



October 18, 2011 6:00 P.M.

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman Travis Chance
3. Approval of Minutes:
 - a) October 04, 2011 Council Minutes
 - b) October 04, 2011 Work Session Minutes
 - c) October 11, 2011 Minutes from the re-held Budget Retreat Meetings of April 1st and 19th, 2010
4. Recognitions/Public Presentations
 - a) A Proclamation presented to Betsey Blair on behalf of the Bulloch County Family Violence Task Force and Safe Haven for National Domestic Violence Awareness for the Month of October.
5. Public Comments (Agenda Item):
6. Consideration of a Motion to approve/deny 1st reading for the application of an alcohol license:
 - a) Thomas Eugene Driskell III- Tom's Beverage & Tobacco
7. Consideration of a motion to approve 2nd reading of **Ordinance 2011-08**: An ordinance amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) by replacing it in its entirety.
8. Consideration of a Motion to approve the 1st reading of **Ordinance 2011-09**: An Ordinance Amending the Statesboro Municipal Code Regarding the City's Finance Department, and the Purchasing Department
9. Consideration of a Motion to declare (2) 1997 Volvo knuckleboom loader trucks in the Sanitation Division as surplus and to be disposed of by electronic auction.
10. Consideration of a Motion to declare (2) 2001 Tandem dump trailers in the Sanitation Division as surplus and to be disposed of by electronic auction.
11. Consideration of a Motion to approve the purchase of a Dell KACE K Series Appliance that is not to exceed the amount of \$21,648.60 which is under the Dell State Contract
12. Reports from Staff:
 - a) City Manager's Report
 - b) Department Head Reports

13. Public Comments (General):

14. Other Business from City Council

15. Consideration of a Motion to enter into Executive Session to discuss potential” Legal” matters in accordance with **O.C.G.A. §50-14-3 (2010)**

16. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
CITY COUNCIL MINUTES
October 04, 2011**

A regular meeting of the Statesboro City Council was held on October 04, 2011 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Pro Tem Will Britt, Council Members: 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. Mayor Joe Brannen was absent.

Note: Councilman Travis Chance arrived to the meeting at 9:15 a.m.

Approval of Minutes:

a) September 20, 2011 Council Minutes

Councilman Riggs made a motion, seconded by Councilman Blitch to approve the minutes of September 20, 2011. Councilman Blitch, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

Recognitions/Public Presentations

a) Retirement recognition of Police Commander J.R. Holloway

Public Safety Director Wendell Turner and Mayor Pro Tem Will Britt presented Police Commander J.R. Holloway with a retirement plaque and thanked him for his many years of service to the City of Statesboro.

Public Comments (Agenda Item): None

Consideration of a Motion to approve Special Event Permit:

a) Theatre Production (Shakespeare on Trial) - Tim Chapman Averitt Center for the Arts

Councilman Lewis made a motion, seconded by Councilman Blitch to approve the Special Event Permit for the Averitt Center for the Arts. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a motion to approve 2nd Reading of Ordinance 2011-07: An Ordinance Amending Chapter 2 of the Statesboro Municipal Code Regarding Authorities, Boards and Commissions- Statesboro Planning Commission

Councilman Riggs made a motion, seconded by Councilman Lewis to approve 2nd Reading of Ordinance 2011-07: An Ordinance Amending Chapter 2 of the Statesboro Municipal Code Regarding Authorities, Boards and Commissions- Statesboro Planning Commission with the condition to add Post 6 to Section 1-Section 2-67 #2. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve 1st reading of Ordinance 2011-08: An ordinance amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) by replacing it in its entirety.

Councilman Riggs made a motion, seconded by Councilman Lewis to approve the 1st reading of Ordinance 2011-08: An ordinance amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) by replacing it in its entirety. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to approve the following request:

- a. **APPLICATION # CUV 11-08-02: Alltel Wireless Communications requests a conditional use variance from Article XXVI of the *Statesboro Zoning Ordinance* to construct and operate a 100' monopole wireless telecommunication tower on property located at Brannen Street.**

Mr. William Howard representing EQV Development spoke on behalf of Alltel in favor of the variance request to construct a telecommunication tower. Councilman Chance made a motion, seconded by Councilman Lewis to approve APPLICATION # CUV 11-08-02: Alltel Wireless Communications requests a conditional use variance from Article XXVI of the *Statesboro Zoning Ordinance* to construct and operate a 100' monopole wireless telecommunication tower. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

- b. **APPLICATION # V 11-08-03: Maxwell-Reddick & Associates, on behalf of Heyhami Group, LLC requests a variance from Article XV of the *Statesboro Zoning Ordinance* regarding signage for property located on Henry Boulevard.**

Joey Maxwell representing Maxwell Reddick and Assoc. spoke on behalf of the Heyhami Group, LLC in favor of the variance for signage of the Steak and Shake restaurant. Councilman Riggs made a motion, seconded by Councilman Blitch to approve APPLICATION # V 11-08-03: Maxwell-Reddick & Associates, on behalf of Heyhami Group, LLC requests a variance from Article XV of the *Statesboro Zoning Ordinance* regarding signage for property located on Henry Boulevard with the condition the sign height not to exceed 9 ft. above the concrete. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

- c. **APPLICATION # SE 11-08-04:** Applicant requests a special exception for property located on Brannen Street to allow for the use of property as auto sales.

Bill Daniel representing Dan Vaden Auto Sales spoke in favor of the special exception for the property's use on Brannen Street. The right of way parcels will be dedicated to the City of Statesboro. Councilman Riggs made a motion, seconded by Councilman Blitch to approve **APPLICATION # SE 11-08-04:** Applicant requests a special exception for property located on Brannen Street to allow for the use of property as auto sales with conditions recommended by staff. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2011-31:A Resolution Adopting the Schedule of Fees and Charges for the Water and Wastewater Department of the City of Statesboro, Georgia.

Councilman Riggs made a motion, seconded by Councilman Blitch to approve **Resolution 2011-31:** A Resolution Adopting the Schedule of Fees and Charges for the Water and Wastewater Department of the City of Statesboro, Georgia. Councilman Blitch, Riggs, and Lewis voted in favor of the motion. Councilman Chance voted against the motion. The motion carried by a 3-1 vote.

Consideration of a Motion to approve the purchase of 21 Taser X2 devices and accessories from DGG Taser in the amount of \$27,435.29; funding is from the 2011 Justice Assistance Grant and Seized Drug Funds. DGG taser is the sole source provider of Tasers in Georgia.

Councilman Lewis made a motion, seconded by Councilman Chance to approve the purchase of 21 Taser X2 devices and accessories from DGG Taser in the amount of \$27,435.29; funding is from the 2011 Justice Assistance Grant and Seized Drug Funds. DGG taser is the sole source provider of Tasers in Georgia. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award the purchase of a 2012 Peterbilt side-loader refuse truck to Peterbilt Truck Centers of Savannah in the amount of \$229,537.00 via a bid price extension from a previous bid award by Council on April 5, 2011 as they offered the lowest responsive bid.

Councilman Blitch made a motion, seconded by Councilman Riggs to award the purchase of a 2012 Peterbilt side-loader refuse truck to Peterbilt Truck Centers of Savannah in the amount of \$229,537.00 via a bid price extension from a previous bid award by Council on April 5, 2011 as they offered the lowest responsive bid. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve award of Contract to Ellis Wood Contracting in the amount of \$66,000 to make roadway improvements at the intersection of S. Zetterower Ave. and Brannen St. project to be funded by 2007 SPLOST

Councilman Lewis made a motion, seconded by Councilman Blitch to approve contract to Ellis Wood Contracting in the amount of \$44,675.00 to make roadway improvements at the intersection of S. Zetterower Ave. and Brannen St. This project is to be funded by 2007 SPLOST but was not included in the original Council Packet. It was brought to Council just before the start of the meeting. City Engineer Robert Cheshire stated he negotiated a lower price after the original proposal was included in the Packet. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion for the elimination of Capital Cost Recovery (CCR) fees for the Southeast Annexation area (Cawana Road)

Councilman Riggs made a motion, seconded by Councilman Blitch to approve the elimination of Capital Cost Recovery (CCR) fees for the Southeast Annexation area (Cawana Road) and to retain the Intergovernmental Agreement. Councilman Blitch, Riggs, and Chance voted in favor of the motion. Councilman Lewis left the meeting briefly. The motion carried by a 3-0 vote.

Reports from Staff:

a) City Manager's Report

City Manager Frank Parker announced the April 1st and April 19th, 2010 Budget Retreat would be re-held on Tuesday October 11, 2011 at 9:00 am at the Gateway Pond House

Director of Public Safety Wendell Turner updated Council on the billboards that would be appearing around Statesboro recognizing the "Operation Statesboro Blues" project.

b) Department Head Reports: None

Public Comments (General):

Allen Muldrew (DSDA) thanked the City for their involvement in the "Downtown Excellence" award that was presented to DSDA by the Department of Community Affairs Main Street Program.

Other Business from City Council

a) Nomination and acceptance of nominations for three seats on the Statesboro Planning Commission

The nominations for the vacant seats on the Planning Commission are:

a) Johnathan Mc Collar – 4 year term-Post 6

Councilman Bitch made a motion, seconded by Councilman Lewis to approve the nomination of Johnathan McCollar to the Statesboro Planning Commission for a 4 year term. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

b) Rick Barr- 2 year term- Post 7

Councilman Lewis made a motion, seconded by Councilman Riggs to approve the nomination of Rick Barr to the Statesboro Planning Commission for a 2 year term. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

c) Nick Propps- remainder of 4 year term-Post 2 or 4

Councilman Blitch made a motion, seconded by Councilman Lewis to approve the nomination of Nick Propps to the Statesboro Planning Commission for a 4 year term. He will currently serve 3 years for the remainder of a 4 year term. Councilman Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote

Consideration of a Motion to Adjourn

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

The meeting was adjourned at 11:30 a.m.



**CITY OF STATESBORO
CITY COUNCIL WORK SESSION MINUTES
October 04, 2011**

A work session of the Statesboro City Council was held on October 04, 2011 at 11:40 a.m. in the Council Chambers at City Hall. Present were Mayor Pro Tem Will Britt and Council Member John Riggs. Also present were City Manager Frank Parker and City Clerk Sue Starling. Absent were Mayor Joe Brannen and Council Members: Tommy Blich, Travis Chance and Gary Lewis.

Various department heads were present as well as representatives from the media.

Topic of Discussion:

1. Discussion of Purchasing Policy
2. Review and introduction to proposed changes to the Statesboro Zoning Ordinance regarding parking requirements and the introduction of administrative variances.

Purchasing Agent Darren Prather updated Council and others on the proposed purchasing policy changes as written in the draft copy that was provided to Council.

Director of Community Development Mandi Cody led the discussed of the proposed changes to parking requirements and administrative variances as they were written in the draft copy that was provided to Council.

Everyone joined in the discussion with positive attitudes and contributed good ideas as the projects move forward.

The meeting was adjourned at 12:30 p.m. with no action taken.



**CITY OF STATESBORO
CITY COUNCIL BUDGET RETREAT MINUTES
APRIL 1st, 2010 (REHELD OCT.11, 2011)
GATEWAY POND HOUSE**

Mayor Brannen called the meeting to order on Tuesday October 11, 2011 at 9:00 am.

Mayor Brannen asked for a moment of silence in memory of the late Mr. Sam Brannen who served as the City Attorney for many years.

Mayor Joe Brannen asked City Clerk Sue Starling if proper notice was given for the meetings. City Clerk Sue Starling replied notice was given to the media and the agendas were posted in the proper places.

Present at the meeting was Mayor Joe Brannen and Council Members: Mayor Pro Tem Will Britt, Tommy Blitch, John Riggs and Gary Lewis. Also present was City Manager Frank Parker, City Clerk Sue Starling, Director of Water Wastewater Wayne Johnson, Director of Human Resource Jeff Grant, Director of Public Safety Wendell Turner, Network Engineer Bryant Tatum, Director of Purchasing Darren Prather, City Engineer Robert Cheshire, Senior Assistant City Engineer Jason Boyles, Assistant Director Water/Wastewater Van Collins, Director of Natural Gas Steve Hotchkiss, Director of Community Development Mandi Cody, Finance Director Cindy West, Human Resource Coordinator Flavia Blair, Assistant City Clerk Heather Anderson. Other citizens present were Jeff Harrison with the Statesboro Herald and Bill Thomas. Councilman Travis Chance was absent.

Overview of the Format and Scheduling of the Retreat by Frank Parker, City Manager

City Manager Frank Parker explained the outline for the meeting and the procedure for each department to follow. He also stated according to Phil Boyum, who at the time representing the Statesboro Herald, was present at the 2010 meeting but is not present today but Jeff Harrison is present representing the Statesboro Herald. Jeff acknowledged that he had indeed received notification of the meeting.

Assumptions/Projections for the FY 2011 Budget by Fund, City Manager Frank Parker

City Manager Frank Parker stated because he was not at the 2010 budget retreat, he could only read the budget assumptions and ask if there were any questions or concerns. Hearing none, the meeting continued.

Other Proposals by the City Manager and Director of Finance

There were no other proposals.

**Water and Sewer Department, Wayne Johnson, Director and Assistant Director
Water/Wastewater Van Collins**

Community Development Department, Presentation by Mandi Cody, Director

Engineering Department, Presentation by Robert Cheshire, Director

Natural Gas Department, Presentation by Steve Hotchkiss, Director

Police Department, Presentation by Wendell Turner, Public Safety Director

Fire Department, Presentation by Wendell Turner, Public Safety Director

Fleet Management Division of Public Works, Presentation by Robert Cheshire, City Engineer and Jason Boyles, Senior Assistant Engineer

Public Works Department: Solid Waste Collection and Disposal, Parks Division, Streets Division Presentation by Robert Cheshire, City Engineer and Jason Boyles, Senior Assistant Engineer

The Department Heads, which are listed above with each agenda item, gave an update to Council on the projects that were approved in 2010-2011 and have been completed along with projects that have been postponed until a later time.

Review of the Current Fiscal Year 2010 by Frank Parker, City Manager

Finance Director Cindy West presented Council with 2010 Fiscal Year Budget numbers

Presentation of Any Additional Priorities or Goals by the Mayor and City Council Members for Consideration, then begin Discussion of Priorities for Next Year

Councilman John Riggs stated the only goal was that Council did not want to raise property taxes.

Mayor Joe Brannen adjourned the meeting at 9:45 am.

THERE WAS NO ACTION TAKEN.



**CITY OF STATESBORO
BUDGET RETREAT MINUTES
APRIL 19th, 2010 (REHELD OCT.11, 2011)
GATEWAY POND HOUSE**

Mayor Joe Brannen called the meeting to order at 10:10 am.

Present at the meeting was Mayor Joe Brannen and Council Members: Mayor Pro Tem Will Britt, Tommy Blich, John Riggs and Gary Lewis. Also present was City Manager Frank Parker, City Clerk Sue Starling, Director of Purchasing Darren Prather, Finance Director Cindy West, Assistant City Clerk Heather Anderson. Other citizens present were Jeff Harrison with the Statesboro Herald, Bill Thomas and Barry Turner. Councilman Travis Chance was absent.

TOPICS FOR DISCUSSION:

- a) Presentation SCVB**
- b) Presentation Averitt Center for the Arts**
- c) Presentation DSDA**

Heidi Jeffers representing the Statesboro Convention Visitors Bureau (SCVB), Allen Muldrew representing the Downtown Statesboro Development Authority (DSDA) and Tim Chapman representing the Statesboro Arts Council (SAC) updated Council on their upcoming activities, budgets, projects, accomplishments and tourism.

Continuation of Budget Discussion

There was no further discussion of the budgets

There being no other discussion, the meeting was adjourned at 11:10 am.

THERE WAS NO ACTION TAKEN AT THIS MEETING.

A Proclamation by the Mayor and City Council of Statesboro, Georgia

National Domestic Violence Awareness Month

WHEREAS, The crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse including abuse to children and the elderly.

WHEREAS, The problems of domestic violence are not confined to any group or groups of people, but cut across all economic, racial, and societal barriers, and are supported by societal indifference, and

WHEREAS, The impact of domestic violence is wide ranging, directly affecting individuals and society as a whole, here in this community, throughout the United States and the world, and

WHEREAS, It is battered women themselves who have been in the forefront of efforts to bring peace and equality to the home.

NOW THEREFORE, In recognition of the important work done by the domestic violence programs and the Bulloch County Family Violence Task Force and Safe Haven, I, Joe Brannen, Mayor of the City of Statesboro, do hereby proclaim the month of October to be **National Domestic Violence Awareness Month** and urge all citizens to actively participate in the scheduled activities and programs to work toward improving victim safety and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society as a whole.

Joe R. Brannen Mayor

Suz Starling, City Clerk

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 10-11-11 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 Thomas Eugene Driskell III

OWNERS NAME Thomas Eugene Driskell III

DBA (BUSINESS NAME) Tom's Beverage + Tobacco

BUSINESS ADDRESS 8 College Plaza Statesboro GA. 30458

BUSINESS MAILING ADDRESS 8 College Plaza Statesboro GA. 30458

BUSINESS TELEPHONE # * 912 - 386 - 2707

APPLICANTS HOME ADDRESS

APPLICANTS HOME PHONE #

APPLICANTS AGE 43 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 No others

PLEASE LIST BELOW:

FOR OFFICE USE ONLY: APPROVED DENIED (REASON ATTACHED)

Police Department _____

Community Development _____

Fire Department _____

Building Official _____

Ordinance #2011-08
An Ordinance Amending Chapter 66 of the Statesboro Code of Ordinances
(Solid Waste)

WHEREAS, the City has previously adopted an ordinance regulating solid waste; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 66 (Solid Waste) of the Code of Ordinances, City of Statesboro, Georgia to ensure efficient and responsive delivery of services:

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

Section 1. Chapter 66 (Solid Waste) of the Code of Ordinances, City of Statesboro, Georgia is hereby amended by replacing it in full, and shall read as follows:

Article I. – IN GENERAL

Sec. 66-1. – Definitions

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning indicated herein.

Ashes means the residue from the burning of wood, coal, coke or other combustible materials.

Building material means any material including but not limited to materials such as lumber, roofing material, brick, concrete, plaster, flooring, plumbing materials, cabinets, doors, windows, gutters, sand, gravel or other substances used in repairs or alteration of existing buildings, construction of new buildings, or demolition of existing structures.

Bulk container or dumpster means a metal container of not less than two cubic yards, not larger than eight cubic yards, water tight, with a lid or lids opening on top and constructed so that it can be emptied mechanically by specially equipped trucks. All bulk containers while in service and use shall be equipped with a lid or cover.

Collection area means an area designated by the city to be used for the placement and collection of refuse receptacles, collection containers or trash accumulations.

Collection container means a container provided by the city or approved by the director, or his/her representative, to be used for the collection and disposal of garbage.

Commercial garbage means garbage produced by any nonresidential unit or facility or non-industrial facility including stores, offices, restaurants, warehouses, and other similar uses.

Commercial solid waste means all garbage and other waste byproducts, including cinders and ashes from commercial boilers, cardboard and wooden boxes, crates and barrels, or other waste byproduct(s), generated by commercial or manufacturing establishments.

Composting means the controlled biological decomposition of organic matter into a stable, odor-free humus.

Dead animals means the carcasses or remains of cats, dogs, small household pets, and small farm animals.

Director shall mean the city engineer.

Disposal site means an area, location, tract of land or a facility used or intended to be used for the disposal of solid waste, decaying waste, hazardous waste or other waste, except it shall not include the land or facility used for the disposal of solid waste or other waste from a single-family dwelling in which the owner, occupant, or lessee of such land or facility resides.

Garbage, household garbage or refuse means the by-product of animal or vegetable food resulting from the handling, preparation, cooking and consumption of food or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors, or which during or after decay may serve as breeding areas or feeding materials for flies, insects or animals.

Hazardous waste means materials including but not limited to materials such as poison, acids, caustic matter or solutions, chemical, infected materials, infectious carcass, fecal matter, explosives, sewage sludge, radioactive materials and highly flammable substances, oils, P.C.B., antifreeze, paints, solvents and cleaning fluids, dry cleaners, fuel tanks, biomedical waste, grease traps, batteries, oxidizers, and freon or any other substance that has been defined by federal or state law as being hazardous refuse or material or which poses a similar and immediate danger or hazard to the public health, safety and welfare as the substances described herein.

Household Trash means materials including waste accumulation of paper, sweepings, dust, rags, bottles, cans or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

Industrial waste means all waste including solids, semi-solids, sludge and liquids, created by factories, processing plants or other manufacturing enterprises.

Junked vehicles means any discarded, dismantled, wrecked, scrapped, ruined, junked or inoperable automobile, truck or other vehicle, or vehicle which does not bear a current license plate or a current inspection sticker.

Litter means all garbage, refuse, waste material, sand, gravel, slag, brickbats, rubbish, tin cans, trash, debris, dead animals or any other discarded, used or unconsumed substance, which is not handled in accordance with the provisions of this article.

Loading and unloading area means a space or area used by any moving vehicle for the purpose of receiving, shipping, and transporting goods, wares, commodities and persons.

Reclamation means a controlled method of sorting solid waste for future use in accordance with a procedure approved by the director.

Recyclable materials means materials which otherwise would be garbage, commercial refuse, industrial refuse or rubbish but for the fact that it is usable and has commercial value.

Recycling means the process by which reclaimed materials are collected, separated or processed, and transformed into raw materials or products.

Residential garbage means garbage produced by any residential unit.

Refuse receptacle means a poly-cart used for the automated collection of garbage.

Rubbish means waste including but not limited to materials such as waste paper, cartons, boxes, cans, glass, packing material, and material which is discarded, unusable or not being actively used or stored or allowed to be accumulated in an unsightly manner.

Scavenge or scavenging shall mean unauthorized or uncontrolled retrieval of discarded refuse materials.

Solid Waste means any waste including commercial garbage, residential garbage, rubbish, tree and shrubbery trimmings, and trash but does not include hazardous waste, industrial waste, or waste from mining, agricultural, or silvicultural operations.

Trash means appliances, metals, furniture, yard trash, or tree and shrubbery trimmings.

Tree and shrubbery trimmings shall mean waste accumulation of tree limbs, parts of trees, bushes, or shrubbery cuttings or clippings.

Yard trimmings or yard trash means grass, straw, leaves, shrubs, hedges, tree and shrubbery trimmings, or other natural waste.

Sec. 66-2. – Collections by city.

- (a) *Generally.* All solid waste and recyclable materials accumulated in the city shall be collected, conveyed, and disposed of by the city, except as otherwise expressly authorized herein or approved by the mayor and city council. No person shall collect, convey over any streets or alleys of the city or dispose of any solid waste or recyclable materials accumulated in the city, except as expressly authorized herein or as allowed by pertinent and appropriate actions of the mayor and city council.
- (b) *Supervision.* All solid waste accumulated in the city shall be collected, conveyed, and disposed of by the city under the supervision of the director, who shall prescribe the days and times of collection, and other such matters pertaining to the storage location, conveyance and disposal as is necessary.
- (c) *Fees.* Fees, rates and charges for the collection services outlined in this article shall be as determined by the mayor and city council and on file in the office of the city clerk. Every residence, dwelling, business establishment or service agency within the limits of the city and to which garbage and solid waste collection and disposal services are available shall pay a fee for the availability of such service, regardless of whether the residence, business or agency used the service, and based upon a fee schedule approved by the mayor and city council.

- (d) *Night collection.* Should the best interest of the public be served by collection of refuse from certain areas in the city at night, the city shall make such collections. The occupants of all residences or places of business within the designated area shall be notified or may inquire as to the hours of such collection. All persons so notified shall comply with such order and shall place the containers as designated within such hours.
- (e) *Landlord's responsibility.* All garbage collection charges to a complex of apartments, houses, mobile homes or businesses will be billed to the landlord of the property, and the landlord shall be responsible to the city for payment of assessed charges.

Sec. 66-3. – Private collection.

No person or entity shall engage in the business of and receive compensation for the collection or disposal of garbage or solid waste or the collection of recyclable materials within the city, unless otherwise explicitly stated herein.

Sec. 66-4. – Refuse receptacles and collection containers required.

Every person or entity in possession, charge or control of any building from which garbage, trash, or other waste is accumulated or produced shall be required by this article to provide and keep in a suitable place, readily accessible to the city crews, refuse receptacles and collection containers suitable for the storage of all such waste materials which will normally accumulate between the established collection dates. The director shall determine the quantity and location of such receptacles and shall determine whether such receptacles and containers are in a serviceable condition.

Sec. 66-5. – Refuse receptacles and collection containers to be safe.

All refuse receptacles and collection containers, as required by this article, shall be of safe construction and design and shall be maintained in good, orderly and serviceable condition at all times. Any receptacle or container which does not conform to the requirements of this article or which has ragged or sharp edges, or any other defects likely to hamper or injure the person collecting the contents therefrom or the public generally, shall be promptly replaced by the user thereof where such receptacles and containers are not provided by the city. If such container, after appropriate notice, has not been replaced, the director shall have the right to suspend further collection of such waste material until such time as the container is brought into compliance with this article. Where receptacles or containers are provided by the city the user shall promptly notify the director or sanitation superintendent of such sharp edges, defects, or other nonconformities.

Sec. 66-6. – Fee schedule, billing, deposits and termination of service.

- (a) The fees and charges for the collection of trash, residential garbage, and commercial garbage; and the fees and charges for the disposal of solid waste through the transfer station and similar operations shall be established by resolution of the mayor and city council.
- (b) All fees shall be billed monthly as part of a combined utility bill, unless the user does not have another utility service. In that case, single bills shall be sent.
- (c) There shall be no deposit required for residential and yardwaste collection services. There shall be a deposit equal to two months' bills for any new commercial collection customers, or new solid waste disposal customers who open a monthly account with the

city. If the amount is unknown when service first begins, the first three months' usage shall be averaged to determine the amount of the deposit required, and the deposit shall be added to the bill once it is determined. The deposit may be waived if the customer can present a letter from a similar solid waste collection or disposal company, city, or other provider that indicates that the customer has paid its bills from such providers in a timely manner for at least the last 12 months of such similar service. If a deposit is required it shall be refunded without interest upon termination of service by the customer and following payment in full of all outstanding charges.

- (d) All bills shall be sent out using the billing cycle and schedule for payments as determined by the mayor and city council.
- (e) All bills not paid by the due date are subject to the late payment charge, and then immediate cut-off on the date printed on the bill.
- (f) In the event of non-payment and service cut-off, the customer must pay the bill in full, the late payment charge, a cut-off charge if applicable, and pay a deposit if it was either waived, previously refunded, or was used to make the payment, late payment charge, and/or the cut-off charge. The city manager is authorized to work out a payment plan for customers that demonstrate the ability to pay, but in no event shall such payment plan exceed 90 days before the customer's account is totally current. Such a payment plan can only be entered into once in a 12-month period. Failure to meet any payment date of a payment plan shall terminate the payment plan, and the services shall be discontinued.

Sec. 66-7--- 66-20. – Reserved.

Article II. – ENFORCEMENT

Sec. 66-21. –Responsible agency.

The director, landfill operator, sanitation superintendent, street superintendent, or code compliance officers shall investigate complaints or violations of any provisions of this article. They shall determine if there has been a violation, issue warnings and initiate an attempt to obtain compliance with this article by the person in violation thereof.

Sec. 66-22. –Initiation of complaint.

The code compliance officer shall be authorized to sign a complaint or issue a summons against a violator of this article.

Sec. 66-23. – Civil remedies.

In case of any violation of this article, the director, landfill superintendent, sanitation superintendent, street superintendent, or the designated code compliance officer may institute injunction, mandates, or other appropriate proceedings to prevent such violation, or to correct or abate such violation.

Sec. 66-24. – Suspension of service.

Upon appropriate notice to the person or entity in violation of this chapter, the director and/or city manager may suspend any service or the use of any facility maintained by the city during the period such violation continues to exist.

Sec. 66-25. – Penalty for violation.

Any person or entity in possession, charge, or control of any building from which garbage, trash or other waste is accumulated or produced and in violation of this article may be held liable for damages, and the recovery shall be in a sum of not less than \$110.00, nor more than \$550.00 for each violation. The city attorney may institute a proceeding in any court having jurisdiction thereof to collect such civil penalty. If the owner of the property on which the violation occurs fails to remediate the violation(s) within 30 calendar days upon receipt of notification, the city clerk may further proceed to collect the costs to the city of eliminating, removing or cleaning the premises in the same manner as provided by law for tax executions.

Sec. 66-26 – 66-40. – Reserved.

Article III. – PRE-COLLECTION PRACTICES

Sec. 66-41. – Generally.

The practices and procedures specified in this article shall be employed by persons in the city in order to facilitate the collection of solid wastes.

Sec. 66-42. – Refuse and garbage.

All refuse shall be placed and maintained in containers as specified in this article. All containers shall be maintained at all times with tight-fitting lids or covers. All garbage placed in containers for collection shall first be drained of all liquids, and shall be wrapped, bagged, or enclosed in paper or plastic material.

Sec. 66-43. – Household trash.

All household trash shall be drained of all liquids prior to its being placed in refuse receptacles. Household trash may be combined with garbage.

Sec. 66-44. – Injurious waste items.

All waste materials of an injurious nature, such as broken glass, light bulbs, sharp pieces of metal, fluorescent tubes and television tubes shall be securely packaged or wrapped (used needles shall be placed in hard plastic container with lid and sealed) for the purpose of preventing injury to the collection crews or other third parties.

Sec. 66-45. – Hazardous waste and building materials.

No hazardous waste or building materials shall be placed in any receptacle at any time. The city shall not be required to collect any hazardous waste or building material. All hazardous waste shall be secured against the possibility of causing injury to any person and shall not be placed on public property or private property without the written consent of the owner thereof.

Sec. 66-46. – Collection limits.

No residence or business shall place for collection at one time a trash accumulation with dimensions in excess of four feet in width by eight feet in length by 4 feet in height (4'x8'x4') or 400 pounds total. If the residence or business establishment places trash for collection which exceeds these limits, the residence or business shall be assessed an additional fee in an amount based on the actual cost of equipment, labor, transport or hauling and tippage fees needed for collection and disposal.

Sec. 66-47. – Accessible placement.

Trash shall be placed in a manner adjacent to a public street or alley easily accessible to city sanitation trucks.

Sec. 66-48. – Cardboard box collection.

All persons, firms, businesses, institutions or corporations shall be required to break down any and all cardboard boxes before placing the boxes into collection bins, receptacles, or other designated and approved collection points. To break down a cardboard box, it shall be rendered into a flat shape by whatever means necessary so that it no longer retains its three-dimensional shape and utilizes as little space as possible. Failure to break down boxes shall result in a misdemeanor, refusal by city sanitation officials to remove the garbage, or both.

Sec. 66-49. – Yard trash, tree and shrubbery trimmings.

Yard trash, tree and shrubbery trimmings separated from other debris shall be neatly stacked adjacent to the public street or alley used for road purposes which is nearest the property from which removed. No tree trunks, branches, limbs, or shrubbery larger than five inches in diameter, longer than five feet in length, or heavier than 50 pounds with the total weight of accumulated yard trash not to exceed 400 pounds and the total size not to exceed 4'x8'x4' shall be collected by the city. If a residence or business establishment places trash for collection which exceeds these limits, the residence or business shall be assessed an additional fee in the amount based on the actual cost of equipment, labor and tippage fees needed for collection. Yard trash mixed with other debris will not be picked up. Trash other than yard trash must be in a separate stack.

Sec. 66-50. – Felled trees.

The owner of property on which trees are cut down, whether by the owner or another, is required to remove promptly following the cutting at the owner's expense all tree trunks, logs, limbs, tops or other debris resulting therefrom, when such materials are clearly visible from any public street, alley, sidewalk, lane or path from the property of another that adjoins the property on which the materials are located. Such materials shall not be destroyed or removed by burning.

Sec. 66-51. – Trees, shrubbery, branches, etc.

All individuals, firms, businesses, partnerships, proprietorships or corporations engaged in the business of yard maintenance, landscaping, nursery operation or in the business of

trimming or removing trees, shrubbery, or similar growth, who shall contract with the property owner, the owner's agent or occupant to perform services on the property shall remove the property all sawdust, branches, stumps and all portions of the byproducts of the services performed, as well as all rubbish associated therewith including rocks, concrete, dirt and trimmings.

Sec. 66-52. – Removal for compensation.

It shall be unlawful for any firm, partnership, proprietorship or corporation to trim trees or bushes, do landscaping or yard work for compensation within the city unless the byproduct from those services is immediately removed from the premises and placed or deposited by the contractor in the city designated landfill or hauling station. Compensation shall be interpreted to include receiving as compensation the wood, limbs and other residue from such trimming and cutting. Any form of compensation shall place the burden of disposal directly upon the individual or contractor performing the task.

Sec. 66-53. – Leaves.

Leaves shall be neatly piled free of other debris and placed adjacent to the public street or alley used for road purposes which is nearest the property from which removed.

Sec. 66-54. – Household furniture and appliances.

Upon request, the city shall collect normal and in tact household furniture and appliances, including sofas, chairs, beds, refrigerators, washers, dryers, hot water heaters and similar items, but not including furnaces, from single-family and duplex (two-family) residential structures only. Persons requesting this service shall notify the office of the director or his/her designee to arrange for collection prior to placement near the road. The city shall have the right to set and collect a fee for this service.

Sec. 66-55. – Prohibited activities.

The following activities are hereby declared to be unlawful and in violation of this chapter:

- 1) *Public streets and private property.* No person shall place any accumulations of refuse, trash or other waste in any street, median strip, alley or other public place of travel, nor upon any private property, except with the written consent thereof and then only in accordance with the provisions of this article.
- 2) *Blockage of drainage.* At no time shall trash be placed in a manner as to obstruct drains, utility meters, walkways or streets. It shall be unlawful to use brooms, rakes, blowers or other sweeping, raking or debris removal tools or equipment so as to sweep, rake, blow or otherwise sediment or debris of any kind in or on city streets, walkways, drains, pipes or gutters. It shall be unlawful to place, accumulate or otherwise deposit any type of the aforementioned debris or material into a city drain, pipe, gutter or other draining conduit or receptacle.
- 3) *Impairment of sight distance.* At no time shall trash be placed in a manner as to obstruct or impair the sight distance of a driver or operator of a vehicle.
- 4) *Unauthorized storage.* Any accumulation of refuse or trash items on any lot, property, premises, public streets, alley or other public or private place not permitted by this

article, is hereby declared to be a nuisance. Failure of owner or occupant to remove and correct any such accumulation of refuse after appropriate notice from the director shall raise the presumption that such person intended to violate this article.

- 5) *Junk*. It shall be unlawful for any person to place or leave outside any building or dwelling, except as specified in section 66-24, any dilapidated furniture, appliance, machinery equipment, building material, junked motor vehicle, tires or other items which are either in a partially used, wrecked, junked, dismantled or inoperative condition, and which are not completely enclosed within a building or dwelling.
- 6) *Sweeping and blowing*. It shall be unlawful to sweep or blow with a blower or other machinery, grass clippings, leaves and other debris onto a city sidewalk, street, or gutter.
- 7) *Dumping*. It shall be unlawful and in violation of this section to dump, place or leave bricks, blocks, rocks, lumber, asphalt, cement, concrete, concrete products or waste, roofing, sheetrock, leaves, limbs, bushes, trees, roots, dead animals, appliances, equipment, bedding, mattresses, furniture, fixtures, clothing, motors, engines' chemical wastes, industrial or commercial waste or rubbish, scrap metal, fence wire, vehicles or parts thereof, tires, building materials or supplies, and inorganic solid material of any type or kind except as authorized herein.
- 8) *Fires*. It shall be unlawful and in violation of this chapter to set any fire, to allow a fire to burn, or in any other way attempt to damage or destroy a refuse receptacle or collection containers provided by the city.
- 9) *Container of another*. It shall be unlawful and in violation of this chapter for any person to dump, place or leave any item at a garbage and/or solid waste collection area or in any collection container unless such person has permission of the owner and/or occupant of the premises on which the area or container is located.
- 10) *Billboards*.
 - a. It shall be unlawful for owners to fail to maintain billboards in a manner that prevents loose paper, bills and other litter and debris resulting from the use of such signs and billboards. Any such debris, loose papers, bills and other litter shall be removed by the owners or their agents immediately upon accumulation.
 - b. Any such item or items which remain on the property of the occupant for a period of 30 days after notice of violation of this article shall be presumed to be abandoned and subject to being removed from the property by the city without further notice. The city may charge the owner or occupant a fee for the cost of removing such item or items. This section shall not apply to licensed junk dealers or currently licensed establishments engaged in the repair, rebuilding, reconditioning, or salvaging of equipment or furniture.
- 11) *Scavenging*. No person other than the owner thereof or an agent or employee of the director shall disturb or interfere with any container used for the purpose of storing refuse pending its collection, remove any contents therefrom, or remove such container from its collection.
- 12) *Blocked Dumpster*. It shall be unlawful and in violation of this chapter for any person to block or impair access to a dumpster or commercial collection container.

Sec. 66-56. – Abandonment.

Any such item or items which remain on the property of the occupant for a period of 30 days after notice of violation of this article shall be presumed to be abandoned and subject to being removed from the property by the city without further notice. The city may charge the owner or occupant of the premises; any unpaid charge for removal may be collected by the city clerk in the same manner as delinquent taxes. This section shall not apply to licensed junk

dealers or currently licensed establishments engaged in the repair, rebuilding, reconditioning, or salvaging of equipment or furniture.

Sec. 66-57--- 66-70. – Reserved.

Article IV. – COMMERCIAL ESTABLISHMENTS

Sec. 66-71. – Generally.

All commercial establishments shall store their refuse in containers, as specified in this article, so as to eliminate wind-driven debris and unsightly litter in and about their establishments. Approved methods of containerization shall include refuse receptacles, bulk containers and detachable containers. Any spillage or overflow shall be immediately cleaned up by such establishment.

Sec. 66-72. – Loading and unloading areas.

All loading and unloading areas shall be provided with refuse receptacles for loose debris, paper, packaging materials and other trash. The owner or occupant of the commercial establishment shall place a sufficient number of containers in such area to maintain a clean, neat and sanitary condition at all times. The number of such containers to be placed in service for a particular establishment shall be set by the director or his/her designated representative. The number of such containers to be placed in service for a particular occupant of the premise shall insure that all litter is placed in the proper container and the area is kept clean. If the occupant violates this section, collection service may be suspended by the director until such time as the owner or occupant of the premises brings such premises into full compliance with the provisions of this chapter.

Sec. 66-73. – Construction sites and demolition sites.

All construction and demolition contractors shall provide on-site refuse receptacles, bulk containers, or detachable containers for loose debris, paper, building material waste, scrap building materials and other trash (no hazardous waste shall be deposited in the containers) produced by those working at the construction site. The site shall be kept in a litter-free condition. The number of refuse receptacles, bulk containers, or detachable containers (not to exceed four (4) total per site) shall be determined by the size of the job. Receptacles and containers must be promptly collected when maximum capacity has been reached. All construction receptacles and containers must be promptly removed upon completion of construction. Dirt, mud, construction materials or other debris deposited upon any public or private property belonging to a person other than the owner of the construction site shall be promptly removed by the designated collection contractor.

Sec. 66-74--- 66-90. – Reserved.

Article V. – COLLECTION PRACTICES

Sec. 66-91. – Residential garbage collection.

- (a) Garbage and solid waste at residences within the city shall be collected only by departments and employees of the city, or pursuant to a contract or franchise issued by the city. Removal by persons for hire or compensation is prohibited.
- (b) Collections from residential premises with a refuse receptacle shall be made once weekly, with the exception of holidays or in times when such collection is impossible, such as in the event of natural disasters.
- (c) (1) Resident(s) shall place garbage for curbside pickup in carts provided by the city. On the evening before each day assigned by the city sanitation superintendent for collection in the resident's area, the cart will be placed at a curbside point designated by city sanitation officials no earlier than 6:00 p.m. for pick up the next day. The cart will be removed from the curbside point by the resident no later than 8:00 a.m. on the day after the assigned collection date. Failure to remove a cart by 8:00 a.m. on the day after the assigned collection date shall result in a fine of \$10.00 per day until the cart is removed. At other times, carts will be stored by the resident(s) where possible in locations not visible from the street or road on which the garbage is collected.
(2) The city shall initially provide and bear the cost of the first cart for each single-family and two-family residence. In the event the cart is insufficient to contain the garbage for a residence, the resident shall bear the cost of placement of an additional cart at the residence. In the event a cart is lost, stolen or abused, the resident shall bear the cost of placement of another cart at the residence.
(3) In the event the cart is not used for a period of three weeks, then the cart shall be removed from the residence. The resident shall bear the cost of placement of another cart at the residence.
(4) Persons having physical handicaps which prevent them from placing carts at curbsides shall be exempted from the requirement to place the cart at the curbside. Such persons shall provide to the city a written statement from a physician which validates the existence of such a handicap and shall include their physical address. The other requirements for collection and disposal of garbage contained within this Code will nonetheless apply to persons exempted under this subsection.
- (d) Persons required to maintain refuse receptacles and collection containers under this chapter shall maintain the containers in a sanitary condition, tightly covered at all times other than filling, emptying and cleaning, and free from odor. Refuse receptacles shall be filled in such a manner as to allow pickup by one person. Refuse receptacles and collection containers shall be further maintained so as to prevent the overflow and scattering of trash, garbage, refuse, other solid waste, or water/rainwater.
- (e) All apartment buildings or structures containing in excess of six dwelling units per parcel are required to use hoist type dumpsters or containers that are compatible for loading by mechanical means by garbage and solid waste collection vehicles maintained by the city for the accumulation of garbage by such building or structure residents. Dumpsters shall be required to be placed on a concrete pad constructed in accordance with the city engineer's specifications. For buildings or structures containing more than one but not more than six dwelling units per parcel, each occupied dwelling unit, household or apartment shall provide, at the customer's expense, at least one container and shall provide additional containers as required by the director or his/her representative. The director or his/her representative shall approve the placement, total quantity, and sufficiency of collection containers necessary to adequately serve the establishment. Service to such establishments will be provided by a schedule which is maintained and provided by the sanitation superintendent.

Sec. 66-92. – Commercial establishments.

- (a) Garbage and solid waste at commercial establishments within the city shall be collected only by departments and employees of the city, or pursuant to a contract or franchise issued by the city. Removal by persons for hire or compensation is prohibited.
- (b) Collection frequency for businesses and commercial enterprises with collection containers shall be established by the user upon application of service. Collection frequency may be amended upon request by the user or as deemed necessary by the director or his/her designated representative to prevent spillage or overflow. In such cases where it is determined by the city that amendments to the collection frequency is necessary the user shall be notified in writing regarding such changes.
- (c) The director or his/her representative shall approve the placement, total quantity, and sufficiency of collection containers necessary to adequately serve the establishment. Sufficiency shall be determined at the discretion of the director or his/her representative.
- (d) All commercial buildings or structures containing in excess of four business units per parcel are required to use hoist type dumpsters or containers that are compatible for loading by mechanical means by garbage and solid waste collection vehicles maintained by the city for the accumulation of garbage by such building or structure tenants. Dumpsters shall be required to be placed on a concrete pad constructed in accordance with the city engineer's specifications. For commercial buildings or structures containing more than one but not more than four units, each unit shall provide, at the customer's expense, at least one container and shall provide additional containers as required by the director or his/her representative. The director or his/her representative shall approve the placement, total quantity, and sufficiency of refuse receptacles or collection containers necessary to adequately serve the establishment.
- (e) Persons required to maintain refuse receptacles and collection containers under this chapter shall maintain the containers in a sanitary condition, tightly covered at all times other than filling, emptying and cleaning, and free from odor. Refuse receptacles shall be filled in such a manner as to allow pickup by one person. Refuse receptacles and collection containers shall be further maintained so as to prevent the overflow and scattering of trash, garbage, refuse, other solid waste, or water/rainwater.
- (f) Service to commercial establishments will be provided by a schedule which is provided by the sanitation superintendent.

Sec. 66-93. – Industrial waste.

Industrial waste shall be collected, removed and disposed of by any factory, plant or enterprise creating or causing such waste.

Sec. 66-94. – Hazardous waste.

No hazardous waste shall be placed in any receptacle used for collection of refuse by the city. All hazardous waste shall be collected, removed, and disposed of by the person or entity creating or causing such waste.

Sec. 66-95. – Dead animals.

Small dead animals will be collected by the city during operating hours of the city/county transfer station, provided the body is appropriately wrapped and isolated in an area readily accessible to the collector. Owners of large dead animals shall be responsible for their removal and disposal.

Sec. 66-96. – Building materials.

The city shall not be responsible for the collecting preliminary to, during or subsequent to the construction of a new building, alteration or additions to an existing building or of any kind of construction of any and all refuse, trash, debris resulting therefrom as well as from demolition of existing structures. Such material shall be removed by the owner of the property or by the contractor.

Sec. 66-97 --- 66-110. – Reserved.

Article VI. – SPECIAL SOLID WASTE DISPOSAL

Sec. 66-111. – Contagious disease solid waste.

The removal of clothing, bedding or other solid waste from some or other places where highly infectious diseases have prevailed shall be decontaminated prior to removal under the supervision and direction of the county health department. Such solid waste shall not be placed in receptacles or bulk container for the city collection until decontaminated.

Sec. 66-112. – Hypodermic instruments.

No person shall dispose of or discard any hypodermic needle or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable and incapable of re-use, such hypodermic syringe, needle, instrument or device, and without safeguarding the disposal thereof, by securely placing in plastic container with a sealed lid so as to avoid the possibility of causing injury to the collection personnel or general public.

Sec. 66-113. – Cardboard boxes, cartons and tires.

All cardboard boxes, cartons and tires are to be disposed of at designated recycling centers. The person disposing of any such boxes or cartons shall collapse all cardboard boxes and cartons.

Sec. 66-114--- 66-130. – Reserved.

Article VII. – DISPOSAL SITES

Sec. 66-131. – Use authorized; regulations.

All domestic and other acceptable refuse shall be delivered and deposited at authorized public disposal sites in accordance with the directions and orders of the director or his representative in charge of operations, except, however, privately operated sites may be used for the sanitary disposal of industrial wastes or other specified waste upon the approval of the director and upon the issuance of appropriated disposal permits, as required by the regulations of the Georgia Department of Natural Resources, and/or the Federal Environmental Protection Agency. The director or his representative shall be authorized to promulgate appropriate regulations requiring

Sec. 66-132. – Designation of sites.

- (a) Public sites approved for the disposal of refuse shall be identified by appropriate directional signs posted near the roadside and at the location of the city/county sanitary landfill or transfer/hauling station.
- (b) Such sites shall be maintained in use until permanently closed, at which time additional authorized sites shall be opened and publicized by posting and through public advertisement.
- (c) The mayor and city council may restrict certain sites or portions thereof to a specific type or types of refuse.
- (d) Commercial collectors, including yard maintenance men, may use the public designated sites.
- (e) Residents of the city, other than commercial collectors, may use public sites, in accordance with the regulations for the particular site the instruction of the site attendant.

Sec. 66-133. – Operating schedule.

Authorized public disposal sites shall be operated on a schedule as established by the landfill superintendent during the hours designated, acceptable refuse generated in the city shall be received for disposal from any resident of the city.

Sec. 66-134. – When use authorized; ownership of waste.

No person shall enter a disposal site except when an attendant is present and during the hours and days prescribed in this article. Only residents of or businesses with locations in the city or Bulloch County shall be allowed to use or dispose of waste at the disposal sites, and only waste generated within the city or county will be accepted.

Sec. 66-135. – Classification of waste for disposal.

- (a) Domestic refuse. The following types of waste shall be classed as “domestic refuse” and shall be accepted for disposal:
 - (1) Household garbage.
 - (2) Business/office waste.
 - (3) Yard trash.
- (b) Industrial waste.
 - (1) The following types of wastes shall be classed as “industrial waste” and shall not be accepted for disposal.
 - a. Industrial waste.
 - b. Hazardous waste.
 - (2) Industrial waste may be disposed at the city/county landfill or transfer/hauling station according to regulations. For information of these regulations you may call the landfill operator at 764-5279.
- (c) Building materials may be accepted for disposal upon such terms and conditions as may be determined by the city and county.
- (d) Materials for recycling shall be separated for storage at each disposal site.

Sec. 66-136. – Permit required for private sites.

It shall be unlawful for any person to deposit or permit to be deposited on land under his ownership and control any refuse without first having obtained a disposal area permit as required by any regulation of the Georgia Department of Natural Resources, the Federal Environmental Protection Agency and the city.

Sec. 66-137. – General maintenance.

It shall be the duty and responsibility of the owner of any private disposal site to keep the site in an orderly condition and maintained so as not to be a public nuisance or menace to public health.

Sec. 66-138. – Right to enter to inspect.

The landfill superintendent or his designee shall have the right to enter a private disposal site at any time during normal business hours for the purpose of inspecting the site to determine whether or not the site is in compliance with this article and all other pertinent laws and regulations of the city.

Sec. 66-139. – Disposal locations.

- (a) No person shall dispose of garbage, trash, or other acceptable solid waste at any location within the limits of the city except in authorized containers for collection by city departments or its contractual assigns in the city/county landfill or transfer/hauling station. Only residents of or businesses with locations in the city or Bulloch County shall be allowed to use or dispose of waste at the disposal sites, and only waste generated within the city or county will be accepted.
- (b) It shall be unlawful for any person to throw or cast any garbage or solid waste, rubbish, trash, filth or litter of any nature into the streets, sidewalks, lanes, squares or thoroughfares of the city.
- (c) It shall be unlawful for any person to throw, sweep, cast or otherwise put or place any straw, paper, can, bottles, broken glass, decaying vegetables or fruit or other decaying vegetation, rubbish, garbage or solid waste on any vacant lot within the limits of the city.
- (d) It shall be unlawful for any person owning or occupying any lot, tract or parcel of land or premises within the city to permit the growth thereon of weeds or noxious vegetation to such extent that such vegetation constitutes a public health, safety or welfare concern.

Sec. 66-140. – Fees.

For the purposes of this chapter, the principal occupant or head of household in physical possession of a residence through ownership or lease shall be responsible for payment of the fee. If an account of service exists with the city, the fee shall be added to and denominated separately on monthly account statements.

Sec. 66-141. – Fire hazards prohibited.

- (a) It shall be unlawful to place ashes within any building in any box, barrel or other wooden vessel or upon any wooden vessel or floor.
- (b) It shall be unlawful to keep, maintain or permit to be kept on any premises within the city oily waste or oily rags unless, at all times when not actually in use, such oily waste and rags are kept in a metal can or container with a self-closing cover and riveted joints,

standing on metal legs which raise the bottom of the container at least four inches above the floor.

- (c) All owners or occupants of buildings are required to permit the chief or commander of the fire department or his designated agent to inspect or to have inspected their building or premises to determine compliance with subsections (a) and (b) of this section.

Sec. 66-142. – Transportation of trash, garbage or refuse.

- (a) All persons hauling or transporting trash, garbage, refuse or other debris to the city landfill or hauling station shall transport same in such a way as to prevent trash, leaves, limbs, paper, garbage, refuse or other debris from falling from a vehicle transporting the same or from blowing off of the vehicle so as to fall in the public streets of the city or in the ditches or yards adjacent to such streets. Vehicles transporting such materials shall have suitable covers, such as a tarp, securely fastened to the vehicle.
- (b) Such material being transported to the city landfill or hauling site shall be packed in the vehicle transporting it so that it will not fall off or blow out and shall have suitable covers securely fastened to the vehicle so as to prevent littering of the streets and yards of the city. It shall be unlawful and in violation of this chapter for such material to fall off or blow out of any vehicle during transportation.
- (c) This section shall not apply to the transportation of poultry, livestock, silage or other feed grain used in the feeding of poultry or livestock.

Section 2. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

Section 3. This Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

First Reading: October 4, 2011

Second Reading: October 18, 2011

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

By: Joe R. Brannen, Mayor

Attest: Sue Starling, City Clerk

ORDINANCE 2011-09:

AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE
REGARDING THE CITY'S FINANCE DEPARTMENT AND THE PURCHASING
DEPARTMENT

THAT WHEREAS, the City of Statesboro has organized the finance department
and the purchasing department as organizational entities.

WHEREAS, the City must buy numerous supplies, materials, equipment, and
services in order to provide a wide range of municipal services to its citizens; and

WHEREAS, the Mayor and City Council desire to make these purchases in
keeping with federal and state laws and regulations, using best business practices to
assure the most economical and effective use of the limited public financial resources
available; and

WHEREAS, the City Manager has proposed a major change in the entire
purchasing system of the City which will set out a detailed policy for the various types of
purchases, and the Mayor and City Council after reviewing this proposal wish to adopt it;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Mayor
and City Council of the City of Statesboro, Georgia that the Statesboro Municipal Code
is hereby amended by adding Chapter 5 as follows:

"Sec. 5-1. Department of Finance and Administration established.

Sec. 5-2. Duties of the Director.

Sec. 5-3. Organization of the department.

Sec. 5-4 through 5-99. Reserved.

Sec. 5-100. Finance Department. The finance department shall be responsible for
preparing and administering the operating and capital budgets and the capital
improvements plan under the city manager's direction; administering the accounting and
financial reporting systems; accounts receivable, revenue collection, accounts payable
and preparation of all payroll functions. This department shall also be responsible for
debt management and investments and the preparation of the annual financial statements
to be independently audited; and any other duties that involve the financial operations of
the city.

Deleted: AND ADMINISTRATION
DEPARTMENT

Deleted: previously

Deleted: reorganized the finance
department and the city clerk's office by
combining them into one department, and
the Municipal Code needs to reflect this
reorganization; and

Deleted: There is hereby created the
department of finance and administration,
by combining the operations of the city
clerk's office and the finance department.
The department shall be supervised by
the director of finance and
administration/city clerk.

Deleted: The director of finance and
administration shall be responsible for the
financial operations of the city, the
human resource operations, the
management information and records
retention operations, and the purchasing
and risk management operations. These
responsibilities shall be carried out by the
director under the supervision of the city
manager. The director shall be appointed
by the city manager.

Deleted: The department shall be
organized as the director and city
manager shall deem in the best interest of
the city. Any major changes in the
organization must be approved by the
Mayor and City Council. The department
shall be organized into four divisions: the
finance division; the human resources
division; the purchasing/risk management
division; and the information systems
division.

Deleted: handling all billing including
property taxes and utilities

Deleted: business and alcohol
licensing, and similar operations

Sec. 5-101. Financial Policies. In supervising the department, the finance director shall be governed at all times by all financial and other policies adopted by the Mayor and City Council. The city has adopted by resolution detailed financial policies for this purpose.

Sec. 5-102 through 5-102 through 5-199. Reserved.

Sec. 5-200.

Sec. 5-201 through 5-299. Reserved.

Sec. 5-300. Purchasing/Risk Management Department. There is hereby created the Purchasing/Risk Management Department within the Finance Department.

Deleted: and Administration
Department.

Sec. 5-301. Applicability. The provisions of this chapter shall apply to all primary departments and agencies receiving appropriations from the governing authority of the City of Statesboro and to other agencies, as the governing authority may deem appropriate.

Sec. 5-302. Definitions. The following definitions shall apply to this chapter:

Committee: Committee on standards and specifications.

Finance department: The department in which the purchasing department is assigned.

Goods and services: The tangible items and/or labor and materials necessary to provide an effective and economically responsible delivery of services by the City of Statesboro and for which financial appropriations have been made by the governing authority.

1. *Supplies, materials or contractual services:* All tangible equipment, commodities, repairs or nonprofessional services necessary to operate the government.

2. *Professional services:* Services provided by the following licensed professionals need not be subject to competitive bidding: practitioners of law, medicine, podiatry, dentistry, optometry, psychology, veterinary medicine, physiotherapy, public accounting and civil, mechanical, hydraulic or electrical engineering, architecture, surveying, property appraisal, or professional consultations.

Purchasing Director: The individual who is assigned the general duties and responsibilities of supervising and administering the purchasing functions.

Using agency: Any department, division, agency, bureau, commission, board, authority, or other unit of the City of Statesboro government using goods and services to carry out the duties and responsibilities of such functions and for which financial appropriations have been made by the governing authority.

Sec. 5-303. Purchasing Department and Purchasing Director. The purchasing director shall administer the policies, regulations, and procedures governing the purchase of all goods and services for the City of Statesboro. The purchasing director shall exercise general supervision of all functions pertaining to purchasing, subject to the review of the finance director.

Sec. 5-304. Duties of purchasing department manager. The purchasing director shall have the following authority, responsibility and duties:

1. To carry out the policies, regulations and procedures for purchasing all goods and services required by the using agencies of the City pursuant to the provisions of this chapter, and other directives of the manager not in conflict with this chapter.
2. To obtain the needed quality of goods and services for the most economical costs which will provide the most effective operations for the City.
3. To discourage restrictive bidding and specifications and to promote open competition.
4. To maintain up-to-date files of all vendors known to the City who are reputable and responsible vendors of goods and services, with prices and discounts as may be available.
5. To establish a standard uniform list of nomenclature of all goods and services regularly used by the City, to be distributed to all using agencies and suppliers, in order to achieve uniformity of common purchases among the various using agencies.
6. To take advantage of all exemptions, discounts and special offers to which the City may be entitled, to ensure the most economical purchase without sacrificing quality, including the availability of "bulk" purchases.
7. To coordinate with the finance department to ensure that all purchases are in compliance with the City's budgeting and accounting policies and procedures.
8. To be informed of the "state-of-the-art" developments and procedures in the field of governmental purchasing, current market conditions, new products and prices.
9. To develop and prescribe such forms as may be necessary to effectively and efficiently carry out the purchasing procedures of the City and to require that such forms be utilized by all using agencies, subject to the approval of the city manager.

10. To ensure that all goods and services purchased by the City are properly received and are representative of and in accordance with the prescribed terms and specifications of the purchase agreement.

11. With the approval of the city manager, to declare ineligible any vendor that misrepresents or defaults on any quotation, bid or purchase agreement with the City and to disqualify such vendor from doing further business with the City for a specified period of time.

12. To promulgate policies and procedures, with the advice of the finance director and approval of the city manager, to administer and carry out the provisions of this chapter or other policies established by the City pertaining to governmental purchases, and to develop and maintain a uniform purchasing manual which shall include all such policies and procedures to be followed by all using agencies.

13. To manage all affairs of the purchasing division.

14. To prepare and submit reports on the purchasing activities of the City in a manner to be prescribed by the city manager.

Sec. 5-305. Committee on standards and specifications---Established; members; meetings; authority. There is hereby established a committee on standards and specifications which shall include the city manager, or designee, as chairman and other such government officers and department heads as determined and appointed by the city manager. The purchasing director shall serve as an ex officio member and secretary to the committee. The committee shall hold such meetings from time to time as deemed necessary by the city manager and shall be authorized to enlist the advice and assistance of any other government officer, employee, specialist or technician as may be deemed appropriate to carry out the duties and responsibilities of the committee.

Sec. 5-306. Same-Duties. The duties and responsibilities of the committee on standards and specifications shall be as follows:

1. To review purchasing policies and procedures to ensure that the process of acquisition of goods and services is carried out effectively.

2. To review the classification of all goods and services commonly used by each using agency.

3. To review and approve standard minimum specifications for all like goods and services commonly used by all using agencies striving to meet the common needs of the majority of such agencies.

4. To review and approve standard minimum qualities, quantities, sizes and varieties of goods and services to be purchased by the City consistent with the desired efficiency of governmental operations, the particular needs of a using agency and the provisions of this chapter.

5. To ensure that all standards and specifications are reasonable, nonrestrictive and certain to promote open competition among vendors.

6. To review special needs of any using agency, to identify noncompetitive types and kinds of goods and services, and to exempt such items from the list of standard purchases. Any such exemption shall include documentation of the reasons for the exemption.

7. To periodically review the standards and specifications, or exemptions, established by the committee and to promptly provide any additions, deletions or other changes and to avoid unnecessary delays in the purchasing process.

Sec. 5-307. Applicability of standards. Each standard specification, until revised or rescinded, shall apply alike in terms and effect to the purchase or contract for the item or service described in such specifications. However, if any item requested by a using agency is not on the standard list or listed as an exemption, the purchasing agent shall be authorized to exempt the item based on sufficient justification being provided by the requesting using agency. He shall notify the committee members at the next scheduled meeting of any exemption he has granted, so that the committee can confirm or amend that decision on future purchases.

Sec. 5-308. Substitution of brand names. If a requisition is submitted for a "brand name" item or service, the purchasing director shall notify the requesting agency of acceptable and approved comparable goods or services which meet the requirements of the specifications. The department director and the purchasing agent shall jointly decide on the items to be purchased. In case of continued disagreement, the city manager shall make the determination.

Sec. 5-309. Uniform Purchasing Manual. The Uniform Purchasing Manual shall include a step-by-step description of the proper procedures for purchasing goods and services, samples of major forms used in the purchasing process, and a clearly defined explanation of the proper use of such forms and procedures. The manual must be approved by the Mayor and City Council before it becomes effective, as must any subsequent amendments thereto.

Sec. 5-310. Purchase orders. Except as otherwise provided herein, all purchases for goods and services for the City shall be on an official City of Statesboro purchase order.

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Sec. 5-311. Budget review prior to issuing purchase orders. Except as otherwise provided for in emergencies, no purchase order shall be issued unless there is a sufficient unencumbered appropriation, in excess of all unpaid obligations of the using agency to cover the amount of such purchase. The Finance Director is authorized to allow such a purchase to be made, provided that the department head has identified a source of funding within the existing budget that can be utilized by budget amendment to cover this expense.

Sec. 5-312. Methods of Purchasing. All purchases for the City shall fall into two distinct categories, with each category containing several possible methods. The using agency should review these methods and determine which is the appropriate method for the contemplated purchase. If there is any uncertainty about which method to use, the purchasing director and the finance director should be consulted. If there is still any uncertainty about which method to use, the city manager shall make the final determination. Details on the procedures to follow for each purchase method shall be contained in the Uniform Purchasing Manual, which after approval by the Mayor and City Council shall be furnished by the city manager to all department and division heads of the City.

The categories and purchase methods are as follows:

a) Category 1: General Procurement Methods:

1. Petty Cash Process: For purchases of \$50.00 or less if the employee has not been issued a procurement card.
2. Procurement Card Process: For purchases of \$5,000.00 and less.
Purchases of 1,000.01 to \$5,000.00 must use telephone quote process.
The telephone quote process must be followed
3. Telephone Quote Process: For purchases of \$1,000.01 up to \$5000.00.
4. Written Quote Process: For purchases of \$5000.01 up to \$19,999.99.
5. Sealed Bid Process: For purchases of \$20,000 or more.
6. Fixed Price Agreements Process.
7. Open Purchase Orders Process.

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b) Category 2: Special Procurement Methods:

1. Georgia Local Government Public Works Construction Law Projects.

2. Georgia Municipal Street Projects.
3. Sole Source Purchases.
4. Emergency Purchases.
5. Professional Services.
6. Real Property Acquisitions.
7. Cooperative Purchases.
8. Federal and State Purchases.
9. Federally and State Funded Projects and Programs.
10. Natural Gas Supply Purchases.
11. Investment Purchases.

Sec. 5-313. Petty Cash Process. Any employee who has not been issued a procurement card may use petty cash funds for purchases up to \$50.00 with the prior approval of the employee's department head.

Sec. 5-314. Procurement Card Process. The city manager is hereby authorized to implement a procurement card system for use by the various departments of the city. The use of such cards shall be governed by a written policy developed and approved by the Mayor and City Council to limit the amount per transaction, and assure the ability to audit each purchase by each individual user assigned a card. Department heads shall recommend to the city manager the specific employees that they wish to issue such a card, with the specified dollar limit per transaction, which shall not exceed \$5,000.00. The city manager is authorized to allow higher limits for the fleet management personnel given the high cost of some replacement parts, provided that those increased limits are approved by the Mayor and City Council.

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Sec. 5-315. Telephone Quote Process. Any purchase which is between \$1,000.01 and \$5,000.00 must use a purchase order, after having obtained at least three telephone quotes for the specific product or service. Each vendor must be given sufficient information to assure that the quotes are for the same product, or a similar product made by another company. The telephone quotes must be recorded by the department, with the date and the signature of the employee who made the calls. This information must be attached to the purchase order as a record of the calls and kept by the Finance Department. If using a procurement card, required quote records shall be kept if the purchase is above the \$1,000.00 limit.

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Sec. 5-316. Written Quote Process. Any purchase which is between \$5,000.01 and \$19,999.99, must use a purchase order, after having obtained written quotes for the specific product or service. Since this method does not require sealed bids, the City will allow either mailed, faxed, or emailed quotes, as long as they contain the date, a clear description of the product offered, its price, and any delivery terms, and the name and position of the company representative who has prepared the quote.

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Sec. 5-317. Sealed Bid Process. a) This process must be used for any purchase that is for \$20,000.00 or more, unless one of the special procurement methods applies. This

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process requires the advertisement twice in the local newspaper in which sheriff's sales are advertised, spaced seven (7) days apart, with the first advertisement printed at least fourteen (14) days before the date of the bid opening. The bid must contain the desired quantity and a description of the product or service desired; how to obtain detailed specifications and get answers about them; where and when to submit the bids; how to address the envelope; the time and place where the bids shall be opened, read aloud, and recorded; and any special instructions or conditions, such as attendance at a mandatory or voluntary pre-bid conference. b) All sealed bid process purchases must be pre-approved by the city manager or his designee before advertisement begins. All sealed bid purchases shall be awarded by the Mayor and City Council.

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c) In lieu of the sealed bid process the city manager may authorize the use of the reverse auction process provided by the Georgia Municipal Association through a contracted service provider. **Sec. 5-318. Fixed Price Agreements Process.** Goods or services used by one or more using agencies on a regular and continuing basis may be purchased under a contract covering a specified extended period of time, at an established price for such goods or services which shall be valid for the duration of the contract period. Purchase agreements under this provision shall be subject to the Sealed Bid Process in Sec. 5-317 above. The departments of the City could then purchase these goods or services on an as-needed basis throughout the agreed time period at the accepted bid price with a valid purchase order, or using the procurement card if the cost is below the assigned card's transaction limit.

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Sec. 5-319. Open Purchase Order Process. Department heads may request that the city manager authorize the issuance of an open purchase order for a specified vendor, for a specified period not to exceed a month, with a maximum dollar figure attached. Such purchase orders can only be used by specified employees of that department, with vendors that the City does business with on a regularly recurring basis. This process should be used only when in the city manager's judgment one of the other general procurement methods above will not afford the timely acquisition of needed supplies, materials, or services.

Sec. 5-320. Georgia Local Government Public Works Construction Law Projects.

a) This process shall be used by the City in order to comply with State law. The Official Code of Georgia Annotated 36-91-1 through 36-91-95, or as subsequently amended, requires cities that engage in the building, altering, repairing, improving, or demolishing of any public structure or building or other public improvements of any kind to any public real property other than those projects covered by Chapter 4 of Title 32 of the OCGA (see Sec. 5-321 below) in which the value of said work is \$100,000.00 or more, to use the competitive bid or proposal processes set out in these statutory provisions, unless the proposed work qualifies for one of the limited exceptions. This statute does not apply to the routine operation, repair, or maintenance of existing structures, buildings, or real property.

For public works projects under \$20,000.00, competitive written quotes and proposals shall be obtained and presented to the City Manager for approval. For projects costing \$20,000.00 to \$100,000.00 competitive written quotes shall be obtained and submitted to

Council for approval. Although there is no required sealed bid/proposal process per House Bill 1079 for projects with a cost of \$100,000 or less, complete and detailed documentation of obtained written quotes shall be provided and kept in the Purchasing Department. The Purchasing Department shall be involved in every stage of the process in obtaining competitive written quotes. Vendors shall submit written quotes to the Purchasing Department by the determined due date and time. Although many formalities are not required for projects with a cost of \$100,000.00 or less, vendors will be given a due date and time for written quotes and the quotes shall be in a sealed envelope at the time of submittal to the Purchasing Department.

b) The preferred construction delivery method for these projects is the “design, bid, build” method. No other method allowed by state law shall be used unless expressly approved by the Mayor and City Council. No project requiring a contract under this method shall begin the design phase without the express approval of the city manager, even if it has been included in the annual capital budget, so that its methods of financing, design, advertisement, and award have been thoroughly reviewed.

Sec. 5-321. Georgia Municipal Street Projects. a) This process shall be used by the City in order to comply with State law. The Official Code of Georgia Annotated 32-4-90 through 32-4-123, or as subsequently amended, requires cities that engage in a contract valued at \$20,000.00 or more for the construction, reconstruction, or maintenance of all or part of a public road in said municipality, including but not limited to a contract or subcontract for the purchase of materials, for the hiring of labor, for professional services, or for other things or services incident to such work, to use the competitive bid process set out in these statutory provisions, unless the proposed work qualifies for one of the limited exceptions. If the professional service design phase stands alone and is not part of a complete project package that contains a construction and management element, the requirements for obtaining professional services for street projects shall fall under the general provisions of the professional service guidelines contained in House Bill 1079.

b) No project requiring a contract under this method shall begin the design phase without the express approval of the city manager, even if it has been included in the annual capital budget, so that its methods of financing, design, advertisement, and award have been thoroughly reviewed.

Sec. 5-322. Sole Source Purchases. The city manager shall be authorized to designate a sole source for any item or service under \$20,000 in value, the purchase of which, due to special scientific, technological, or extraordinary specifications and circumstances, is available from only one vendor. Any such purchase shall be documented as to the

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reasons for the sole source and shall be maintained in the office of the purchasing division. Any proposed sole source purchase that is \$20,000, or more in value must be approved by the Mayor and City Council.

Sec. 5-323. Emergency Purchases. The city manager is authorized to waive any or all bidding requirements for the purchase of necessary goods or services whenever an emergency condition exists which presents a threat to the safety, health and welfare of the citizens of the City and whenever such requirements would cause undue delay in the delivery of essential services under such conditions. Any emergency purchases must be reported to the Mayor and City Council at the next regular meeting of the City Council.

Sec. 5-324. Professional Services. a) Professional services, as defined in Sec. 5-302 (2) of this Municipal Code, may be required on a project basis, for specific activities or for certain durations of time. Procurement of these services shall be the primary responsibility of the user agency with the assistance of the purchasing agent. After a firm is selected, approval from the City Manager must be obtained for services costing less than \$20,000.00. For services with a cost of \$20,000.00 and higher, it shall be required to obtain the approval of Council prior to the contract being awarded. This process shall comply with O.C.G.A. 36-91-22 and House Bill 1079. This shall apply to public works projects as well as municipal street projects in the area of professional services which are exempt from competitive processes per House Bill 1079. As stated in House Bill 1079, this shall be for stand-alone professional services and shall not be included in an all-encompassing construction project where design, construction and project management are contained in one bid package per House Bill 1079. However, this does not prohibit the usage of a competitive proposal process if it is deemed to be beneficial.

Sec. 5-325. Real Property Acquisitions. a) Easements and other limited property rights valued at less than \$20,000.00 may be negotiated and purchased by the city attorney and the city manager or his designee.

b) Easements and other limited property rights valued at \$20,000.00 or more shall be negotiated by the city attorney and the city manager or his designee, but must be approved by action of the Mayor and City Council.

c) All property acquired in fee simple for city use valued at less than \$20,000.00 may be negotiated and purchased by the city attorney and the city manager or his designee.

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Deleted: A contract for professional services shall be awarded to the best-qualified proposal based on the evaluation of the proposals and negotiation of reasonable and fair compensation for services. Such professional service needs must be approved by the city manager and shall be limited to a maximum duration of five (5) years without again requesting proposals for such general services from the professional community. The initial selection of such professional services shall be accomplished as outlined in subsection (1) below. Fees for such services may be negotiated at the time of such designation or on a project/activities basis:

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Deleted: Professional services which have an estimated cost of \$20,000.00 or more shall be purchased through request for proposals. When determined appropriate by the city manager, solicitation may be made through formal advertising in the local newspaper in which the sheriff's sales appear or regional newspapers or any other similar means to notify the relevant professional community.

Deleted: 2. Professional services which have an estimated cost of not less than \$5,000.00 and not more than \$19,999.99 may be purchased on the open market without regard for formal advertising. Upon the receipt of written proposals from at least three (3) qualified professionals of the service, the user agency shall select and the purchasing division manager shall award the contract.¶

Deleted: 3. Professional services which have an estimated cost of not less than \$500.00 but not more than \$4,999.99 shall be purchased on the open market without regard for formal advertising. Upon the receipt of documented written or oral proposals from at least three (3) qualified professionals of the service, the user agency shall select and the purchasing division manager shall award the contract. However, a written or oral proposal from only one professional can be accepted by the city manager if that firm or individual has been involved recently with an aspect of the project that makes it more cost effective or timely to use his services, and the pricing is deemed reasonable for similar work. ¶

4. Professional services which hav ... [1]

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d) All property acquired in fee simple for city use valued at \$20,000.00 or more shall be negotiated by the city attorney and the city manager or his designee, but must be approved by action of the Mayor and City Council.

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e) The Mayor and City Council may authorize the city manager or his designee to act as their agent to acquire property at any tax lien sale; and such property acquired thereby may by action of the Mayor and City Council be conveyed, sold, transferred, assigned, or given to a duly authorized Land Bank Authority established by the City and Bulloch County pursuant to the statutory provisions of Article 4, Chapter 4 of Title 48 of the Official Code of Georgia Annotated, or as subsequently amended.

f) The City shall acquire street rights-of-way and utility easements and infrastructure that are required to be dedicated by subdivision developers under provisions of the Subdivision Regulations Ordinance.

g) Pursuant to Section 32-4-91 (b) et. seq. of the Official Code of Georgia Annotated, or as subsequently amended, the City Engineer shall notify the Georgia Department of Transportation of any streets either added or abandoned from the municipal street system.

Sec. 5-326. Cooperative Purchases. The city manager is authorized to enter into cooperative purchasing agreements with other units of government when, in his judgment, it would be in the best interest of the City. This is to include utilizing other governmental entity's competitively bidded out contracts. The contract, if utilized, must be an active contract with the originating entity.

Sec. 5-327. Federal and State purchases. Whenever any goods or services are available to the City through a contract with the federal or state government, and when such items or services meet the requirements of a using agency, such item or service shall be deemed to have met all the requirements of competitive bidding and may be purchased under the federal or state contract without regard to further government requirements.

Sec. 5-328. Federally and State funded projects and programs. a) In accordance with the provisions of the U. S. Office of Management and Budget (OMB) Circular A-102, entitled "Grants and Cooperative Agreements with State and Local Governments," and all related provisions and laws, all City of Statesboro departments shall comply with all federal and state procurement regulations when procuring goods and services funded in whole or in part with any federal or state grant. Further, such regulations shall supersede all local purchasing ordinance provisions to the extent of any conflict.

b) All sub-recipient agencies receiving federal or state funds through the City of Statesboro shall also comply with the federal or state granting agency procurement

regulations, which supersede all local purchasing ordinance provisions to the extent of any conflict.

Sec. 5-329. Natural gas supply purchases. The City is a member of the Municipal Gas Authority of Georgia, a joint action agency established by act of the Georgia General Assembly to assist member cities in the purchase of natural gas supplies and to provide other services to improve their municipally-owned natural gas systems. The Mayor and City Council may authorize participation in any natural gas supply purchase program, pre-payment purchase program, price-hedging program, or similar program provided by the Georgia Municipal Gas Authority, if they determine that it is in the best interest of the City.

Sec. 5-330. Investment purchases. a) The City shall keep all funds except petty cash on deposit in an interest-bearing account with rates as determined in its banking services contract, unless the finance director and city manager determine that a longer-term investment at a higher interest rate is in the City's best interest. The finance director and city manager are hereby authorized to invest the idle funds of the City in any investment vehicle authorized by Georgia law for municipalities, for any maturity up to one year. In making the determination of the dollar amount and term, they shall make certain that there would remain sufficient liquidity to meet the City's financial obligations without having to use short-term borrowing, or to cash in an investment prematurely.

b) Any proposed investment instrument with a maturity longer than one year shall not be purchased without the prior approval of the Mayor and City Council.

Sec. 5-331. Deposits; bid bonds. The city manager is authorized to require a bid bond or deposit, payable to the City of Statesboro, for contracts up to \$99,999.99 from vendors bidding on any goods or services when, and in such amounts, as in his judgment the nature of the goods or services to be purchased would warrant such bond or deposit or whenever such bond or deposit is required under state law. Notice of a bond or deposit shall be included in the public notice and bidding specifications. Contracts over \$100,000.00 shall require a bid bond or deposit. Such bond or deposit shall not exceed 100 percent of the bid amount, and shall be in a form acceptable to the city attorney.

Sec. 5-332. Rejection of bids. All purchasing methods that require the use of advertisement and sealed bids shall include language satisfactory to the city attorney which reserves the Mayor and City Council's right to reject any and all bids or proposals, to waive any technicalities associated with a bid or proposal, and to make the award that it deems in the best interest of the City.

Sec. 5-333. Vendors in default. The purchasing director shall not accept any bid or quotation from, nor issue any purchase order to, any vendor or contractor that is in default (delinquent) on the payment of any taxes, license fees, or other monies due the City of Statesboro.

Sec. 5-334. Records to be maintained. A record and description of all requisitions, competitive bids and quotations, purchase orders, receiving reports and other pertinent documentation of purchasing shall be maintained by the purchasing division manager in accordance with regulations and procedures prescribed in the purchasing manual and shall be public record.

Sec. 5-335. Local buying preference.

The City of Statesboro desires to purchase from local vendors whenever possible. In order to facilitate this desire and also remain responsible to the residents of Statesboro and Bulloch County, the City of Statesboro shall have a 3% in-county vendor advantage. If a local vendor's quote or bid is within 3% of the lowest submitted bid and that lowest submitted quote or bid is from an out-of-county vendor, the local vendor shall have the right to match that bid and shall be awarded the contract. In the event there are two local vendors within 3%, the local vendor with the lowest quote or bid submittal shall have the first opportunity to match the out-of-county vendor's quote or bid. If the lowest local vendor declines, the opportunity shall be offered to the next local vendor providing their bid is within the 3% range. This applies to purchases in the range of \$1,000.01 and up. When public works and or street projects are involved, this policy shall not contradict state law regarding mandated procedures for these processes. In addition, this policy shall not contradict any state funding, federal funding or grant stipulations that may be required. Local vendor shall be defines as:

Deleted: Local buying preference. It is the desire of the City of Statesboro to purchase from local vendors whenever possible. The City of Statesboro has a higher responsibility to its residents, however, to ensure that the maximum value is obtained for each public dollar spent. Assuming quality and service are equal, the vendor or supplier who wishes to do business with the City of Statesboro must submit the lowest quote for the goods or services being purchased. In determining the lowest quote, the City may consider the additional cost of transportation for initial delivery, and any service after the sale expected from the vendor. If the quality, service, price, and other factors are substantially equal, then the local vendor will be awarded the contract.

Options to define local vendor:

a. Local vendor shall be defined as having a “brick and mortar” business within Bulloch County and having a City of Statesboro business license or Bulloch County business license.

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b. Local vendor shall be defined as having a “brick and mortar” business within the counties of Bulloch, Candler, Evans, Bryan, Effingham, Screven, Jenkins and Emanuel and having a City of Statesboro business license. If within Bulloch County, either a Bulloch County or City of Statesboro license will be accepted. If outside Bulloch County, the vendor must obtain a City of Statesboro business license.

c. Local business shall be defined as having a “brick and mortar” business within Bulloch County or having the owner of the business residing within Bulloch County and having a City of Statesboro or Bulloch County business license.

d. Local business shall be defined as having a “brick and mortar” business within the counties of Bulloch, Candler, Evans, Bryan, Effingham, Screven, Jenkins or Emanuel or having the owner of the business residing within these counties and having a City of Statesboro business license. If the business or owner resides inside Bulloch County, a Bulloch County or City of Statesboro business license will qualify.

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e. Local vendor shall be defined as having a “brick and mortar” business within Bulloch County and having a City of Statesboro or Bulloch County business license or having a “brick and mortar” business within 20 miles of the Bulloch County line and having a City of Statesboro business license. The boundary shall be proven via a mapping service such as MapQuest or a similar service.

Sec. 5-336. Vendor appeals. Any vendor or professional may appeal the award of a contract to the city manager within five (5) calendar days of the award of the contract. A vendor dissatisfied with the city manager’s decision shall have ten (10) calendar days from the date of his decision to appeal to the Mayor and City Council for final determination.

Sec. 5-337. Conflict of interest. No elected official, appointed officer or employee of the City of Statesboro or any agency or political entity to which the Charter or these provisions apply shall knowingly:

1. Engage in any business or transaction in which the person has a financial interest, which is incompatible with the proper discharge of official duties;

2. Disclose confidential information concerning the property, government or affairs of the government body by which such person is engaged or is a member of without proper legal authorization, or use that information to advance the financial or other private interest of such person or others;

3. Accept any gift that has a value of \$50.00 or more from any person, firm or corporation which to his or her knowledge is interested, directly or indirectly, in business

dealings with the government body he or she is a member of or by which such person is engaged; provided, however, that an elected official who is a candidate for public office may accept election campaign contributions and services in connection with any election campaign;

4. Represent private interests other than his or her own in any action or proceeding against the City, or any portion of its government; or

5. Vote or otherwise actively participate in the negotiation or the making of any contract between the City and any business or entity in which he or she has a financial interest.

Sec. 5-338. Execution of Contracts. Pursuant to Section 3-1 (4) of the City Charter, the Mayor shall execute all written contracts for the City, witnessed by the City Clerk.

Sec. 5-339. Sale and disposition of property. a) The Mayor and City Council is authorized to sell any real or personal property owned or held by the City of Statesboro, and not needed for governmental or other public purposes in such manner as is required in state law for cities. The sale of real and personal property shall be accomplished using the procedures codified in Chapter 37 of Title 36 of the Official Code of Georgia Annotated, or as subsequently amended.

b) The sale of real property which is no longer needed for public road purposes and has been abandoned by the city shall be disposed of using the procedures codified in Chapter 7 of Title 32 of the Official Code of Georgia Annotated, or as subsequently amended. The City Engineer shall notify the Georgia Department of Transportation of the abandonment of any street right of way as required by Section 32-4-91 (b) et. seq. of the Official Code of Georgia Annotated, or as subsequently amended.

c) Real property acquired through a tax lien sale may be disposed of by participation in a Land Bank Authority, as authorized by Article 4, Chapter 4 of Title 48 of the Official Code of Georgia Annotated, or as subsequently amended.

Sec. 5-340. Fixed Assets Accounting. The purchasing director shall be responsible for the accurate recording in the fixed assets account group of all additions and deletions to the fixed assets of the city. He shall be responsible also for the proper tagging or other identification process used to catalog these fixed assets as well as other equipment as required.

Sec. 5-341 through 5-399. Reserved.

Sec. 5-400.

Sec. 5-401. through 5-499. Reserved.”

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

First Reading: _____ October 18th, 2011
Second Reading: _____ November 1st, 2011

THE CITY OF STATESBORO, GEORGIA

_____	By: Joe Brannen, Mayor	Deleted: 1
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_____	Attest: Sue Starling, City Clerk	Deleted: 1

3. Professional services which have an estimated cost of not less than \$500.00 but not more than \$4,999.99 shall be purchased on the open market without regard for formal advertising. Upon the receipt of documented written or oral proposals from at least three (3) qualified professionals of the service, the user agency shall select and the purchasing division manager shall award the contract. However, a written or oral proposal from only one professional can be accepted by the city manager if that firm or individual has been involved recently with an aspect of the project that makes it more cost effective or timely to use his services, and the pricing is deemed reasonable for similar work.

4. Professional services which have an estimated cost of less than \$500.00 may be purchased from any approved list of professionals recommended by the using agency or, in the absence of such recommendation, from any approved professional selected by the purchasing agent. Each such purchase shall be authorized by the head of the using agency.



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
Mike Clifton, Sanitation Superintendent

Date: October 7, 2011

Re: Surplus and Disposal Request

The Sanitation Division requests to surplus the following items:

- 1997 Volvo knuckleboom loader truck
- 1997 Volvo knuckleboom loader truck
- 2001 tandem dump trailer
- 2001 tandem dump trailer

These items are either not currently operable or have been replaced with newer equipment. I respectfully request that these two trucks and two trailers 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.



QUOTATION

QUOTE #: 598862098

Customer #: 4241255

Contract #: WN06ACA

CustomerAgreement #: SWC90814-01

Quote Date: 9/27/11

Date: 9/27/11 3:45:33 PM

Customer Name: CITY OF STATESBORO

TOTAL QUOTE AMOUNT:	\$21,648.60		
Product Subtotal:	\$21,648.60		
Tax:	\$0.00		
Shipping & Handling:	\$0.00		
Shipping Method:	Ground	Total Number of System Groups:	2

GROUP: 1	QUANTITY: 1	SYSTEM PRICE: \$13,986.80	GROUP TOTAL: \$13,986.80
Base Unit:	KACE K1100 TAA HW based systems management appliance, with 100 nodes (224-9401)		
Base Unit:	KACE, Non-Returnable Product, Informational SKU only (331-0414)		
Base Unit:	Kace 1100 Label (331-1080)		
Floppy Disk Drive:	KACE1100,NODE, Add 1 (330-9135) - Quantity 75		
Service:	Basic Hardware Services: Business Hours (5X10) Next Business Day On Site Hardware Warranty Repair 2Year Extend (929-4192)		
Service:	Basic Hardware Services: Business Hours (5X10) Next Business Day On Site Hardware Warranty Repair Initial Year (934-8310)		
Service:	Dell Hardware Limited Warranty Plus Onsite Service Extended Year (931-5498)		
Service:	Dell Hardware Limited Warranty Plus Onsite Service Initial Year (923-9177)		
Service:	SATA Hard Drive Ltd Warranty with Basic Support, 2 Year Extended (993-9412)		
Service:	SATA Hard Drive Ltd Warranty with Basic Support, Initial Year (994-4500)		
Extended Service:	Enterprise Software Support & Maintenance for Each Additional Node, 1 Year (925-8667) - Quantity 75		
Dirline:	Enterprise Software Support & Maintenance for up to 100 Nodes, 1 Year (934-8340)		
Installation:	Standard Appliance Jumpstart: 4 Hours of Online Training (928-2019)		

GROUP: 2	QUANTITY: 1	SYSTEM PRICE: \$7,661.80	GROUP TOTAL: \$7,661.80
Base Unit:	KACE K2100 TAA HW based systems deployment appliance, with 100 nodes (224-9434)		
Base Unit:	KACE, Non-Returnable Product, Informational SKU only (331-0414)		
Base Unit:	Kace 2100 Label (331-1082)		
Floppy Disk Drive:	KACE2100,NODE, Add 1 (331-0457) - Quantity 75		
Service:	Basic Hardware Services: Business Hours (5X10) Next Business Day On Site Hardware Warranty Repair 2Year Extend (929-4352)		
Service:	Basic Hardware Services: Business Hours (5X10) Next Business Day On Site Hardware Warranty Repair Initial Year (934-8490)		
Service:	SATA Hard Drive Ltd Warranty with Basic Support, 2 Year Extended (993-9412)		
Service:	SATA Hard Drive Ltd Warranty with Basic Support, Initial Year (994-4500)		

Service:	Dell Hardware Limited Warranty Plus Onsite Service Extended Year (931-5538)
Service:	Dell Hardware Limited Warranty Plus Onsite Service Initial Year (923-9217)
Extended Service:	Enterprise Software Support & Maintenance for Each Additional Node, 1 Year (932-1498) - Quantity 75
Dirline:	Enterprise Software Support & Maintenance for up to 100 Nodes, 1 Year (934-8520)
Installation:	Standard Appliance Jumpstart: 4 Hours of Online Training (928-2019)

SALES REP:	Reginald Rouzan	PHONE:	888-977-3355
Email Address:	reginald_rouzan@dell.com	Phone Ext:	

Please review this quote carefully. If complete and accurate, you may place your order online at www.dell.com/qto (use quote number above). POs and payments should be made to **Dell Marketing L.P.**

If you do not have a separate agreement with Dell that applies to your order, please refer to www.dell.com/terms as follows:

If purchasing for your internal use, your order will be subject to *Dell's Terms and Conditions of Sale-Direct* including Dell's U.S. Return Policy, at www.dell.com/returnpolicy#total. If purchasing for resale, your order will be subject to *Dell's Terms and Condition of Sale for Persons or Entities Purchasing to Resell*, and other terms of Dell's PartnerDirect program at www.dell.com/partner. If your order includes services, visit www.dell.com/servicecontracts for service descriptions and terms.

Quote information is valid for U.S. customers and U.S. addresses only, and is subject to change. Sales tax on products shipped is based on "Ship To" address, and for downloads is based on "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, with seller listed as **Dell Marketing L.P.**, to Dell's Tax Department at 800-433-9023. Please include your Customer Number.

For certain products shipped to end-users in California, a State Environmental Fee will be applied. For Asset Recovery/Recycling Services, visit www.dell.com/assetrecovery.

Dell KACE™ K Series Overview

Easy-to-use, comprehensive, affordable systems management appliances



The Dell KACE™ K Series of Systems Management Appliances fulfills the systems management needs of any organization from initial system deployment to ongoing management and retirement.

Designed to save you time, and save your organization money, KACE Appliances typically install in one day and have a low total cost of ownership.



The challenge

Systems management professionals in organizations of all sizes are charged with doing more with less. Hardware and software inventory, patching, software distribution and OS deployment are a few of the tasks they need to manage daily. They need innovative solutions that allow them to easily and effectively address these challenges.

The options

Software-based solutions are typically designed for the largest enterprises, and the prerequisite software, hardware, services, maintenance and training can be too costly and complex. Point solutions are typically not integrated and lack key functionality. Now there's an alternative.

The solution

The KACE K Series Appliances provide organizations of all sizes with comprehensive, end-to-end systems management and deployment capabilities via affordable and easy-to-use appliances.

KACE Benefits

Organizations of all types use K Series Appliances to gain benefits in markets such as education, state and local government, healthcare, financial services, manufacturing, legal, and many more.

- **Deploy in as little as one day**
- **Train in hours via the Web**
- **Upgrade in minutes**
- **Low total cost of ownership**
- **No hardware or software pre-requisites**
- **No incremental professional service fees**
- **Virtually no administration**
- **Intuitive Web-based interface**

"I love the ease and simplicity of use. The KACE Appliance is an elegant solution to a complicated problem...what this company has done I find really amazing."

Leigh Scaggs

Network Administrator,
Boyd County Public Library

KACE Appliances are available as both physical and virtual appliances, providing customers with a variety of deployment options and allowing them to leverage their investment in VMware Infrastructure.

Go to www.dell.com/kace for details.

Dell KACE K Series Systems Management Appliances

Systems administration professionals are able to save time while their organizations save money through an appliance-based approach to systems management. The KACE K Series Appliances are easy-to-use, comprehensive and affordable and fulfill the systems management needs of organizations of all sizes, from initial computer deployment to ongoing management and retirement. KACE Appliances are available as both physical and virtual appliances.

The Dell KACE Difference

Easy-to-use

Our customers typically deploy in one day, and train via the Web in only hours. All KACE Appliance functions are driven by an intuitive, Web-based user interface that allows for advanced administrative tasks to be handled by administrators of all skill levels.

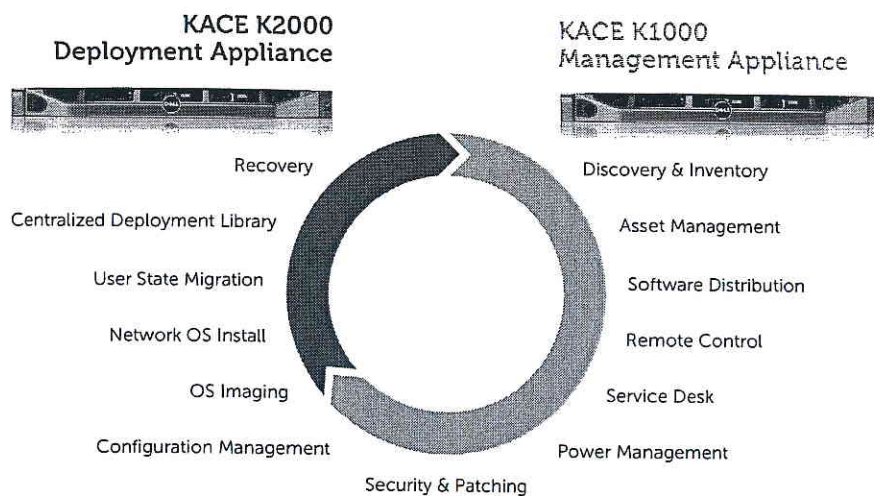
Comprehensive

KACE Appliances pre-integrate and deliver the functionality needed to solve your systems management challenges, from initial system deployment to ongoing management and retirement. It's all in the appliance.

Affordable

KACE Appliances offer you a low total cost of ownership. Because it is a hardened and self-healing appliance, there are no hardware or software pre-requisites, no incremental professional service fees and no hidden costs.

Computer Lifecycle Management



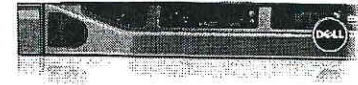
The K Series Appliance Advantage

Eliminate the cost and complexity barriers of traditional software packages with the KACE Appliances' comprehensive systems management solutions.

KACE Appliances deliver a complete, pre-integrated bundle of operating environment and application software via a dedicated server appliance. The appliances eliminate many of the deployment and administrative complexities and costs of traditional software solutions such as hardware procurement, software installation, integration, maintenance and training. Additionally, they provide exceptional performance, reliability and scalability through a purpose-built solution that is pre-tuned, hardened and self-healing.

KACE K1000 Management Appliance

Fulfills the systems management needs of any organization



- **Device discovery & inventory** of all hardware and software network-wide
- **Patch management** for automated vulnerability analysis and delivery of patches
- **Asset management** for comprehensive asset tracking and compliance reporting
- **Configuration & policy management** via pre-packaged or custom policies
- **Power management** enables the creation and deployment of energy saving power management configuration policies
- **Reporting & dashboards** creates both pre-packaged and custom, wizard generated reports
- **Remote site replication** for geographically diverse organizations using existing file servers
- **Broadcast alerts** for user notification of important events such as the interruption of e-mail service
- **Organizational management** allows for multiple domain support for decentralized IT environments
- **Software distribution** for remote distribution and installation of applications and digital assets
- **Virtual Containers & Secure Browser** for simplified distribution and management of key applications including specialized support for browsers to protect against Web-based threats
- **Service desk & user portal** includes integrated incident and problem management
- **Security audit & enforcement** assesses vulnerability and uses remediation utilities to identify and lock down end point security vulnerabilities and quarantine problem nodes
- **Administrative alerts** on a variety of computer and network attributes for easy exception-based management
- **Remote control** enables centralized problem resolution with no site visit required
- **AppDeploySM Live** tool for deployment tips and command line suggestions via an exclusive feed from our AppDeploy.com community

KACE K2000 Deployment Appliance

Fulfills the systems deployment needs of any organization



- **Disk imaging** is intelligent, file-based K-imaging that reduces image management, capture and storage costs for Windows and Mac OS
- **Windows driver management** automatically downloads the latest drivers by computer model, while the driver harvesting tool and hardware inventory make working with other drivers easy
- **Centralized deployment library** for easy storing of deployment assets in one manageable, secure location
- **Pre & post deployment configuration** enables automation of all deployment tasks including RAID and BIOS configuration, as well as application installation and script execution
- **Remote systems repair & recovery** with native tools to recover corrupt Window and Mac systems
- **Windows network OS install** allows for hardware independent provisioning of any system
- **Windows user state migration** centrally captures, stores and deploys user-specific settings and files, enforces compliance by excluding files by type and location, and offers a single-step offline migration
- **Remote site management** allows deployment of disk images, operating systems, drivers and applications at remote sites without dedicated on-site hardware or staff
- **Computer inventory scanning & assessment** to collect detailed hardware inventory on target systems

KACE 2010 Customer Survey Results

- Over 62% of users who evaluated ROI report the KACE Appliance paid for itself in less than six months
- Over 69% of KACE customers deployed in less than a week
- 79% of KACE customers reported "high" satisfaction with KACE Appliances
- 91% of existing KACE customers renewed support agreements

Managed Operating Systems

Windows



Mac



Linux*



*K1000 only

"We were looking industry-wide at lots of solutions to help us manage our computers better, as well as to do service desk, control Macs and PCs and fit within our budget. KACE is the only one that came to the top."

Rich Battin

*IT Operations,
Academy School District 20*

Supported Virtual KACE Appliance Platforms

VMware ESX and ESXi Server 3.5 or 4.0

Open Virtualization Format (OVF)



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