Public Comments (General):

22. Other Business from City Council

23. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
CITY COUNCIL MINUTES
August 16, 2011**

A regular meeting of the Statesboro City Council was held on August 16, 2011 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, Tommy Blitch, John Riggs, Gary Lewis and Travis Chance. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Engineer Robert Cheshire, and Director of Community Development Mandi Cody. Michael Graves was also present for legal counsel.

Approval of Minutes:

- a) **August 2, 2011 Council Minutes**
- b) **August 2, 2011 Council Work Session Minutes**

Councilman Chance made a motion, seconded by Councilman Riggs, to approve the August 2, 2011 Council Minutes and Council Work Session Minutes. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Recognitions/Public Presentations

- a) **Craig Tremble request to speak to Council concerning improvements for the Westside area of Statesboro.**

Craig Tremble spoke to Council regarding the abandoned houses and run down property on the West side of Statesboro. He asked Council for help in holding the property owners accountable for the upkeep of their property. Director of Community Development Mandi Cody stated her department has already begun looking at this area as well as other areas within the City. She also stated the Code Enforcement officers have made progress in some areas with the cleanup of properties.

Public Comments (Agenda Item): None

Consideration of a Motion to approve a Special Event Permit:

- a) **Fundraiser for Statesboro Regional Sexual Assault Center- Richard Toms (119 Chops)**

Richard Toms was present to answer any questions. Councilman Chance made a motion, seconded by Mayor Pro Tem Will Britt to approve the Special Event Permit for the fundraiser for the Statesboro Regional Sexual Assault Center. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to authorize the purchase of equipment for the meter pilot program (Sole Source Purchase)

Councilman Lewis made a motion, seconded by Mayor Pro Tem Will Britt to authorize the purchase of the meter pilot program (Sole Source Purchase. Councilman Britt, Blitch, 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 purchase of \$191,342 worth of PPE (Personal Protective Equipment- which includes turn-out gear and SCBA's) for the Statesboro Fire Department firefighters, volunteers, and cross-trained police officers using up to \$45,000 from the Fire Fund and \$146,342 from SPLOST 2007 Public Safety projects over the next six to eight month period.

Councilman Lewis made a motion, seconded by Councilman Blitch to approve the purchase of \$191,342 worth of PPE (Personal Protective Equipment- which includes turn-out gear and SCBA's) for the Statesboro Fire Department firefighters, volunteers, and cross-trained police officers using up to \$45,000 from the Fire Fund and \$146,342 from SPLOST 2007 Public Safety projects over the next six to eight month period. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Reports from Staff:

- a) City Manager's Report**
- b) Department Head Reports**

City Manager Frank Parker thanked the City for their kindness with the loss of his mother. Fire Commander Tim Grams, Statesboro Fire Department, reported the collection of \$1500.00 for MDA. Director of Water Wastewater Wayne Johnson reported EPD has a new certification program for maintenance personnel. He stated his employees would be attending the classes.

Public Comments (General): None

Other Business from City Council

City Manager Frank Parker stated Pittman Park Church approved the use of their building for the purpose of holding City elections. He also stated there may be some changes in the procedure for trash pickup.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Lewis to adjourn the meeting. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 6:20 p.m.



**CITY OF STATESBORO
CITY COUNCIL WORK SESSION MINUTES
August 16, 2011**

A work session of the Statesboro City Council was held on August 16, 2011 at 6:35 p.m. in the Council Chambers at City Hall. Present were Mayor Joe Brannen and Council Members: Will Britt, John Riggs, Tommy Blich, Gary Lewis and Travis Chance. Also present were City Manager Frank Parker, City Clerk Sue Starling, and Director of Community Development Mandi Cody. Michael Graves was also present for legal counsel.

Topic for Discussion:

Amendment to Alcohol Ordinance

Brian Kelly (K Bob Kelly's) representing other business owners, collectively, presented to Council a list from the current Alcohol Ordinance they felt needed to be changed. Mr. Kelly was supported by several of the local alcohol license holders. Director of Public Safety Wendell Turner also presented a list from the Fire and Police Department that was similar to the list Mr. Kelly presented to Council. Councilman John Riggs presented letters from the Bulloch County Alcohol and Drug Council and GSU stating their concerns regarding the Alcohol Ordinance. The information and comments presented reflected that most every part of the Alcohol Ordinance should be amended.

The meeting was adjourned at 7:45 p.m.

There was no action taken at this meeting.

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

APPLICATION FOR A SPECIAL EVENT PERMIT

DATE OF APPLICATION 6/22/2011

DATE OF EVENT October 6, 2011

TIME OF EVENT 5:30pm

LOCATION OF EVENT 33 East Main Street

TYPE OF EVENT (DETAILED DESCRIPTION) Gallery
reception

PRODUCTS TO BE SERVED: BEER ☒ WINE LIQUOR

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

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

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

NAME OF APPLICANT Avenitt Center for the Arts

APPLICANT'S ADDRESS 33 East Main Street

APPLICANT'S PHONE NUMBER 912-212-2787

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

Jim Chapman
SIGNATURE OF APPLICANT

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

DATE OF APPLICATION 6/22/2011

DATE OF EVENT October 21, 2011

TIME OF EVENT 7:30pm

LOCATION OF EVENT 33 East Main Street

TYPE OF EVENT (DETAILED DESCRIPTION) Theatre

Production Intermission: duration: 15 minute

PRODUCTS TO BE SERVED: BEER ☒ WINE ☐ LIQUOR

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

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

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

NAME OF APPLICANT Averitt Center for the Arts

APPLICANT'S ADDRESS 33 East Main Street

APPLICANT'S PHONE NUMBER 912-212-2787

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

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

APPLICATION FOR A SPECIAL EVENT PERMIT

DATE OF APPLICATION 12 August 2011
DATE OF EVENT 9/30/2011 Sept. 30, 2011
TIME OF EVENT 6:30 - 10 PM
LOCATION OF EVENT 1505 Bland Ave (Botanical Garden)
TYPE OF EVENT (DETAILED DESCRIPTION) Beertasting + Concert Fundraiser
PRODUCTS TO BE SERVED: ☒ BEER ☒ WINE ☐ LIQUOR
** ALCOHOL MUST BE PURCHASED THROUGH A LICENSED WHOLESALE DISTRIBUTOR.
**THE APPLICANT IS NOT ALLOWED TO HAVE A CASH BAR AT THE EVENT.
ARE FLYERS BEING DISTRIBUTED? ☒ YES ☐ NO
IF YES ATTACH TO APPLICATION.
NAME OF APPLICANT Caroleen Altman Director Georgia Southern Botanical Garden
APPLICANT'S ADDRESS PO Box 8039, 1201 Fair Road 30458
Statesboro 30458
APPLICANT'S PHONE NUMBER 912-871-1149

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

Caroleen Altman
SIGNATURE OF APPLICANT

OFFICE USE:
DATE OF COUNCIL MEETING _____
DATE APPROVED BY MAYOR AND CITY COUNCIL _____



GEORGIA
SOUTHERN
UNIVERSITY

GEORGIA SOUTHERN BOTANICAL GARDEN
POST OFFICE BOX 8039
STATESBORO, GEORGIA 30460-8039
TELEPHONE (912) 871-1149
FAX (912) 871-1777
<http://ceps.georgiasouthern.edu/garden/>

August 12, 2011

City of Statesboro
50 East Main Street
PO Box 348
Statesboro, GA 30459

To Whom It May Concern:

Georgia Southern Botanical Garden will be holding their annual fund raising event True Blue Rhythm and Brews Friday, September 30 from 6:30-10 PM. Tickets will be sold to the general public. Beer and wine will be served at this event and is included in the price of the ticket, as is food.

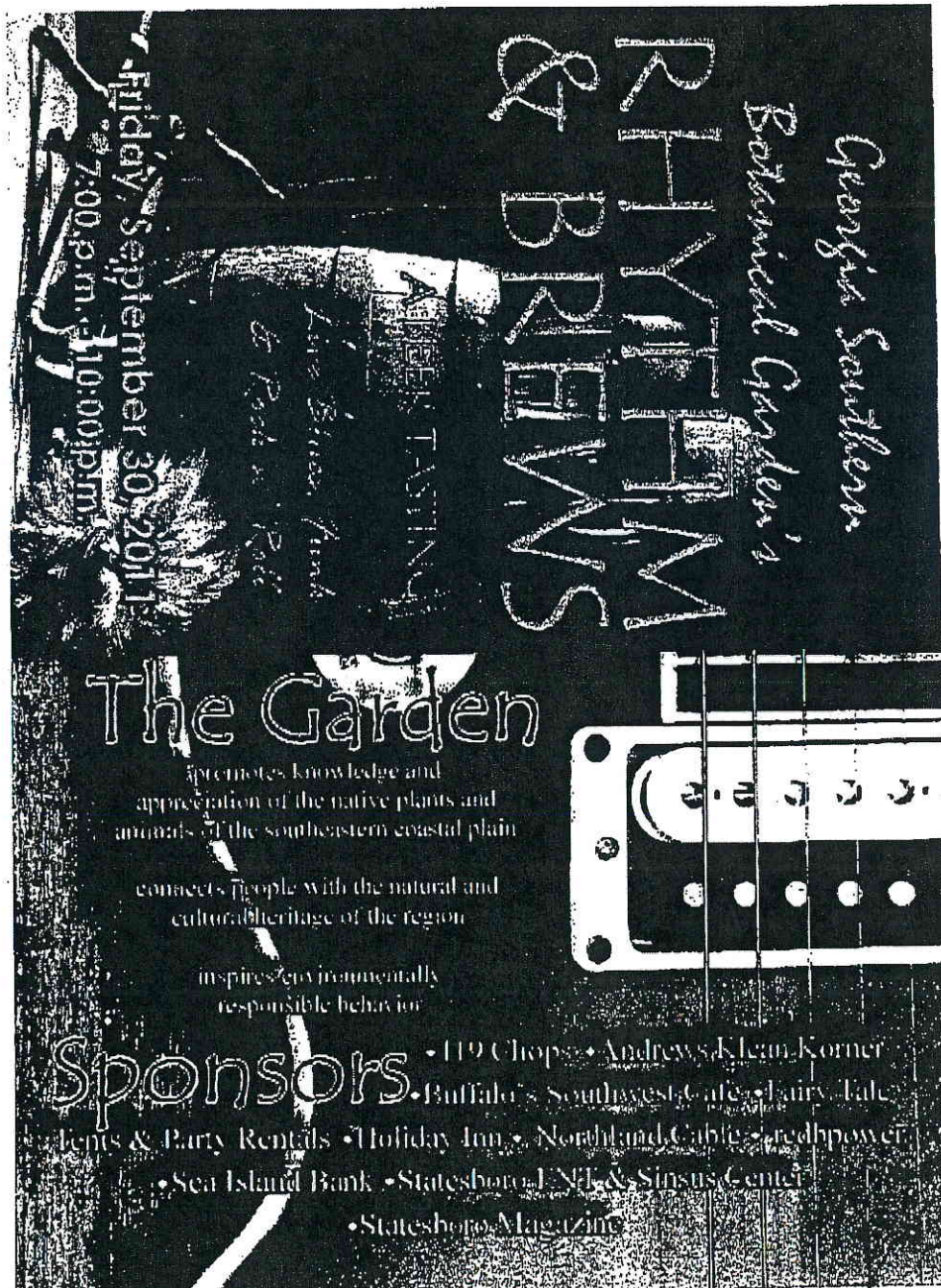
Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn Altman", with a large, stylized flourish extending to the right.

Carolyn Altman
Director

RHYTHM & BREWS

Georgia Southern Botanical Garden
P. O. Box 8039, 1505 Bland Avenue
Statesboro, GA 30460



*Georgia Southern
Botanical Garden's*

RHYTHM & BREWS

WINE TASTING
*Live Blues, Funk
& Rock n' Roll*

Friday, September 30, 2011
7:00 p.m. - 10:00 p.m.

The Garden

- promotes knowledge and appreciation of the native plants and animals of the southeastern coastal plain
- connects people with the natural and cultural heritage of the region
- inspires environmentally responsible behavior

Sponsors

- 119 Chop • Andrews Klean Korner
- Buffalo's Southwest Cafe • Fairy Tale
- Lents & Party Rentals • Holiday Inn • Northland Cable • Redpower
- Sea Island Bank • Statesboro J.N.T. & Sinsus Center
- Statesboro Magazine

RHYTHM & BREWS

ADMISSION INCLUDES:

- ▶ LIVE Blues, Funk and Rock & Roll!
- ▶ a tasting of assorted beers
- ▶ a commemorative beer glass
- ▶ Big Bad Wolf BBQ pulled pork, smoked chicken, coleslaw, potato salad, vegetarian baked beans and tea

Parking:

Parking available at
Pittman Park United
Methodist Church
1102 Fair Road, Statesboro, GA
Shuttle service will be provided
throughout the evening.

Must be 21 or
older to attend.
Proper ID required.

All proceeds support
Georgia Southern Botanical Garden

All tickets will be held at the door under the name(s):

RHYTHM & BREWS

\$40 per person
through September 25
\$50 per person
after September 25

Name: _____
City: _____ State: _____ Zip: _____
Email: _____

CARD TYPE: AMEX DISCOVER MASTERCARD VISA

Expiration Date: _____

NAME (as it appears on the card): _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

For phone orders 912-871-1140

Make checks payable to: GEORGIA SOUTHERN FOUNDATION

Mail to: Georgia Southern Botanical Garden, P.O. Box 2039

of tickets x \$ = enclosed

Check no: _____

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 3-18-11 NEW ☒ RENEWAL ☐

TYPE OF BUSINESS TO BE OPERATED:

☒ RETAIL BEER & WINE PACKAGED ONLY \$1,250.00
☒ RETAIL BEER & WINE BY THE DRINK \$1,250.00
☐ BEER, WINE & LIQUOR BY DRINK \$3,750.00
☐ WHOLESALE LICENSE \$1,000.00
☐ APPLICATION FEE - PACKAGED SALES \$ 150.00
☒ APPLICATION FEE - POURING SALES \$ 150.00

APPLICANTS FULL NAME Kenneth L Brown

BUSINESS NAME Lilys Cafe

DBA Lilys Cafe

BUSINESS ADDRESS 40, E. Main Street

BUSINESS MAILING ADDRESS 40. East main, Street Statesboro GA

BUSINESS TELEPHONE # 912-225-3358

APPLICANTS HOME ADDRESS

APPLICANTS HOME PHONE #

APPLICANTS AGE 53 DATE OF BIRTH

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

HAVE YOU EVER BEEN ARRESTED FOR ANYTHING? ☒ YES ☐ NO

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 N/A

PLEASE LIST BELOW:

FOR OFFICE USE ONLY: APPROVED DENIED (REASON ATTACHED)

Police Department

Community Development

Fire Department

Building Official

Do Not
Check
Anything!

Teresa Skinner

From: Martin Laws [martin.laws@statesboroga.net]
Sent: Monday, March 21, 2011 1:17 PM
To: starling@statesboroga.net
Cc: tskinner@statesboroga.net; Mandi Cody
Subject: Lily's Cafe
Attachments: Lily's Cafe Beer & Wine Review.pdf

Ms. Sue and Teresa:

The Department of Community Development has reviewed a proposed "Application for Alcoholic Beverage License" submitted for said business. The Department's recommendation is as follows:

Alcoholic Beverages: The Department of Community Development has reviewed the subject property for consistency with the proximity restrictions of Chapter 6, Article III of *Statesboro Municipal Code*. The proposed location does conform to the proximity restrictions of said provisions and is eligible to be considered for licensing for the sale of alcoholic beverages. Community Development review does not serve as an approval or denial to serve alcoholic beverages at this location; but, is a recommendation to the City Clerk's Office in processing the "application for alcoholic beverage license" in accordance with the applicable provisions of Chapter 6 (Alcoholic Beverages) of *Statesboro Municipal Code*."

Community Development's recommendation is based on the attached proximity map.

Martin Laws,
City Planner



Martin Laws
City Planner
City of Statesboro
50 East Main Street
P.O. Box 348
Statesboro, Georgia 30458
ph: 912.764.0648
Fax: 912.764.0664
www.statesboroga.net




3/21/2011

Application for Alcohol Beverage License

Lily's Cafe

Proximity Restriction Review



-  100 yard radius per Section 6-57 (a)(1)(a), (a)(2) and (a)(3)
-  200 yard radius per Section 6-57 (a)(1)(a)
-  Lily's Cafe

0 50 100 200 Yards

The City of Statesboro
Department of Community Development





Statesboro Fire Department

It is the duty of the fire department to protect the community from fire and other hazards.



Wanda L. Turner
Director of Public Safety

Inspection Report

Page 1 of 1

Name: Lily's Cafe	
Date: 5/6/2011	Contact: Ken Brown
Inspector Name: Fire Inspector Dallas K McPhee	Issued: 5/6/2011
Type of Inspection: Complete	
Each discrepancy detailed herein is a violation of the Fire Code and shall be corrected by: 5/6/2012	
Fire Code Reference	Discrepancy / Remarks
N/A	Alcohol Beverage Licence Renewal No violations noted, recommend Renewal of Alcoholic Beverage License

Inspector Signature

Dallas McPhee

Site Signature

Ken Brown

225-3358



J.R. HOLLOWAY
Police Commander

STATESBORO POLICE DEPARTMENT

25 West Grady Street | Statesboro, Georgia 30458
Phone: (912)764-9911 | Fax: (912)489-5050



WENDELL TURNER
Public Safety Director

March 31, 2011

Sue Starling, City Clerk
City of Statesboro

Via Hand-Delivery

REF: Licensing

BUSINESS: Lily's Café, 40 E. Main St., Statesboro, GA
APPLICANT: Kenneth Lazarus Brown, 106 E. MLK Jr. Dr., Hinesville, GA

The responses received from the fingerprints submitted show the following record on file for Mr. Brown:

STATE:
No Record

FEDERAL:

07/09/1985	Failure to Appear
07/02/1986	Failure to Appear
10/10/1986	Probation Violation
01/22/1988	Possession of Cocaine; Possession of Marijuana; Probation Violation
06/25/1990	Failure to Appear (4 counts)
01/02/1991	Counterfeiting; Contempt of Court
03/01/1991	Failure to Appear
04/11/1991	Probation Violation
04/18/1991	Probation Violation
04/19/1991	Fraud-Insufficient Funds Check
04/23/1991	Fraud-Insufficient Funds Check
09/16/1991	Failure to Appear
09/01/1992	Probation Violation (3 counts)
11/09/1992	Probation Violation (2 counts)
06/08/1994	Probation Violation
06/25/1994	Probation Violation (2 counts)
01/12/1997	Failure to Appear

11/16/2001 Possession of Marijuana; Possession of Drug Equipment

A copy of the response received is attached.

Respectfully submitted,

A handwritten signature in cursive script, reading "J.R. Holloway". The signature is written in dark ink and is positioned above the printed name.

Commander J.R. Holloway



City of Statesboro – Department of Community Development DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

ZONING MAP AMENDMENT and REQUEST FOR VARIANCES RZ 11-07-02; V 11-07-03; and V 11-07-04 816 South Main Street

LOCATION: 816 South Main Street

REQUEST: Rezone from CR to R4; variance from Section 702 regarding building height and variance from Section 703 regarding dwelling density.

APPLICANT: Maxwell-Reddick & Associates

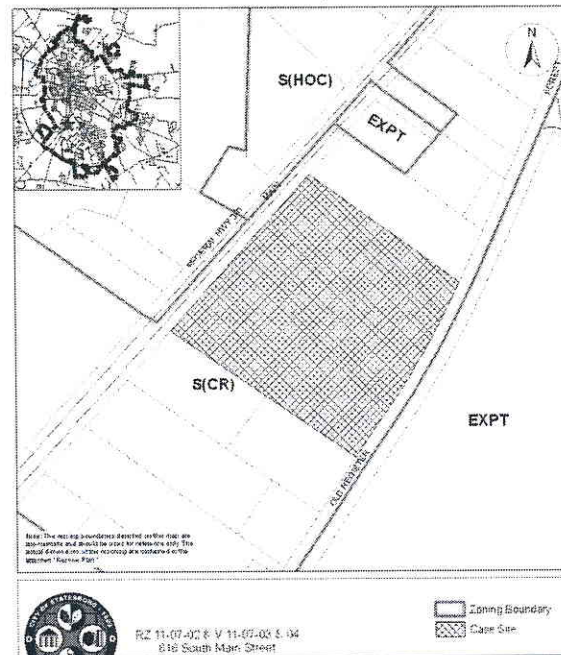
OWNER: Sue Ann Franklin

LAND AREA: 10 acres

PARCEL TAX MAP #s: MS2 0000026000

COUNCIL DISTRICT: 2 (Lewis)

RZ 11-07-02 & V 11-07-03 & 04 816 South Main Street
Location Map



BACKGROUND / PROPOSAL:

Maxwell-Reddick and Associates, on behalf of its client Progress Builders, is requesting variances from Sections 702 and 703 of the *Statesboro Zoning Ordinance* and a zoning map amendment from CR (Commercial Retail) to R4 (High Density Residential) for property located at 816 South Main Street (see **Exhibit A**) in order to allow for the purchase and redevelopment of the property as illustrated on the concept plan attached hereto as **Exhibit B**.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail)	Various commercial uses; entrance to DSDA district.
SOUTH:	CR (Commercial Retail)	Various commercial uses.
EAST:	Exempt	GSU campus.
WEST:	CR; HOC; R4	Various commercial uses; high density apartment complexes

The ten acre subject site is an undeveloped ten acre parcel situated adjacent to the campus of Georgia Southern University and in proximity to several other student oriented apartment complexes (The Woodlands, The Forum, and The Varsity) and several retail, restaurants, and other commercial establishments. It is also within walking distance of the Downtown Statesboro Development Authority's downtown district.

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan* includes the subject site within the established character area for the City of Statesboro, which, while not necessarily suggesting high density residential uses be located within the area, does promote the redevelopment of underutilized and undeveloped sites such as this one.

Suggested implementation strategies for the established character area include the following:

- Foster[ing] the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area.
- Streets, especially thoroughfares, should incorporate context sensitive solutions to provide traffic calming and protect community character.
- Evaluate the benefits and potential of urban redevelopment plan(s) for declining neighborhoods. Such plans can provide incentives and access to resources to revitalize these neighborhoods.

In addition to identifying appropriate land uses and suggested development and implementation strategies for the individual character areas within the City, *The Statesboro Comprehensive Plan* also identified issues and opportunities for the City of Statesboro that should be addressed in future development. The potential for "infill and redevelopment" was recognized as an opportunity by the *Plan* stating that "vacant or underutilized sites can become an eyesore and also lead to problems with vandalism or other criminal behavior. The benefit of infill and redevelopment are many, including:

- Utilizing existing infrastructure, including water, sewer, and roads.
- Maximizing local government investment in infrastructure.
- Increasing the value of such properties and in turn the overall tax base.
- Supports existing businesses which have already invested in the area.
- Creating community pride in seeing a detriment turn into an asset.
- Reinvestment of capital in established areas.
- Enhancing opportunities for employment, shopping, residential, etc. in established neighborhoods; and
- Preserving green space and minimizing or negating additional storm water runoff associated with new development."

Community Agenda, page 35.

The *Plan* also recognized great community support for pedestrian and bicycle facilities and connection of these facilities with each other and major points of destination. *Community Agenda, page 43 et al.* Therefore, it is highly encouraged that the proposed project considers intra-connectivity on the subject site (between the buildings and parking facilities) as well as with adjacent properties, particularly the campus of Georgia Southern University.

The subject property is also located on a "Transitional Corridor" as defined by the *Plan*. The Transitional Corridor includes the following *Suggested Development and Implementation Strategies*:

- Infill and redevelopment along these corridors should occur according to a master plan that allows for mixed uses, transportation choices and urban design that mitigates the appearance of auto-dependence (such as screening parking lots or locating parking areas primarily to the sides and rear of buildings).
- Future developments and highway improvements within these areas should include pedestrian and bicycle facilities.
- Connect these areas with existing and proposed networks of bicycle paths, sidewalks and multiuse trails (such as the McTell Trail and the proposed county greenway).
- Plant shade trees along corridors and adjacent to sidewalks.
- Bicycle facilities may be provided through on-street bike lanes, shared road facilities, or a multi-purpose trail.
- For multi-lane streets, the use of vegetated medians can provide pedestrian refuge for those crossing the street. Medians should be kept narrow in general to minimize crossing distance.

TRANSPORTATION:

The subject site takes access from Highway 301 South (South Main Street) and Old Register Road.

The Georgia Department of Transportation State Traffic & Report Statistics (STARS) average annual daily traffic (AADT) count for Highway 301 South at Rucker Lane totaled 16,280 in 2009 and shows a steady increase in traffic volumes since 2005. The Institute of Traffic Engineers Trip Generation Manual estimates an average of 6.65 trips per unit to be generated per day for a development of this type. At an expected 579 units, an obvious impact on traffic volumes is anticipated by the development proposed by these applications. However, review of such by the City of Statesboro Engineering Department rendered no objection to the anticipated traffic at this site. However, it is staff's recommendation that a condition of rezoning this parcel be the installation of sidewalk facilities along the subject site at

both Highway 301 South and Old Register Road. It is also highly encouraged that the developer continues to work with Georgia Southern University to provide connectivity from its development to appropriate locations on the campus.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

There are no known issues related to the City's ability to provide public services and utilities to this site or the project contemplated within these applications.

ENVIRONMENTAL:

Although Bulloch County wetland maps indicate that much of the site is considered wetlands, an independent evaluation conducted on behalf of the applicant indicated that only .5 to .6 acres of wetlands are sited on the property at the northeast corner. Staff review of this issue indicates that all environmental issues connected with this site could be satisfactorily handled through traditional permitting and inspecting processes should any of the applicant's requests be granted.

HISTORIC AND CULTURAL RESOURCES:

There are no known historical or cultural resources on or adjacent to the subject property that would be affected by the request.

ANALYSIS:

The subject site is currently zoned CR (Commercial Retail). The applicant is requesting that the property be zoned R4 (High Density Residential) and that variances from Section 702 regarding building height and Section 703 regarding dwelling unit density be granted from the *Statesboro Zoning Ordinance*.

I. Application RZ 11-07-02 to rezone tax map parcel MS 20000026000 from CR (Commercial Retail) to R4 (High Density Residential).

The request to rezone the subject property from CR (Commercial Retail) to R4 (High Density Residential) district should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the cities two (2) primary land use policies: The *Statesboro Comprehensive Plan* and the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*; and the potential for the property to develop and be utilized in conformance with the requirements of the proposed R4 (High Density Residential) zoning district as set forth in the *Statesboro Zoning Ordinance*.

Section 2007 of the Statesboro Zoning Ordinance provides eight (8) standards for the Mayor and City Council to consider "in making its determination" regarding a zoning map amendment in "balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property." Those standards are as follows:

- (1) Existing uses and zoning or (of) property nearby;
- (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.
- (5) The suitability of the subject property for the zoned purposes.
- (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.
- (7) The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and
- (8) Consistency with other governmental land use, transportation, and development plans for the community.

Review of the standards given in Section 2007 reveal that the subject site has remained undeveloped as a permissible Commercial Retail use for some time while development as a R4 high density residential use is a justifiable need within the City given the available number of dwelling/bedroom units available in the City, the growing demand for high density residential developments that accompanies the continued projected growth of the City of Statesboro and Georgia Southern University, and the limited available R4 zoned parcels in proximity to the campus of GSU. Furthermore, the proposed use is complimentary to other nearby high density residential uses, the adjacent university campus, and the various commercial uses in the vicinity.

The *Statesboro Comprehensive Plan* identifies the encroachment of students and rental housing into the established single family neighborhoods within the city as a problem that ought to be addressed through future land use and development. A review of available housing options reveals a shortage of high density apartment units available

within the city and explains the encroachment of students into traditionally single family areas. Grant of this zoning map amendment, and the subsequent development of the project contemplated herein, would assist in alleviating this problem and in realizing a goal of the comprehensive plan to protect existing single family neighborhoods.

The subject property can be developed and utilized in conformance with the requirements of the R4 (High Density Residential) zoning district as set forth in the Statesboro Zoning Ordinance. Furthermore, staff review of the proposed zoning map amendment found no outstanding safety or site design issues nor anticipated any negative impact associated with the requested zoning map amendment. Furthermore, the applicant's request to rezone the subject property from CR to R4 (High Density Residential) is not inconsistent with the vision or land use policies adopted in the Statesboro Comprehensive Plan or those articulated within the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan.

I. Variance from Section 702 of the Statesboro Zoning Ordinance to permit an increase in building height from 35' or three (3) stories to four (4) stories and 55'.

Section 702 (A) of the Statesboro Zoning Ordinance restricts the height of buildings in the R4 (High Density Residential) zoning district to three (3) stories or 35' for any dwelling. The requested height increase to 55' is to accommodate the construction of four (4) story buildings on the site in order to provide for a higher density development at the location.

The *Statesboro Zoning Ordinance* defines "height of building" as "a building's vertical measurement from the mean level of the ground surrounding the building to a point midway between the highest and lowest points on the roof" Section 201 (15).

The City Council has granted at least twelve height variances since 1997, with eight of those being for high density apartment complexes in R4 districts. The following are examples of height variances awarded for similar projects:

- V 07-12-03: Hill Pond Lane/Campus Crest granted a 20' height variance (to 55').
- V 05-09-08: Tillman Park Condominiums granted a 13' height variance (to 48').
- RZ 05-03-05: The Grove at Brampton Avenue awarded a 5' height variance (to 40').
- V 10-11-03: The Forum at Highway 301 South awarded a 3' height variance (to 38').
- V 11-04-02: The Varsity at Rucker Lane awarded a 20' height variance (to 55').

It should be noted that any development above three (3) stories in height is subject to enhanced life safety standards in building construction and design. These standards have been reviewed with the applicant. Review of these building requirements will be undertaken by City staff at the permitting and inspection phases of this project. Furthermore, the City of Statesboro Fire Department has been consulted in this review and agrees that the City has the appropriate equipment to service the needs of a four story multifamily dwelling.

II. Variance from Section 703 of the Statesboro Zoning Ordinance to permit greater than 12 dwelling units per developable acre with a requested development cap at 29 dwelling units per developable acre and 579 total bedrooms.

Section 703 of the *Statesboro Zoning Ordinance* limits developments within R4 high density residential districts to 12 dwelling units per developable acre.

Applicant is requesting a density variance to permit a total of 576 bedrooms (288 units at 2 beds each) as shown on the concept plan in **Exhibit B**. (Note: the exact number and mix of 1, 2, 3, and 4 bedroom units is unknown at this time. **Exhibit B** is a preliminary concept). The concept shown in **Exhibit B** would result in a dwelling density of 29 units per acre and a bedroom density of 58 bedrooms per acre. However, given applicant's inability to commit to the number of dwelling units for each bedroom arrangements (1, 2, 3, or 4 bedroom mixes), applicant is seeking the allowance of 29 dwelling units per developable acre with a maximum number of bedrooms of 576. (This request assumes 576 bedrooms / 2 bedrooms per unit = 288 units. 288 dwelling units/ 10 acres = 28.8 dwellings units per developable acre.)

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 Council has generally considered bedroom density in its density related development request. These requests have presumed 4 bedrooms per unit allowed for each of the 12 dwelling units allowed per developable acre (for a total of 48 beds per acre permitted by ordinance). This request, at 2 bedroom units, would result in a bedroom density of 58 beds per acre (576 beds / 10 acres). More recent density variances for the R4 district have allowed density increases up to 17 dwelling units per acre considering 4 bedrooms per unit resulting in 68 bedrooms per developable acre. (For example, V 07-12-03 granted the Campus Crest development a density variance to 17 dwelling units per acre up to 536 total 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 if the following are true in its consideration of a variance request:

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

There are no special conditions pertaining to this property or the structure in question that are not common to others in the general vicinity nor would application of the ordinance to this property create an unnecessary hardship. This request is the result of the actions of the applicant in regard to its proposed development of the property. However, there is no known fact that would indicate that the grant of the requested variances would cause substantial detriment to the public good, impair the purposes and intent of the zoning regulations, nor be detrimental to the light, air, privacy, or architectural scheme of any other structure or use currently existing or anticipated in the area.

STAFF RECOMMENDATION:

Based on the factors of consideration given in Sections 2007 and 1801 of the *Statesboro Zoning Ordinance*, as applied to this request and the adopted policies of the *Statesboro Comprehensive Plan*, Staff recommends the following:

Approval of the following requests:

- I. **Application RZ 11-07-02 to rezone tax map parcel MS 20000026000 from CR (Commercial Retail) to R4 (High Density Residential).**
- II. **Application V 11-07-03: Variance from Section 703 of the *Statesboro Zoning Ordinance* to permit greater than 12 dwelling units per developable acre with a requested development cap at 29 dwelling units per developable acre and 579 total bedrooms.**
- III. **Application V 11-07-04: Variance from Section 702 of the *Statesboro Zoning Ordinance* to permit an increase in building height from 35' or three (3) stories to four (4) stories and 55'.**

Subject to the following conditions:

- i. **Developer constructs a sidewalk, 5' in width, along the frontage of the subject site at Old Register Road and at Highway 301 South.**
- ii. **Developer to install a purple pipe/reuse water irrigation system for connection to city reuse system (when available) to the specifications of the City of Statesboro Water/Wastewater Department.**

PLANNING COMMISSION RECOMMENDATION:

- I. **Planning Commission voted 3-0 to recommend approval of case RZ 11-07-02 zoning map amendment requested by the application.**
- II. **Planning Commission voted 3-0 to recommend approval of case V 11-07-03 density requested by the application.**
- III. **Planning Commission voted 3-0 to recommend approval of case V 11-07-04 height requested by the application.**

Subject to the following conditions:

- i. **Developer constructs a sidewalk, 5' in width, along the frontage of the subject site at Old Register Road and at Highway 301 South.**
- ii. **Developer to install a purple pipe/reuse water irrigation system for connection to city reuse system (when available) to the specifications of the City of Statesboro Water/Wastewater Department.**

(Please note: Sketch plan (Exhibit B) submitted for reference only. Approval of this zoning map amendment or variances request does not constitute approval of any final site plan or variance).

EXHIBIT A: LOCATION MAP

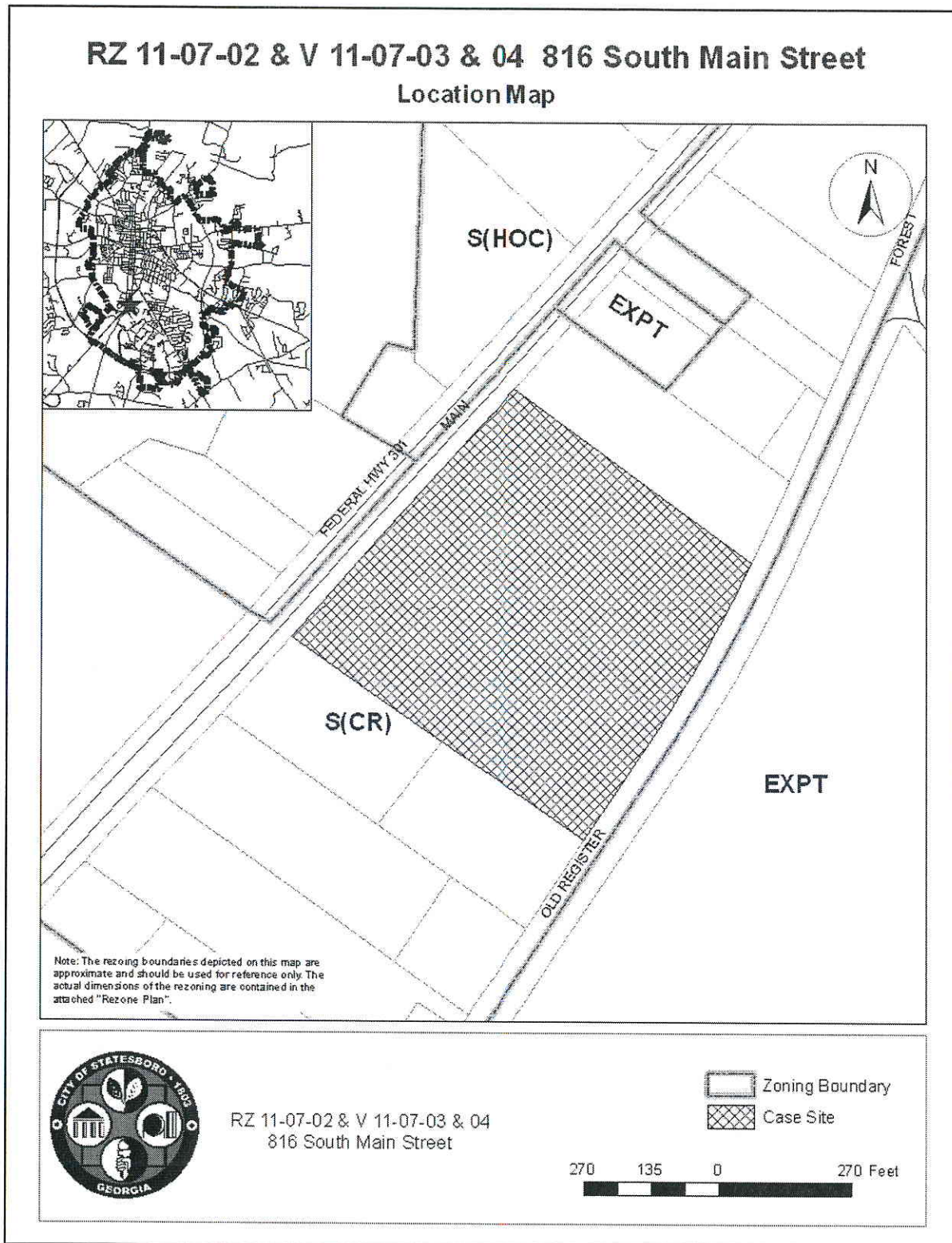


EXHIBIT B: SKETCH PLAN

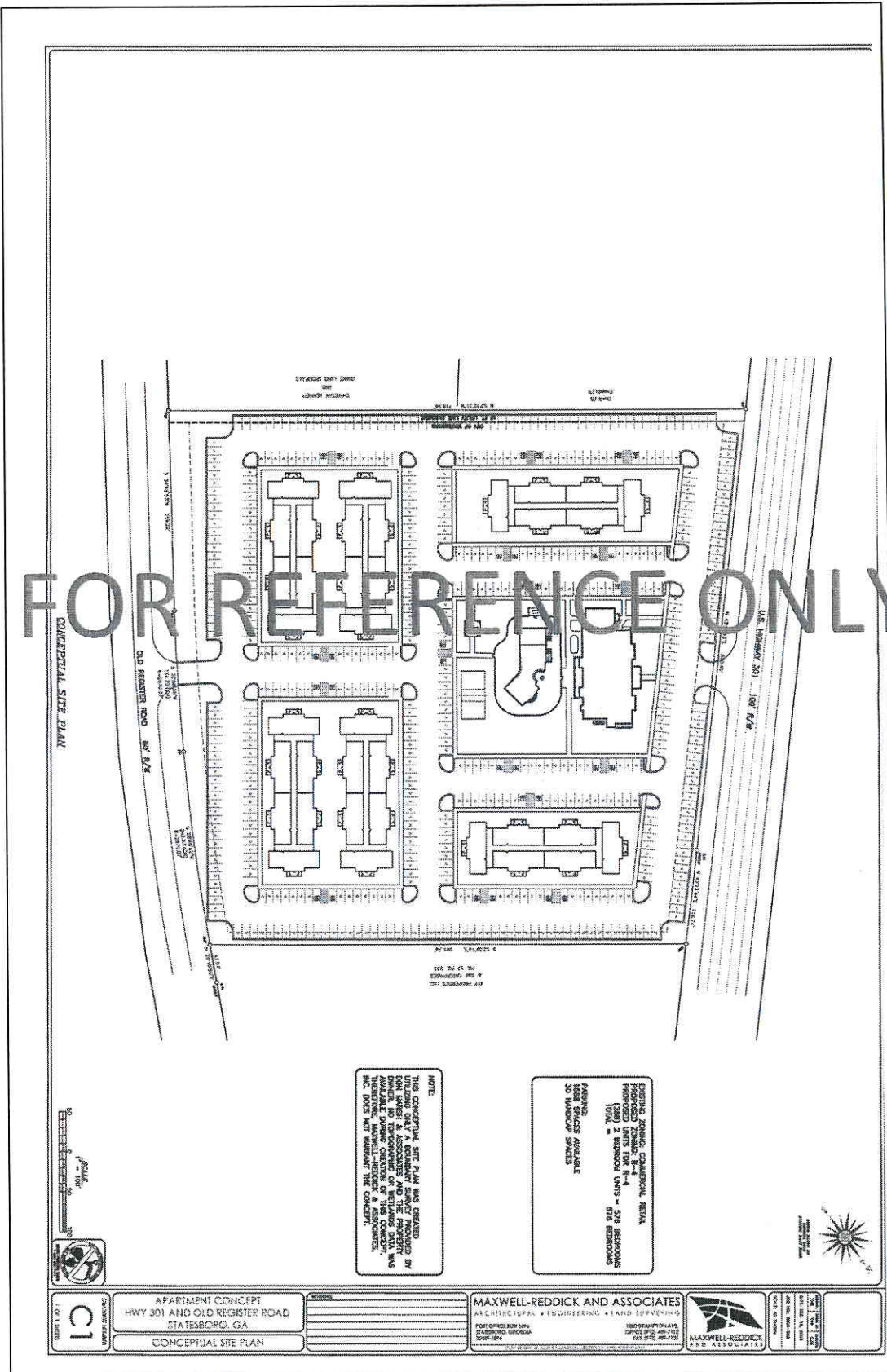


EXHIBIT C: PROPOSED RENDERING.



RECEIVED JUL 08 2011



The City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

VARIANCE

V 11-07-05 – Northside Drive West

LOCATION: Northside Drive West

REQUEST: Parking Variance

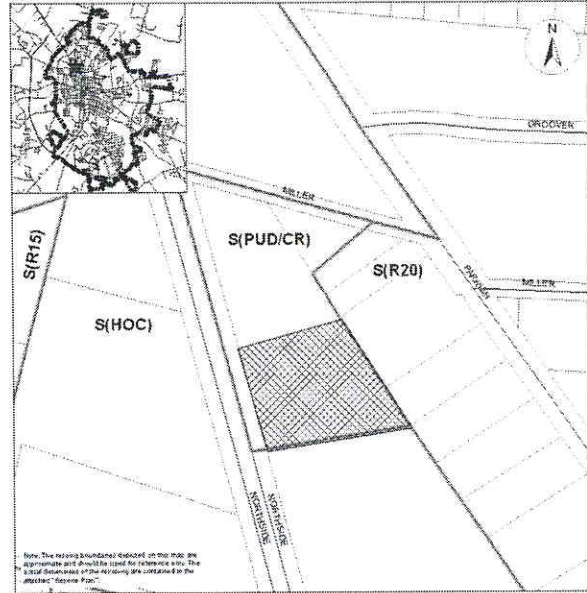
APPLICANT: Rhett Polk

OWNER(S): Michael W. Bowen

LAND AREA: 1.58 Acres

PARCEL TAX MAP #s: The parcel has recently been subdivided and a parcel number has not been posted by the Bulloch County Tax Assessors website. The prior number was S07 000002 000

COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

The applicant is requesting a variance from Article 16, Section 1600 of the *Statesboro Zoning Ordinance* to allow for a reduction in the number of required parking spaces related to the construction of a 16,500 SF building on a site with an area of 1.58 acres. The subject property was recently sub-divided from the parcel on which the Town Centre shopping center is currently located. The proposed building will require a total of 69 parking spaces based on the proposed square footage per the requirements of the *Statesboro Zoning Ordinance*. The applicant is requesting a reduction of 14 spaces which will reduce the number of spaces to 55.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Shopping Center
SOUTH:	HOC (Highway Oriented Commercial)	Automobile repair & tire sales and service
EAST:	R-20 (Single Family Residential)	Single family homes
WEST	HOC (Highway Oriented Commercial)	Shopping center

The subject property is located in a PUD/CR (Commercial Retail) district. The parcel north of the subject property contains the Town Centre shopping center which is currently occupied by two businesses, a trophy and engraving shop and fitness center. The parcels located east of the subject property contain single family homes. The parcel to the south of the subject property contains Nevil Tire Brake & Alignment, an automobile service and repair facility. The parcel west of the subject property contains a Harvey's supermarket shopping center.

COMPREHENSIVE PLAN:

The subject property lies within the "Established" character area as defined by the Statesboro Comprehensive Plan. "Established" character areas are identified as districts where attention should be given to the appropriate redevelopment of existing areas so as to maintain neighborhoods and reduce issues of decline and blight. Because the vast majority of properties within the Established character area are already developed, not all suggested implementation strategies of the area are applicable to this site. Some of the suggested development and implementation strategies of the "Established" character area which may be applicable to this site include:

- Promote redevelopment of underutilized or vacated properties.
- Uses should typically transition across the rear of properties instead of across the street to soften the transition between uses and maintain appropriate streetscapes.
- Plant shade trees along streets and sidewalks.
- Foster the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area.

The conceptual sketch plan provided by the applicant illustrates an independent structure which fits the character of the surrounding area. The proposed building will develop a vacant property located along a major corridor, Northside Drive West (U.S. Highway 80).

TRANSPORTATION:

The subject property only has vehicular access to Northside Drive West (U.S. Highway 80) through an unimproved driveway. There is currently no turning lane into the property; however, this is being addressed by the applicant with the Georgia Department of Transportation.

The Georgia Department of Transportation has recorded the Annual Average Daily Traffic (AADT) for two locations within 1000 feet of the unimproved entrance to the subject property. This data was retrieved from the State Traffic and Report Statistics website. The first location is located approximately 933 feet north of the unimproved entrance of the subject property and had an AADT estimate of 11690 for 2009, a decrease of 480 from the actual count in 2005. The second location is located approximately 850 feet south of the unimproved entrance of the subject property and had a AADT count of 13660, an increase of 1,480 since 2005.

The Institute of Transportation Engineers Trip Generation Manual illustrates the average amount of trips a store similar to the one being proposed produces based on its square footage. The proposed store, based on type, may produce an average 429 trips on a weekday, 512 trips on a Saturday, and 813 trips on a Sunday.

There are currently no sidewalks located along the front of the subject property nor are there planned improvements for this section of Northside Drive West *Bulloch County/City of Statesboro 2035 Long Range Transportation Plan*.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property is not currently served by city water or gas; however, these utilities are available at this location. A city sewer line does run along the rear of the property and there is a ten foot easement located along the sewer line. The water department has stated they have no issues with a paved surface or having parking being located in the easement.

ENVIRONMENTAL:

The subject property does not contain wetlands. There are no designated FEMA flood areas located on the property.

ANALYSIS:

The applicant wishes to place a 16,500 square foot building on the subject property. The square footage used to calculate parking was reduced by 2000 square feet to 14,500 square feet as parking is calculated based on gross floor area. Based on 4.8 spaces per 1000 square feet of gross floor area the applicant would be required to have 69 parking spaces. The applicant informed us of the total number of parking spaces they would like to have is 55 as this is the standard number of parking spaces for them for the proposed size of the store.

The reduction of 14 spaces being should not have any negative impact on the character of the area. This reduction will allow the applicant to enhance the area through landscaping areas that would have been set aside for more parking.

STAFF RECOMMENDATION:

The request may meet the standard for grant of a variance. Staff's recommendation is based on the following findings of fact:

- A) **There are no special conditions pertaining to the land or structure in question because of its size, shape, topography, or physical condition...** The property is of uniform shape and of fairly level topography.
- B) **Special conditions and circumstances being considered (variances) result from the actions of the applicant.** The applicant is proposing a 16,500 square foot building on a lot of 1.53 acres. The size of the building is non-negotiable as it is a standard sized for the proposed franchise development.
- C) **The application of the Ordinance to this particular piece of property would create an unnecessary hardship.** The application of the ordinance to this particular piece of property would not create an unnecessary hardship for the applicant. The applicant has shown that options are available for parking to be placed on the property and the option was presented by the applicant of sharing parking with the shopping center north of the property. This would be allowed by Article 15, Sec. 1601 (B).
- D) **Relief, if granted, would cause substantial detriment to the public good and impair the purposes and intent of the zoning regulations.** If relief is granted it would allow the applicant the opportunity to further meet the obligations of the different parts of the ordinance including Chapter 80, Article 2 of the *Statesboro Code of Ordinance-Urban Forest Beatification and Conservation*. Relief from the variance would also allow for less paved surface on the site.

PLANNING COMMISSION:

Planning Commission voted 3-0 to recommend approval of the requested variance.

EXHIBIT A: LOCATION MAP

V 11-07-05 Northside Drive West
Location Map

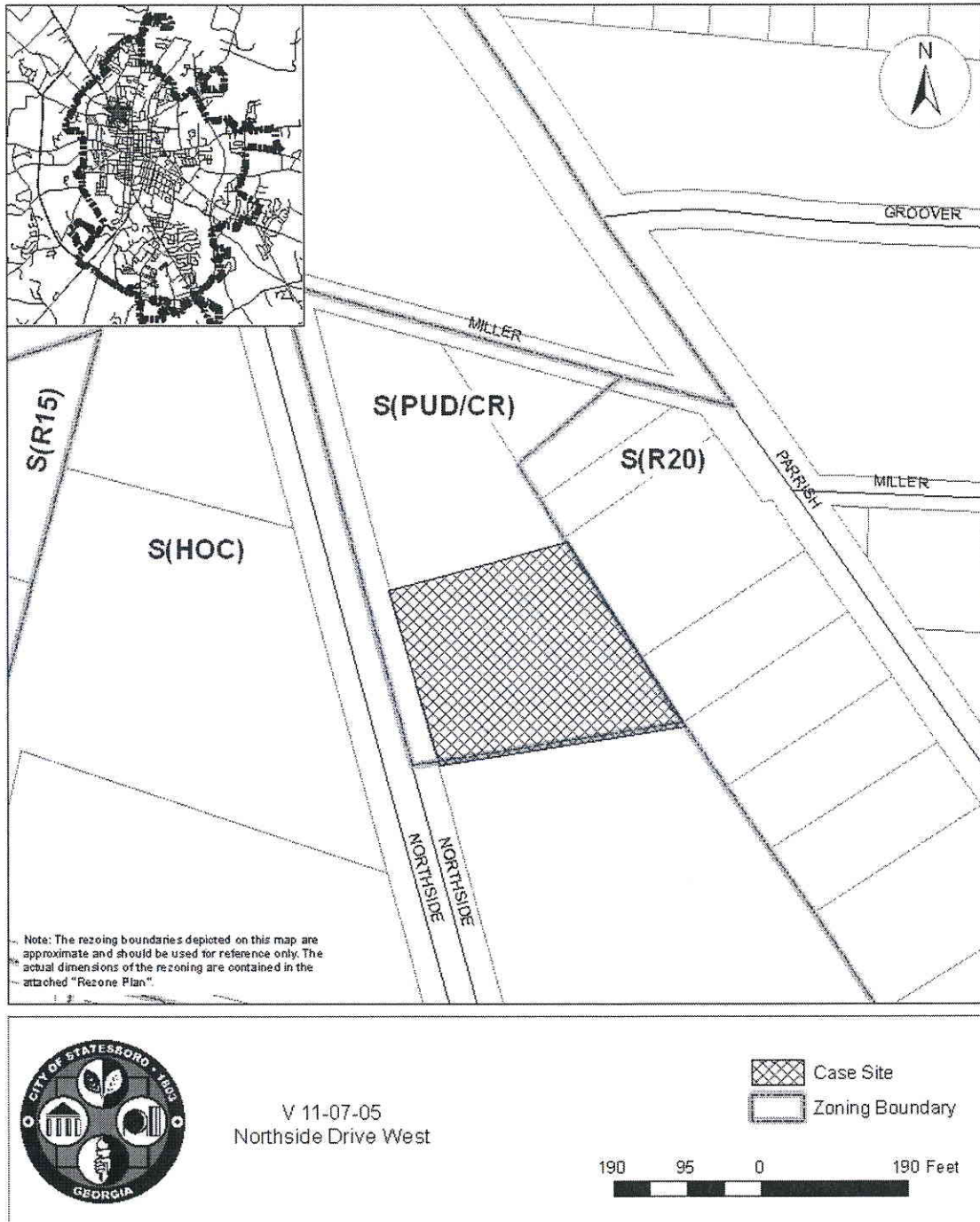
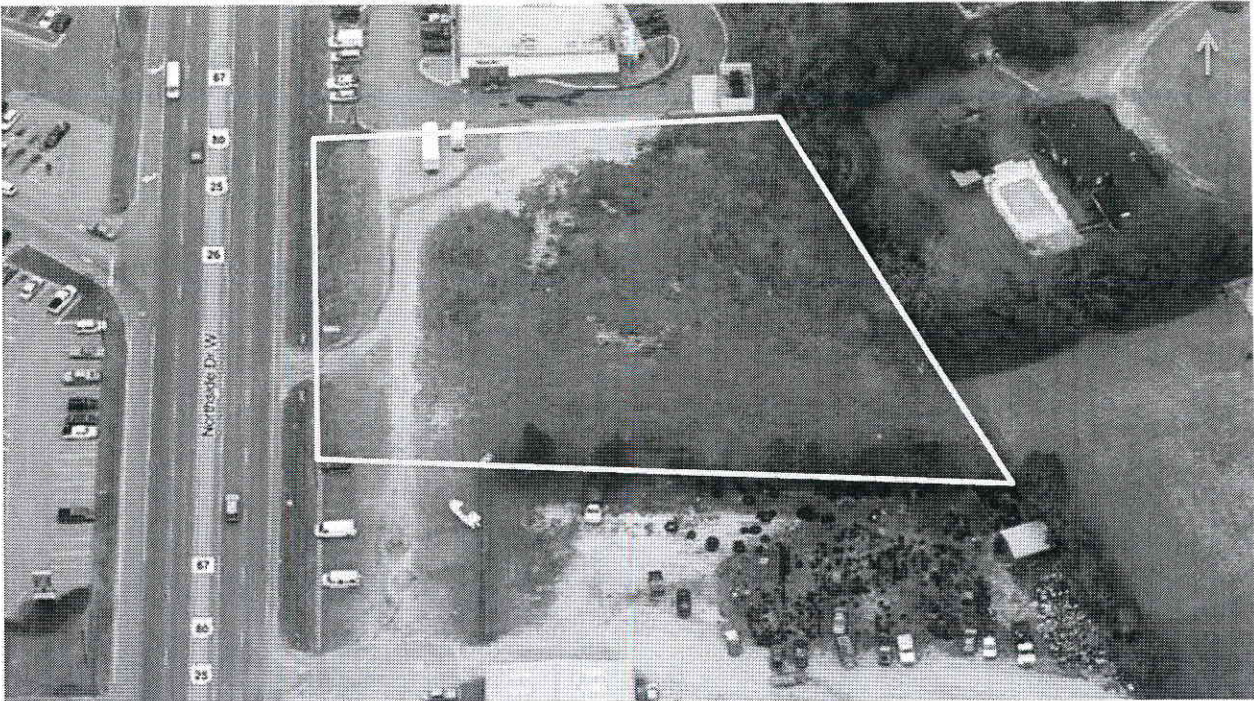
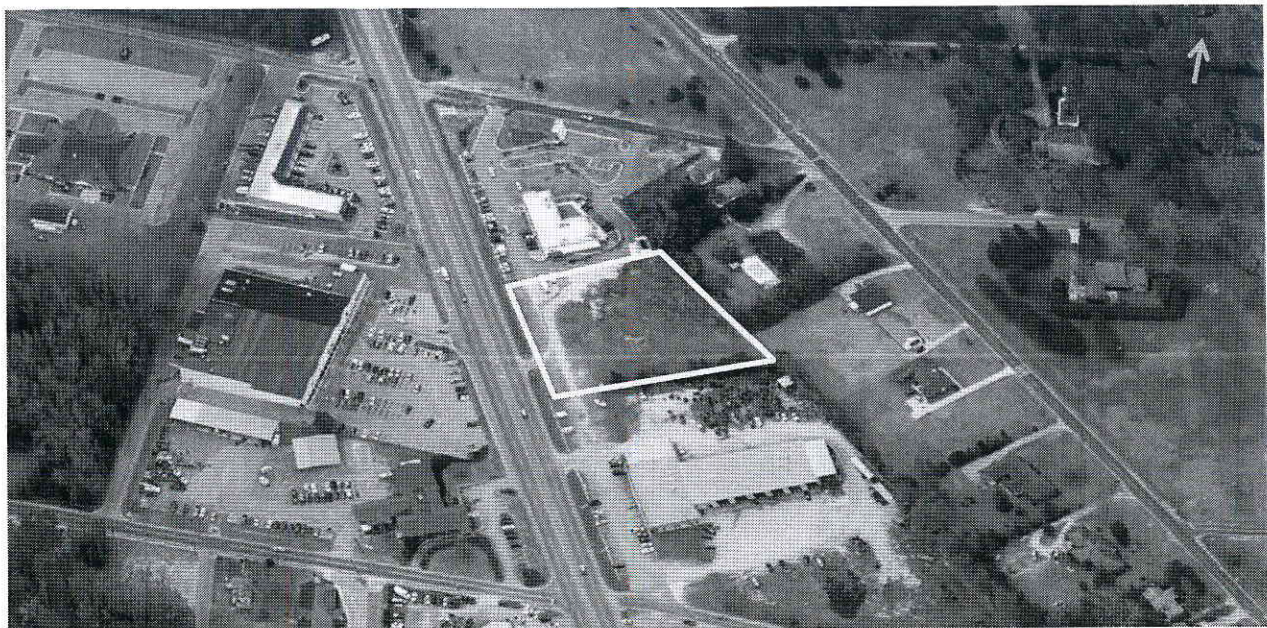


EXHIBIT B: AERIAL VIEW



Parcel



Parcel and Surrounding Uses

EXHIBIT C: CONCEPTUAL PLAN

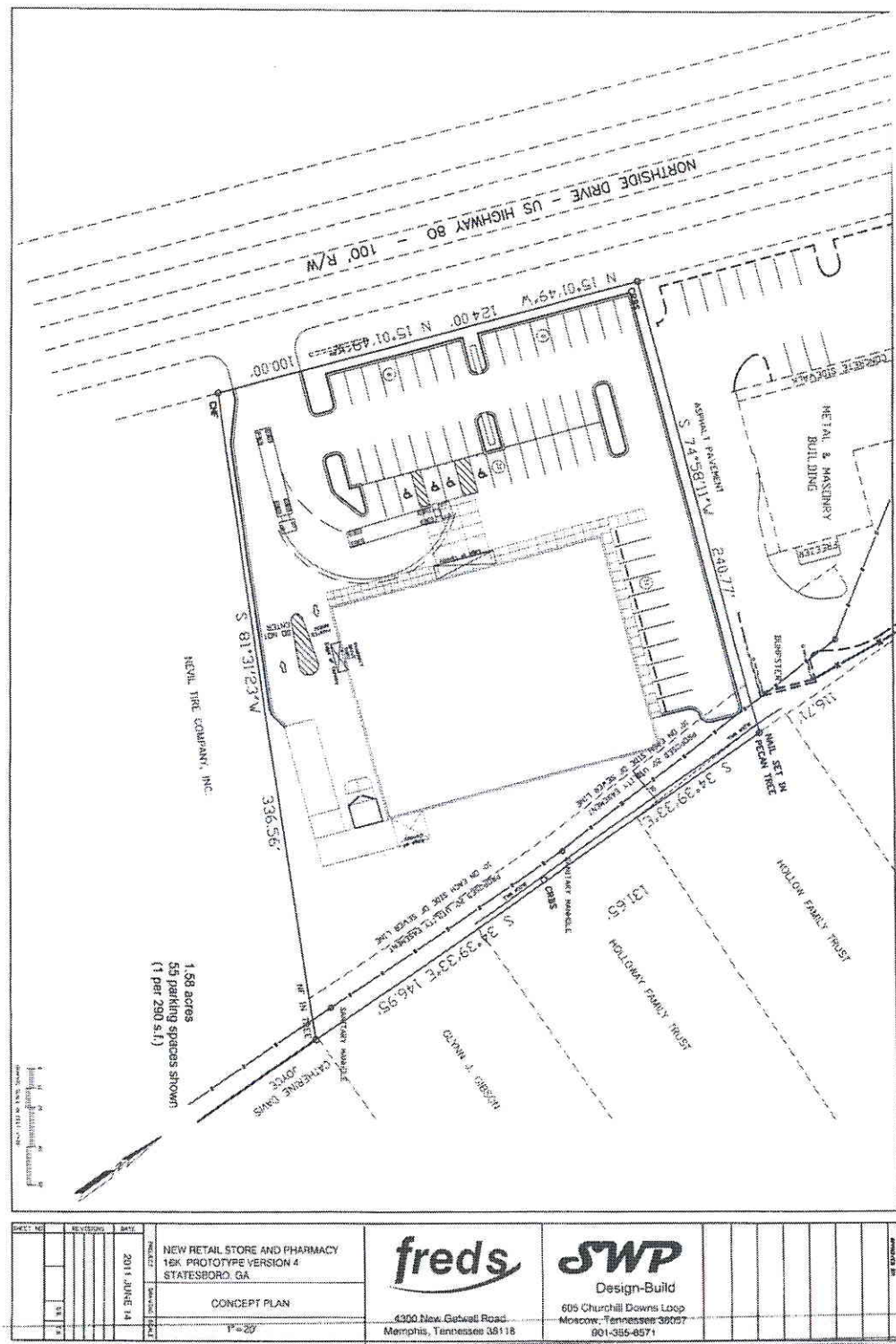


EXHIBIT D: PHOTOS OF SUBJECT PROPERTY AND GENERAL VICINITY



Figure 1a: Subject Property



Figure 1b: Subject Property (with residential directly behind property)



Figure 2a: Town Centre Shopping Center North of Subject Property



Figure 2b: Existing Businesses in Town Centre Shopping Center



Figure 3: Harvey's Shopping Center West of Subject Property



Figure 4a: Residential Area East of Subject Property



Figure 4b: Residential Area East of Subject Property

RESOLUTION 2011-29: A RESOLUTION SETTING THE MILLAGE RATE FOR AD VALOREM (PROPERTY) TAXES FOR THE 2011 CALENDAR YEAR FOR THE CITY OF STATESBORO, GEORGIA AT 6.358.

THAT WHEREAS, cities in Georgia rely upon the ad valorem (property) tax as one of the major sources of revenue to finance general government operations and capital outlay acquisitions; and

WHEREAS, Chapter 5 of Title 48 of the Official Code of Georgia authorizes cities to levy an ad valorem tax, and details the requirements necessary to do so; and

WHEREAS, the City of Statesboro has complied with those requirements, including the advertisement of the proposed millage rate and a five-year history of levies; percentage increases; and whether a rollback of the millage rate was required; and

WHEREAS, after careful consideration of the FY 2012 Operating Budget and Capital Budget, the growth in the tax digest from new construction, and the recommendation from the City Clerk that the millage rate be set at the same rate as the prior tax year;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia assembled this 7th day of September, 2011, as follows:

\Section 1. That the millage rate for ad valorem (property) tax purposes for calendar year 2011 is hereby set at 6.358 mills on all of the taxable real and personal property within the corporate limits of the City of Statesboro, Georgia, after applying all legal exemptions, credits, tax relief grants, and similarly authorized deductions.

Section 2. The City Clerk is hereby authorized, empowered, and directed to have the necessary tax bills prepared and mailed, and to use any and all statutorily-approved methods to collect said property taxes in a timely manner.

Passed and adopted this ____ day of _____, 2011.

CITY OF STATESBORO, GEORGIA

By: _____
Joe R. Brannen, Mayor

Attest: _____
Sue Starling, City Clerk

RESOLUTION 2011-30: A RESOLUTION ADOPTING A TEMPORARY SIX-MONTH MORATORIUM ON THE ACCEPTANCE, ISSUANCE, AND PROCESSING OF OCCUPATIONAL TAX CERTIFICATES aka BUSINESS LICENSE TO OPERATE SWEEPSTAKES INTERNET CAFÉS AND PHONE CARD SWEEPSTAKES CAFÉS, AS HEREIN DEFINED, WITHIN THE CITY OF STATESBORO.

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, there is a growing problem in communities throughout the country with businesses which are often classified as ‘Internet Sweepstakes Cafés’ or ‘Phone Card Sweepstakes Cafés’, whereby businesses circumvent state gaming laws by using advances in electronic, mechanical, and computer technology to allow customers to gamble using veiled schemes;

WHEREAS, the Georgia Supreme Court, in the case of DeKalb County v. Townsend, 243 Ga. 80 (1979), has held that, “To justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals”;

WHEREAS, the Mayor and City Council may legitimately regulate the location and operation of businesses within its city limits, including Sweepstakes Internet Cafés and Phone Card Sweepstakes;

WHEREAS, the City of Statesboro’s current zoning ordinance does not specifically address or prohibit Sweepstakes Internet Cafés and Phone Card Sweepstakes, as described within this Resolution;

WHEREAS, there is widespread concern in the immediate area and across the state regarding the legality and proliferation of this, largely, unregulated business;

WHEREAS, issues regarding the legal operation of said businesses are evident within the City of Statesboro;

WHEREAS, the Mayor and City Council are aware that the Governor and Georgia General Assembly plan to address the regulation of amusement machines and computerized sweepstakes devices that provide redemptions, and further define the extent of local government regulation of those businesses;

WHEREAS, the Mayor and City Council of Statesboro need time to research and study how these businesses operate and determine what type of zoning classifications should apply;

WHEREAS, the Mayor and City Council of Statesboro require time to study the economic impact and social implications of such establishments on the fabric of the community;

WHEREAS, the Mayor and City Council believe that a moratorium on the acceptance and processing of applications for licenses and Occupational Tax Certificates to operate Sweepstakes Internet Cafés or Phone Card Sweepstakes, as defined herein, and on the issuance of such licenses, 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 zoning regulations to further the aforesaid purposes;

WHEREAS, dependent upon the outcome of the proposed legislation, the Mayor and Council desire to study the appropriateness of adopting one or more ordinances that reasonably regulate the location and operation of Sweepstakes / Internet Cafés and Phone Card Sweepstakes in order to minimize or regulate potential negative secondary effects on the community that may be found to result from the operation of one or more Sweepstakes / Internet Cafés or Phone Card Sweepstakes in the City, and to further the public health, safety, and general welfare;

WHEREAS, a *Sweepstakes / Internet Café or Phone Card Sweepstakes* is defined as any premise upon which any computerized sweepstakes device is located for the use or enrichment of the public, whether or not such premise has other business purposes of any nature whatsoever; and

WHEREAS, a *Computerized Sweepstakes Device*: is defined as any computer, machine, game, or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skills, entertainment, or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value that is not de minimis. Machines designated for use by the State Lottery Commission are not computerized sweepstakes devices for purposes of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Statesboro, and it is hereby resolved by the authority of the same, that no license or occupational tax certificate for the operation of a Sweepstakes / Internet Café or Phone Card Sweepstakes, as defined above, be accepted, approved, or, for those applications already filed, processed during this six (6) month period.

This moratorium shall be in effect immediately upon passage and expire six (6) months from the effective date of this Resolution, upon adoption by the City of an applicable zoning ordinance, or repeal by the City Council, whichever occurs first.

This Resolution is declared to be an emergency measure necessary for the public health, safety, and general welfare of the City and its residents and property owners, and for the further reason that it is necessary to impose an immediate moratorium to have a pause for planning purposes so as to further the orderly development of the City with respect to the establishment and operation of Sweepstakes / Internet Café and Phone Card Sweepstakes, to adopt well thought-out and contemporary zoning and business regulations for the City and to protect the public interest and rights of property owners. This Resolution shall take effect and be in force from and after its adoption.

The Mayor and City Council may extend the moratorium established by this ordinance 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.

The Mayor and City Council may authorize exceptions to the moratorium imposed by this ordinance when it finds, based upon substantial competent evidence presented to it, that the deferral of action on an application for a zoning permit or any city issued license for the duration of the moratorium would impose an extraordinary hardship on a landowner or petitioner.

Any request for an exception from the moratorium imposed by this ordinance shall be filed in writing with the City Manager and shall include the name of the requester, the name and address of the proposed location, the relationship of the requester to the proposed business and location, a recitation of the facts which are alleged to support a claim for an extraordinary hardship, and other information the City Manager deems necessary for the Mayor and City Council to be informed with respect to the request, and shall be signed and notarized.

At least one public hearing on any request for an exception for an extraordinary hardship under the moratorium shall be held by the Mayor and City Council before the Mayor and City Council may take action on such request.

When the Mayor and City Council is tasked with reviewing a written application for an exception for the moratorium imposed by this ordinance due to a claim of an extraordinary hardship they shall consider, at a minimum, the following criteria, but final discretion shall remain with the Mayor and City Council:

- (1) Whether, prior to the effective date of this ordinance, the applicant has received any permits or licenses from the city for such business; and
- (2) Whether, prior to the effective date of this ordinance, the applicant has made substantial expenditures of money or resources in reliance of those permits or licenses which may have been issued by the city; and
- (3) Whether, prior to the effective date of this ordinance, the applicant has contractual commitments in reliance of those permits or licenses which many been issued by the city; and
- (4) Whether, prior to the effective date of this ordinance, the applicant has incurred any financial obligations to a lending institution which, despite a thorough review of alternative solutions, the applicant cannot meet those financial obligations unless granted an exemption and the opportunity to conduct business; and
- (5) Whether the moratorium will expose the applicant substantial monetary liability to third parties or would leave the applicant unable to earn a reasonable return on any investment made on the real property affected by this ordinance; and

- (6) The history and location of the property, including past commercial business uses of the property, if any; and
- (7) Any staff report which may have been created based upon the application for an exemption from the moratorium imposed by this ordinance; and
- (8) Any other criteria the Mayor and City Council deems pertinent to deciding whether such exemption from the moratorium imposed by this ordinance should be granted.

Nothing in this resolution shall be construed to legalize, license or authorize any operation of a device which is unlawful to operate under the laws of the State or Georgia.

This moratorium may be terminated by the Mayor and City Council prior to the stated expiration upon the adoption by the Council of appropriate zoning and licensing ordinances.

This resolution shall become effective immediately upon its adoption by the City Council.

APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF STATESBORO at a regular meeting of the Mayor and Council on the 7th day of September, 2011.

CITY OF STATESBORO, GEORGIA:

Joe Brannen, Mayor

ATTEST:

Sue Starling, City Clerk



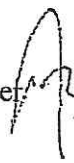
City of Statesboro
Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

MEMORANDUM

To: Sue Starling, City Clerk

From: Jason Boyles, Senior Assistant City Engineer 

Cc: Frank Parker, Interim City Manager
Robert Cheshire, PE, City Engineer
Robert Seamans, Streets & Parks Superintendent
Mike Clifton, Sanitation Superintendent

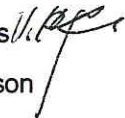
Date: August 29, 2011

Re: Surplus and Disposal Request

Public Works has two vehicles that are no longer operable and need to be declared surplus. The first vehicle is a 1985 Ford bucket truck (VIN 1FDPF70H8DVA43579). The other vehicle is a 1990 Ford small dump body truck (VIN 1FDXK84A5LVA05417). I respectfully request that these two vehicles be placed on the next City Council agenda for consideration of approval for surplus and disposal.

Should you need any additional information from me please do not hesitate to let me know.

Memo

To: Mr. Frank Parker
From: Van H. Collins 
CC: Wayne Johnson
Date: August 26 2011
Re: Recommendation to award the purchase of (2) 2011 Ford F-150 Styleside Supercab Pick-up truck's, for the Water/Sewer Department, to Rozier Ford in the amount of \$40,564.00.

Bids were received and opened on August 25, 2011 for the purchase of (2) 2011 Supercab Pickup truck's for the Water/Sewer Department. These trucks will be replacing (2) older truck's. We received (2) bids, which are listed below:

Rozier Ford	\$20,282.00 per unit
Vaden Nissan	\$22,689.00 per unit

We have \$50,000.00 approved in the FY2012 Capital Improvement Program, project #VWWD-72, to purchase these unit's. As you can see, these units will be well under budget. Therefore, I recommend awarding the purchase of these (2) truck's to Rozier Ford in the amount of \$40,564.00.

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

Bid Results: 2012-8 Two (2) Ex. Cab Pickup Trucks			
Date:	August 25, 2012 @ 3:00 PM EST		
Vendor	Bid Amt	ALT Bid (IF Any)	Bid Bond
1 Rozier Ford	\$20,282.00		
2 Vaden Nissan	\$22,689.00		
3 Franklin Clay	No Bid		
4 Franklin Toyota	No Bid		
5 G.A. Ch. Dodge	No Bid		
6			
7			
8			
9			
10			
Attest: I, Darren Prather, hereby attest that these bid results are accurate and are reported as submitted by the participating vendors.			
		Attest	
		Witness	



12130 Highway 301 South • P. O. Box 476 • Statesboro, GA 30459

Phone (912) 681-3800 • Fax (912) 681-9201

AUGUST 25, 2011

TO: CITY OF STATESBORO

SUBJECT: QUOTE ON F150

SPECIFICATIONS:

2011 FORD F150 STYLESIDE SUPERCAB PICKUP

145" WHEELBASE / 4X2 / 6".5" BED

XL TRIM SERIES

OXFORD WHITE

40/20/40 VINYL BENCH SEAT

AM/FM STEREO RADIO WITH CLOCK

17" STEEL WHEELS / P235 BSW ALL TERRAIN TIRES

3.55 RATIO LIMITED SLIP REAR AXLE

7050# GVWR PACKAGE

5.0L V8 ENGINE

6-SPEED AUTOMATIC TRANSMISSION W/TOW HAUL

CARPET DELETE (RUBBER FLOOR COVERING)

RUBBER FLOOR MATS / INTERMITTENT WIPERS

CRUISE CONTROL / AIR CONDITIONER

TRAILER TOWING PACKAGE

POWER SIGNAL TELESCOPIC MIRRORS

POWER WINDOWS / POWER DOOR LOCKS

TILT STEERING WHEEL

POWER STEERING / POWER BRAKES

POWER POINT FRONT (NOT AVAILABLE IN REAR)

QUOTE: \$20,282.00

THANKS,

BRENT B. WALKER
FLEET MANAGER

Bid No. 2012-8 Water Dept. Standard Pickup Truck Specifications

Please label on the outside of your sealed submittal "2012-8 Water Dept. PU"

The intent of these specifications is not to eliminate any brand of truck as it is the City of Statesboro's wish to promote open competition. While no single brand is preferred, all submittals shall adhere to the listed performance standards. Every effort has been made to not limit the ability for all dealers to respond. All specifications considered as standard shall be included unless otherwise listed in the below specifications. Please provide a check-off list as to your compliance with the specifications below.

Sealed bids due: August 25th, 2011 at 3:00 PM EST.

2 - New 2011 or 2012 Full size 4 X 2 ½ Ton Extended cab Pickup with a 6' 4" ft. box (min).

Gasoline Engine V8 Engine Minimum ✓
Transmission: Automatic with tow/haul mode minimum ✓
Power Steering and Power Brakes ✓
Factory AC and Heat ✓
Intermittent Windshield Wipers ✓
Front 40 20 40 vinyl bench seat ✓
Floor: Heavy duty vinyl with Rubber floor mats
Towing package ✓
Limited Slip Axle 3.23-3.73 (within this range)
Color: White
Interior: To be determined at purchase
Wheels: 17 inch (Min.) Aluminum with standard all-season tires
* Power Point: Front and Rear
Power Windows and Door Locks w/ keyless entry ✓
Cruise Control/Tilt Steering ✓
Fog lights
Power Mirrors ✓
Radio: AM/FM with Clock ✓

Truck Bid as Specified:

\$ 20,282.00 Each

The City of Statesboro intends to purchase two trucks, but please bid on a per unit basis.

** Power Point NOT AVAILABLE IN REAR*

Delivery Time: 8 to 10 weeks

Note: Bid Price shall include delivery to the City of Statesboro's Public Works Garage.

Memo



TO: Frank Parker, City Manager

FROM: Darren Prather, Purchasing Director

DATE: 8-30-2011

Re: Bid Award—Two (2) Ext. Cab Pick-up Trucks—Water/Sewer Dept.

I am in agreement as to the recommendation to award these two (2) vehicles to Rozier Ford as they have offered the lowest responsive bid of \$20,282 per vehicle. In addition, I want to convey to Council the extensive effort that was exerted to obtain bids from all of the local dealerships. All local dealerships received emailed bid packages over two weeks prior to the due date. Also, all local dealers were contacted with numerous phone calls and emails reminding them of the opportunity and of the due date. It seems that no matter the effort, most decide not to bid on our vehicles. When contacted, they always seem interested, but later fail to submit a bid. I don't know if they are not interested due to the small profit margin or some other reason. It is my desire to promote local business whenever possible, but it may be necessary to more aggressively pursue other dealerships in order to maintain competition that produces economical bid results. The City of Statesboro will always extend every opportunity to local dealerships and it is my hope that they will participate more in the future. With this being said, I believe Rozier Ford has offered a very good market price on these vehicles.



City of Statesboro
Statesboro Natural Gas Department

P.O. Box 348
Statesboro, Georgia 30459

912.764.0693
912.764.0928 (Fax)

MEMORANDUM

August 31, 2011

To: Frank Parker
City Council Members
From: Steve Hotchkiss, Natural Gas Director
Re: Truck Purchase

The Gas Department recently experienced a major breakdown of the department's dump truck, it is having both engine and transmission problems. This truck is a 1994 model purchased used in 2000 for \$19,000.00 and the estimated repair costs are approximately \$12,000.00. Given the age of the truck and the high repair costs, we are requesting that we be allowed to purchase a new unit from the Georgia State Contract bid list. We are asking to use State Contract because we have no local vendors for trucks of this type, and the State Contract price is very competitive. The State pricing is being adjusted for the new year and we will have to wait a few days for that price to come out, but we project it to be about \$61,000.00.

We have money in our CIP budget to purchase a new unit, but not in this current year, so we will have to make adjustments to accommodate the unexpected purchase. Natural gas sales have done well in the last year and we have additional revenues in the system so that we can transfer additional funds to the CIP if needed.

Please consider this request at your next scheduled Council meeting. Give me a call if you have any additional questions.

Memo



TO: Frank Parker, City Manager

FROM: Darren Prather, Purchasing Director

DATE: 8-30-2012

Re: Invitation to Bid—2012 Cab and Chassis & Cab and Chassis w/Service Body

The City of Statesboro issued an invitation to bid on a 2012 Cab and Chassis and a 2012 Cab and Chassis with a service body. Bid opportunities were sent to all applicable local dealerships and a few other dealerships as well. The advertisements as well as other required processes were conducted in accordance with our purchasing policy. The cab and chassis was bid without a service body in order to use an existing service body currently at Public Works thus saving funds. The vehicles recommended for bid award consist of a 2012 Ford F-450 cab and chassis and a 2012 Ford F-350 with service body. The sealed bids received on these two vehicles are as follows:

2012 Ford F-450 Cab & Chassis

1. Wade Ford (Smyrna, GA)	\$26,425
2. Roberts Truck Center (Savannah, GA)	\$27,570
3. Rozier Ford	\$27,390

2012 Ford F-350 Cab & Chassis w/ Service Body

1. Wade Ford (Smyrna, GA)	\$31,440
2. Roberts Truck Center (Savannah, GA)	\$34,040
3. Rozier Ford	\$33,524

Having met all the required specifications, I am in agreement with Public Works and recommend that both bid awards be made to Wade Ford as they have offered the lowest responsive bid amounts and met the required specifications. The bid prices include delivery to the City of Statesboro Public Works Division.

Bid Award Recommendations:

1. Wade Ford F-450 Cab & Chassis in the amount of \$ 26,425

2. Wade Ford F-350 Cab & Chassis w/ Service Body in the amount of \$31,440