



**April 5, 2022 9:00 am**

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Mayor Pro Tem Shari Barr
3. Public Comments (Agenda Item):
4. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 03-15-2022 Council Minutes
    - b) 03-15-2022 Executive Session Minutes
  - B) Consideration of a motion for approval of surplus and disposition of a 2005 New Holland Tractor and a 2009 Ford F-150 in the Public Works and Engineering Department.
5. Consideration of a motion to approve an emergency purchase by the Statesboro Fire Department for a natural gas HVAC system from Middle Georgia Mechanical Heating and Air to replace the current system at Station 1 in the amount of \$41,250.00.
6. Public Hearing and Consideration of a motion to approve the First Reading of **Ordinance 2022-02**: An Ordinance amending Chapter 2 of the Statesboro Code of Ordinances establishing the Greener Boro Commission.
7. Consideration of a motion to approve **Resolution 2022-13**: A Resolution amending the job position classification and compensation plan; updating the pay grade of the Communications Supervisor and reclassifying the Communications Officer to an Assistant Communications Supervisor in the in the Statesboro Police Department.
8. Consideration of a motion to approve **Resolution 2022-14**: A resolution to adopt an amendment to the Capital Improvement Program for Fiscal Year 2022 - Fiscal Year 2027.
9. Consideration of a motion to approve **Resolution 2022-15**: A Resolution to waive Section 62-2(j)(6) of the Statesboro Code of Ordinances to allow for a maximum of 20% rental occupancy for the development of Fernhill Farms Subdivision by L&S Acquisitions, LLC (Tax Parcels # MS57000004 000 & MS57000006 000) under the Subdivision Incentive Program.

10. Consideration of a motion to approve a development agreement between the City of Statesboro and L&S Acquisitions, LLC for installation of public infrastructure for the development of Fernhill Farms Subdivision by L&S Acquisitions, LLC (Tax Parcels # MS57000004 000 & MS57000006 000) under the Subdivision Incentive Program.
11. Consideration of a motion to award a contract to Sikes Brothers Inc. in the amount of \$1,088,424.05 for the annual resurfacing project and approval to spend up to the budgeted amount of \$1,099,747.10 for additional work based on unit prices in the contractor's bid. This project is paid by GDOT LMIG funds and 2018 TSPLOST funds.
12. Consideration of a motion to approve Change Order 2 with Y-Delta, Inc. in the amount of \$33,714.79 for Stillwell Street and Zetterower Ave. Intersection improvements project and authorize the Mayor to execute contract document amendments.
13. Other Business from City Council
14. City Managers Comments
15. Public Comments (General)
16. Consideration of a Motion to enter into Executive Session to discuss "Personnel Matters" "Real Estate" and/or "Potential Litigation" in accordance with O.C.G.A 50-14-3(b)
17. Consideration of a Motion to Adjourn



CITY OF STATESBORO  
COUNCIL MINUTES  
MARCH 15, 2022

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

**1. Call to Order**

Mayor Jonathan McCollar called the meeting to order

**2. Invocation and Pledge**

Mayor Jonathan McCollar gave the Invocation and led the Pledge of Allegiance.

ATTENDANCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present Via Zoom	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

**3. Recognitions/Public Presentations:**

**A) Presentation of an award to retiring Senior Detective James L. Winskey for his 25 years of service to the City of Statesboro.**

Mayor Jonathan McCollar recognized retiring Senior Detective James L. Winskey and presented him an award for this 25 years of service to the City.

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

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

**A) Approval of Minutes**

**a) 03-01-2022 Council Minutes**

**b) 03-01-2022 Work Session Minutes**

A motion was made to approve the consent agenda.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**6. Consideration of a motion to award a contract to Everside Health for an onsite employee health clinic in the amount of \$286,123.00.**

Councilmember John Riggs asked if this contract includes the site of the employee clinic. City Manager Charles Penny answered no the contract does not include the location of the clinic. A proposal was presented to renovate the back portion of Joe Brannen Hall for the clinic. Councilmember Riggs stated he would like other locations looked at for consideration. Mr. Penny stated he had heard that some employees have concerns about the clinic being located next to City Hall. We do not take these concerns lightly and will look into other locations and come back in two weeks with a location recommendation.

A Motion was made to award a contract to Everside Health for an onsite employee health clinic in the amount of \$286,123.00.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**7. Public Hearing and Consideration of a motion to approve APPLICATION SE-22-02-01: Roberta Benique requests a Special Exception from Article XXVII, Section 2704 of the Statesboro Zoning Ordinance to allow for the placement of a daycare center at 1015 East Inman Street.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Roberta Benique the owner of the property spoke in favor of the request. Nicole Thaller a business owner adjacent to the subject property stated the property has been cleaned up and looks better than it has in a long time. She also stated that she and her husband Dr. Thaller will work with them on parking. Alex Smith with Action Pact spoke in favor of the request.

Donna Marie who lives right across the street spoke against the request and voiced her concerns with the possibility of increased traffic in the area. Danny Jones who owns a house next to the location spoke against the request for reasons of possible traffic and noise issues. Teresa Lowell who lives at 1017 E. Inman Street sent a letter with Mr. Jones to read to the Mayor and City Council stating her opposition of the request.

Allison Jackson spoke against the request.

Sarah Overlander who live across the street stated that the new property owners have done a wonderful job cleaning up the location and stated that a daycare is better than a rehab center.

A motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Councilmember Shari Barr asked if approved does it change the zoning completely or just for this business. Director of Planning and Development Kathy Field stated that this would change the zoning completely.

A motion was made to approve **APPLICATION SE-22-02-01**: a Special Exception from Article XXVII, Section 2704 of the Statesboro Zoning Ordinance to allow for the placement of a daycare center at 1015 East Inman Street.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**8. Public Hearing and Consideration of a motion to approve APPLICATION V 22-02-03: HRK Properties requests a variance from Article VII, Section 1213 of the Statesboro Zoning Ordinance to reduce the setback requirement and construct a building addition at 450 Mathews Road.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

No one spoke for or against the request.

A motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve **APPLICATION V 22-02-03**: a variance from Article VII, Section 1213 of the Statesboro Zoning Ordinance to reduce the setback requirement and construct a building addition at 450 Mathews Road.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**9. Public Hearing and Consideration of a motion to approve APPLICATION RZ 22-02-04: CFN Rentals requests a Zoning Map Amendment in order to amend a PUD (Planned Unit Development), and build an additional 5 residential duplexes (10 units) on a property located at Grove Circle/Stockyard Road.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Julius Abraham who owns the adjacent property and had concerns with access to his property if this is developed.

Marsha Twiggs spoke against the request for reasons of possible increased traffic on Stockyard Road.

A motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chaves
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve **APPLICATION RZ 22-02-04**: a Zoning Map Amendment in order to amend a PUD (Planned Unit Development), and build an additional 5 residential duplexes (10 units) on a property located at Grove Circle/Stockyard Road.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**10. Consideration of a motion to approve Resolution 2022-11: A Resolution approving an application to the Georgia Department of Community Affairs, 2022 Community Development Block Grant Program.**

A motion was made to approve **Resolution 2022-11**: approving an application to the Georgia Department of Community Affairs, 2022 Community Development Block Grant Program.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**11. Consideration of a motion to approve Resolution 2022-12: A Resolution setting the license fee for Retail Package Sales of Distilled Spirits.**

A motion was made to approve Resolution 2022-12: setting the license fee for Retail Package Sales of Distilled Spirits.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**12. Consideration of a motion to approve the award of a Department owed firearm to retiring Detective James Winskey.**

A motion was made to approve the award of a Department owed firearm to retiring Detective James Winskey.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**13. Consideration of a motion to approve an agreement with InVeris for the upgrade to the Decisional Shooting Simulator in the amount of \$113,510.71 to be paid from funds received from the Georgia Criminal Justice Coordinating Council Grant.**

A motion was made to approve an agreement with InVeris for the upgrade to the Decisional Shooting Simulator in the amount of \$113,510.71 to be paid from funds received from the Georgia Criminal Justice Coordinating Council Grant.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	



**14. Consideration of a motion to the seventh lease amendment with New Cingular Wireless PCS (AT&T) regarding the Malecki Drive water tower.**

A motion was made to approve the seventh lease amendment with New Cingular Wireless PCS (AT&T) regarding the Malecki Drive water tower.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**15. Consideration of a motion to approve amendment of the contract with TSW to perform engineering and development related ordinance amendments.**

A motion was made to approve amendment of the contract with TSW to perform engineering and development related ordinance amendments.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**16. Consideration of a motion to award a contract for engineering design for the East Jones Ave. Sidewalk Improvements project to Parker Engineering, Inc. in the amount of \$57,000.00. The project will be paid from 2018 TSPLOST funds.**

A motion was made to approve award a contract for engineering design for the East Jones Ave. Sidewalk Improvements project to Parker Engineering, Inc. in the amount of \$57,000.00. The project will be paid from 2018 TSPLOST funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**17. Consideration of a motion to award the engineering design for the East Main Street Sidewalk Improvements contract to American Engineers, Inc. in the amount of \$54,500.00. The project will be paid from 2018 TSPLOST funds.**

A motion was made to approve award the engineering design for the East Main Street Sidewalk Improvements contract to American Engineers, Inc. in the amount of \$54,500.00. The project will be paid from 2018 TSPLOST funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**18. Consideration of a motion to award a contract for engineering design for the West Main Street Sidewalk Improvements Project to American Engineers, Inc. in the amount of \$42,500.00. The project will be paid from 2018 TSPLOST funds.**

A motion was made to approve award a contract for engineering design for the West Main Street Sidewalk Improvements Project to American Engineers, Inc. in the amount of \$42,500.00. The project will be paid from 2018 TSPLOST funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**19. Consideration of a motion to award the engineering design for the Brannen Street Sidewalk Improvements project to EMC Engineering Services, Inc. in the amount of \$20,050.00. The project will be paid from 2018 TSPLOST funds.**

A motion was made to approve award the engineering design for the Brannen Street Sidewalk Improvements project to EMC Engineering Services, Inc. in the amount of \$20,050.00. The project will be paid from 2018 TSPLOST funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**20. Consideration of a motion to award a contract for engineering design for the Lydia Street / Hart Street Culvert Improvements contract to EXP US Services, Inc. in the amount of \$41,500.00. The project will be paid from Stormwater Operating Income funds.**

A motion was made to approve award a contract for engineering design for the Lydia Street / Hart Street Culvert Improvements contract to EXP US Services, Inc. in the amount of \$41,500.00. The project will be paid from Stormwater Operating Income funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**21. Other Business from City Council:**

Mayor Pro Tem Shari Barr state she would like to have created a new commission called the Greener Boro Commission.

A motion was made to direct City Attorney Cain Smith to draft an ordinance creating a new Greener Boro Commission.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**22. City Managers Comments**

City Manager Charles Penny stated that Aspen Aerogels will have a ground breaking for their new facility on March 31, 2022 in the afternoon.

Mr. Penny also stated that a vaccination clinic will be held on March 31, 2022 at the health department where we will give away gift cards to persons receiving their vaccination. There are 42 gift cards remaining.

Mr. Penny informed Mayor and Council about update COVID protocols for city buildings. Masks are no longer required in City Hall or other City building. We are encouraging our employees to wear them if they are in a large gathering.

Youth Connect Program applications are due this Friday March 18, 2022. So far we have received 34 applications.

In addition, in the FYI packet there was a press release from KSBB regarding a scheduled Cleanup on April 23<sup>rd</sup>.

**23. Public Comments (General):**

Annie Bellinger signed up to address Mayor and Council regarding her displeasure of flyers being placed on her door by the City.

**24. Consideration of a Motion to enter into Executive Session to discuss “Potential Litigation” and “Real Estate” in accordance with O.C.G.A. 50-14-3(b).**

At 7:10 pm a motion was made to enter into Executive Session to discuss “Potential Litigation” and “Real Estate”.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

At 7:35 pm a motion was made to exit Executive Session.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Mayor Jonathan McCollar called the regular meeting back to order with no action taken in Executive Session.

A Motion was made to authorize the Mayor to sign documents to join with the Attorney General’s Opioid Settlement.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

## 25. Consideration of a Motion to Adjourn

A motion was made to adjourn.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember Venus Mack

**SECONDER:**

Councilmember Paulette Chavers

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**ABSENT**

The meeting was adjourned at 7:36 pm.

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk

# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5

Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant City Manager

**From:** John Washington, Director - Public Works and Engineering

**Date:** March 24, 2022

**RE:** Asset Surplus and Disposition

**Policy Issue:** Purchasing Policy: Vehicle and Equipment Surplus and Disposition

### **Recommendation:**

Staff recommends and requests council approval for surplus and disposition of a 2005 New Holland Tractor and a 2009 Ford F-150 in the Public Works Department.

### **Background:**

The Streets Division's 2005 New Holland Tractor and a 2009 Ford F-150, referenced below, are truck and tractor that have exceeded their useful life. A request was made for interest by other departments or divisions within the City with no response of interest. Further, they have both been removed from service and replaced by newer units.

2005 New Holland Tractor Model TN60A, Vin#HJE044761  
2009 Ford F-150, Vin#1FTVX12VX9KA75032

### **Budget Impact:**

Reduce Maintenance Cost

### **Council Person and District:**

N/A (citywide)

### **Attachment(s): None**



Timothy E. Grams  
Fire Chief

# Statesboro Fire Department

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



Jonathan M. McCollar  
Mayor

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## City Council Agenda Memorandum

**To:** Charles Penny, City Manager

**From:** Timothy E. Grams, Fire Chief

**Date:** 3-31-22

**RE:** Emergency Purchase of Station 1 HVAC System

**Policy Issue:** NA

**Recommendation:** Allow the Statesboro Fire Department to move forward with the emergency purchase of a natural gas HVAC system from Middle Georgia Mechanical Heating and Air to replace the current system at Station 1 in the amount of \$41,250.00

**Background:** The current HVAC system at Station 1 was installed in 2013 as part of the renovations to the building. This system utilizes natural gas which reduces the amount of electricity normally associated with HVAC systems. Recently, the unit stop working completely and it was determined that the system needed to be replaced. Middle Georgia Mechanical Heating and Air (Dublin GA.) installed the current unit, has remained the service provider since that time and is the recommended vendor to replace the unit.

**Budget Impact:** This purchase will utilize funds from the Statesboro Fire Service Fund

**Council Person and District:** All

**Attachments:** None

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum  
Paulette Chavers  
Venus Mack  
John C. Riggs  
Shari Barr



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Cain Smith, City Attorney

**Date:** March 29, 2022

**RE:** April 5, 2022 City Council Agenda Items

**Policy Issue:** *First Reading of proposed amendment to Chapter 2 of the Statesboro Code of Ordinances establishing the Greener Boro Commission.*

**Recommendation:** N/A

**Background:** Mayor and Council voted to move this measure forward to First Reading at the March 15, 2022 work session.

**Budget Impact:** None

**Council Person and District:** All

**Attachments:** Proposed ordinance revision



Ordinance 2022-02:

DIVISION 10. – GREENER BORO COMMISSION

Sec. 2-100.5. - Establishment; appointment; terms; compensation; removal.

There is hereby created a board to be known as the Greener Boro Commission. The Greener Boro Commission shall consist of nine members who shall be residents of Bulloch County and appointed by vote of the mayor and city council. The initial term for five specified initial members of the Greener Boro Commission shall end on May 31, 2024, with the initial terms of the other four members ending on May 31, 2023. Successor members shall be appointed by the mayor and city council for a term of two years. Vacancies on the Greener Boro Commission occurring other than by expiration of term shall be filled by an interim appointment for the unexpired term by the mayor and city council. The mayor and city council shall have the authority to remove any member of the Greener Boro Commission by a majority vote for cause, on written charges, after a public hearing. The mayor and city council in consultation with the Greener Boro Commission may appoint non-voting ex officio members to said commission to provide administrative support and/or subject matter expertise. All members shall serve without compensation.

Sec. 2-100.6. - Chair; rules of procedure and bylaws; meetings; records.

(a)The Greener Boro Commission shall elect a chair from among its members who shall serve for a term of one year and who shall be eligible for re-election as chair.

(b)The Greener Boro Commission shall make its own bylaws and rules of procedure and shall determine its time and place of meetings.

(c)The transactions of the Greener Boro Commission are governed by the Georgia Open Meetings Act O.C.G.A. §§ 50-14-1 et seq., and it shall be the joint and several responsibility of the members to comply with the Georgia Open Meetings Act.

Sec. 2-100.7. - Scope of authority.

The Greener Boro Commission shall have the authority to prepare studies, reports, strategies, education efforts and/or programs for the purpose of informing and advising the governing body on policy matters related to best municipal practices for environmental sustainability.

Sec. 2-100.8. - Finances.

The Greener Boro Commission, in the performance of its duties, may, with the approval of the mayor and council, cooperate with and accept funds from federal, state or local public or semipublic agencies or private individuals or corporations, and may expend such funds for the purposes of the commission with the approval of the mayor and council. Any grants received will be done so pursuant to Resolution 2012-19 or any other subsequently adopted grant policy of the city. All purchases shall be made in compliance with the city's purchasing policy as set out in chapter 5 of the Statesboro Code of Ordinances.

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

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

To: Charles Penny, City Manager

From: Demetrius C. Bynes, Director of Human Resources

Date: March 30, 2022

RE: Reclassification Request – Police Department

Background: On November 16, 2021, the Council approved the expansion of the Police Communications Center to provide response to Fire Department calls. Chief Mike Broadhead requested a review of the supervisory structure due to the increased responsibilities and staff.

Recommendation: Condrey & Associates reviewed the classification details of the Communications Supervisor and recommended updating the pay grade from 17 to 19. Also, Condrey & Associates reviewed the classification details of the Assistant Communications Supervisor and recommended it be assigned to pay grade 16. Specifics are as follows:

Classification Title – Communications Supervisor

Pay Grade – 17

Minimum / Midpoint – \$42,952 / \$53,684

Recommended Pay Grade – 19

Minimum / Midpoint - \$47,403 / \$59,259

Current Classification Title – Communications Officer

Pay Grade – 12

Minimum / Midpoint – \$33,550 / \$41,932

Recommended Classification – Assistant Communications Supervisor

Pay Grade – 16

Minimum / Midpoint - \$40,872 / \$51,084

Please contact me if you have any questions or concerns. Thank you.

RESOLUTION 2022-13: A RESOLUTION AMENDING THE JOB  
POSITION CLASSIFICATION AND COMPENSATION PLAN

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

WHEREAS, in order to accomplish this the Mayor and City Council previously have adopted a new Job Position Classification and Compensation Plan on April 5, 2017; and

WHEREAS, the City Manager has made a recommendation to update the pay grade of the Communications Supervisor and reclassify the Communications Officer position in the Police Department.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 5th day of April 2022 as follows:

Section 1. That the Job Position Classification and Compensation Plan, which includes a list of job titles and pay grades; a grade and step pay matrix; and written job descriptions for each position with City government, previously adopted on April 5, 2017, and as subsequently amended, is hereby further amended as follows:

- That the pay grade of Communications Supervisor position in the Police Department is hereby updated to pay grade 19.
- That the Communications Officer position in the Police Department is hereby amended by reclassifying to the position of Assistant Communications Supervisor. The pay grade is 16 and the minimum salary is \$40,872.

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

Passed and adopted this 5<sup>th</sup> day of April 2022.

CITY OF STATESBORO, GEORGIA

By: \_\_\_\_\_  
Jonathan M. McCollar, Mayor

Attest: \_\_\_\_\_  
Leah Harden, City Clerk



# City of Statesboro, GA

## JOB DESCRIPTION

*To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.*

### Communications Supervisor

**Department:** Police  
**Pay Grade:** 19  
**FLSA Status:** Non-Exempt

#### **JOB SUMMARY**

The Communications Supervisor is responsible for providing direct supervision to the Communications Unit of the Support Services Bureau.

#### **ESSENTIAL JOB FUNCTIONS:**

- Prepares yearly schedules for communications officers;
- Adjusts schedule as needed for sick or vacation time;
- Maintains a current training manual for training new Communications Officer;
- Conducts a mandatory staff/training meeting with the Communications Unit on a bi-annual basis or as needed to disseminate department information;
- Applies policy changes, trains information, and ensures continuing education of Communications personnel;
- Coordinates on the job training of new communications officers;
- Monitors progress, and adjusts training schedules so that only certified communications officers train new employees;
- Shares responsibilities as the Terminal Agency Coordinator (TAC) for GCIC;
- Performs evaluations on Communications personnel;
- Retains current records for dispatch by Updating CAD with new business information, occupancy lists for public housing, emergency contact information for public utilities;
- Communicates and coordinates with the Municipal Court in all issues related to the Communication Section;
- Maintains all equipment in the Communication Unit;
- Coordinates supply orders;
- Accepts, receives, and/or collects payments;
- Accesses and coordinates the retrieval of stored radio and telephone recorded communications;

- Works in rotation when understaffed in the Communications Unit and cross trains to cover the Records Unit as needed;
- Prepares the annual On-Call Wrecker and Unlocking Rotation list for all approved wreckers;
- Maintains the security of all "Active Warrants" for the Department, Municipal Court and Sentinel Probation;
- Ensures proper entry and validation of all "Failure To Appear and Probation Violation Warrants"; and
- Performs other assigned duties.

### **MINIMUM REQUIREMENTS TO PERFORM WORK:**

- High School Diploma or GED;
- Four (4) years of experience in a related field;
- POST Certification;
- Completion of Fire Dispatch Training;
- Or equivalent training, education, and/or experience; and
- Valid State of Georgia Driver's License.

### **Knowledge, Skills and Abilities:**

- Knowledge of applicable federal, state, and local statutes and Department policies and procedures;
- Knowledge of the regulations and procedures of state crime information centers;
- Knowledge of the geography and street system of the city;
- Knowledge of the radio codes used in public safety work;
- Knowledge of dispatching procedures;
- Knowledge of modern office practices and procedures;
- Knowledge of municipal court practices and procedures;
- Knowledge of the Georgia Crime Information Center;
- Knowledge of Statesboro Fire Department dispatching procedures;
- Skilled in Computer Aided Dispatching;
- Skilled in records maintenance and file management;
- Skilled in the operation of radio/communications equipment;
- Skilled in the use small office equipment, including copy machines or multi-line telephone systems;
- Skilled in using computers for data entry;
- Skilled in maintaining records and preparing reports;
- Skilled in making decisions accurately and rapidly;
- Skilled in using highly technical computer applications, such as GIS or CAD;
- Skilled in using computers for word processing and/or accounting purposes;
- Ability to supervise, organize, and communicate effectively;
- Ability to handle sensitive public contacts, and the ability to deal with the public tactfully and courteously, but firmly when necessary;
- Ability to analyze situations and to adopt quick, effective, and reasonable courses of action based circumstances; and
- Ability to maintain constructive and cooperative working relationships with others.

**PHYSICAL DEMANDS:**

The work is typically performed while sitting at a desk or table, with intermittent standing or stooping. The employee must occasionally lift light objects and use tools or equipment requiring a high degree of dexterity.

**WORK ENVIRONMENT:**

The work is performed in an office.

*The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor (or HR) Signature

\_\_\_\_\_  
Date



# City of Statesboro, GA

## JOB DESCRIPTION

*To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.*

### Assistant Communications Supervisor

**Department:** Police  
**Pay Grade:** 16  
**FLSA Status:** Non-Exempt

#### **JOB SUMMARY**

The Assistant Communications Supervisor supervises employees in the Communications Unit, answers calls for assistance from the public, and dispatches the appropriate public safety personnel.

#### **ESSENTIAL JOB FUNCTIONS:**

- Prepares schedules for communications officers;
- Coordinates on the job training of new communications officers;
- Monitors progress, and adjusts training schedules so that only certified communications officers train new employees;
- Assists the Communications Supervisor with completing employee evaluations;
- Maintains all equipment in the Communication Unit;
- Coordinates supply orders;
- Accepts, receives, and/or collects payments;
- Accesses and coordinates the retrieval of stored radio and telephone recorded communications;
- Receives, monitors, and dispatches radio communications traffic for emergency and non-emergency situations;
- Receives and screens all incoming telephone calls from the public and other public safety agencies;
- Categorizes and prioritizes calls;
- Dispatches appropriate emergency personnel to incident locations;
- Monitors and routes incoming messages from state computer network;
- Enters and removes information as requested into the Georgia Crime Information Center (GCIC) network, including information on missing persons or stolen articles;
- Validates information as required;

- Receives Cash Bonds Assists Department personnel by contacting other agencies and requesting information as needed;
- Requests sign, street, and traffic signal repairs from Public Works Department as necessary;
- Informs communications officers on upcoming shifts of events occurring during the work shift;
- Assists the public by providing directions and information;
- Communicates with other area agencies to obtain and relay information; and
- Performs other assigned duties.

### **MINIMUM REQUIREMENTS TO PERFORM WORK:**

- High School Diploma or GED;
- Three (3) years of experience in a related field;
- Or equivalent training, education, and/or experience; and
- Georgia POST Communications Officer Certification;
- Completion of Fire Dispatch Training;
- Valid State of Georgia Driver's License.

### **Knowledge, Skills and Abilities:**

- Knowledge of applicable federal, state, and local statutes and Department policies and procedures;
- Knowledge of the regulations and procedures of state crime information centers;
- Knowledge of the geography and street system of the City;
- Knowledge of the radio codes used in public safety work;
- Knowledge of dispatching procedures;
- Knowledge of modern office practices and procedures;
- Knowledge of municipal court practices and procedures;
- Knowledge of the Georgia Crime Information Center;
- Knowledge of Statesboro Fire Department dispatching procedures;
- Skilled in Computer Aided Dispatching;
- Skilled in records maintenance and file management;
- Skilled in the operation of radio/communications equipment;
- Skilled in the use small office equipment, including copy machines or multi-line telephone systems;
- Skilled in using computers for data entry;
- Skilled in maintaining records and preparing reports;
- Skilled in making decisions accurately and rapidly;
- Skilled in using computers for word processing and/or accounting purposes;
- Ability to organize, and communicate effectively;
- Ability to handle sensitive public contacts, and the ability to deal with the public tactfully and courteously, but firmly when necessary;
- Ability to analyze situations and to adopt quick, effective, and reasonable courses of action based circumstances; and
- Ability to maintain constructive and cooperative working relationships with others.

### **PHYSICAL DEMANDS:**



The work is typically performed while sitting, standing, walking, bending, crouching, or stooping. The employee must occasionally lift light or heavy objects, use equipment requiring a high degree of dexterity, the ability to distinguish between shades of color.

**WORK ENVIRONMENT:**

The work is performed in an office environment.

*The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor (or HR) Signature

\_\_\_\_\_  
Date

# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5

Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager

**From:** Jason Boyles, Assistant City Manager

**Date:** March 30, 2022

**RE:** Improvements to Municipal Court and Central Services for use as Emergency Operations Center

**Policy:** Purchasing

### **Recommendation:**

Staff recommends amending the FY2022-FY2027 CIP for a project to perform improvements to the Municipal Court and Central Services facility in the amount of \$150,000 to serve as an emergency operations center for City staff in times of crisis.

### **Background:**

Staff has been working to prepare an Emergency Operations Plan for the City of Statesboro and determine a suitable facility to stand up as an emergency operations center for City staff operations in preparation for and in response to various disasters. In surveying City facilities, staff determined the Municipal Court and Central Services facility to be the most suitable facility for use as an emergency operations center if certain improvements are performed.

This facility has a large open space for operational logistics, several restrooms, offices for breakout meetings, kitchen, and a hardened space for shelter (old jail spaces currently used as the gym). However, the challenges with this facility that necessitate improvements include original (circa 1970's) old single pane windows, lack of generator backup power, limited data and electrical accommodations, and other weatherization concerns. While improvements have previously been performed to the facility, these improvements were not conducted due to prior project budget constraints. In addition to serving emergency use, these improvements will also benefit current courtroom and Central Services functions.

Proposes expenses include:

\$60,000 for the generator and transfer switch (increase size of FY2022 generator CIP for full facility)

\$40,000 for hurricane/impact rated windows and doors

\$28,000 facility modifications (roof straps, door access, electrical, data, etc)

\$12,000 equipment (tables and chairs, computers and monitors, etc)

\$10,000 contingency

**Budget Impact:** \$150,000 from fund balance from the General Fund.

**Councilmember and District:** All

**Attachments:** CIP Amendment Resolution

RESOLUTION 2022-14: A RESOLUTION TO AMEND THE SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE FISCAL YEAR 2022 THROUGH 2027 FOR THE CITY OF STATESBORO, GEORGIA.

THAT WHEREAS, the City of Statesboro's Six-Year Capital Improvements program was adopted by the City Council on June 1, 2021; and,

WHEREAS, the Mayor and City Council find it necessary to perform improvements to the Brannen-Johnston Municipal Court Complex to serve as an emergency operations center in times of crisis; and,

WHEREAS, the Mayor and City Council desire to amend the Six-Year Capital Improvements Program to fund a capital project to perform said improvements;

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

Section 1. That the Six-Year Capital Improvements Program is hereby Amended to authorize the Brannen-Johnston Municipal Court Complex capital improvements project in the amount of \$150,000 for the City's Fiscal Year 2022.

Section 2. That funding for this project will come from General Fund reserve funds.

Section 3. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 5th day of April, 2022.

CITY OF STATESBORO, GEORGIA

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By: Jonathan M. McCollar, Mayor

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Attest: Leah Harden, City Clerk

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum  
Paulette Chavers  
Venus Mack  
John C. Riggs  
Shari Barr



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Cain Smith, City Attorney

**Date:** March 31, 2022

**RE:** April 5, 2022 City Council Agenda Items

**Policy Issue:** *Consideration of resolution to modify requirements under City's Residential Subdivision Incentive Program to enter into a development agreement with L&S Acquisitions for development of Fernhill Farms.*

**Recommendation:** Approve

**Background:** Section 62-2(j)(6) prohibits rental of units in incentivized subdivisions for a period of one year after City acceptance of roads. Due to current housing market conditions, particularly lack of available housing, it is recommended that City modify this requirement in this particular circumstance and allow up to 20% of units to be offered for long-term rental.

**Budget Impact:** TBD

**Council Person and District:** Phil Boyum, District 1

**Attachments:** Proposed resolution

**Georgia Municipal Association City of Excellence**

Telephone: (912) 764-5468 • Fax: (912) 764-4691 • email: [cityhall@statesboroga.net](mailto:cityhall@statesboroga.net)

**STATE OF GEORGIA  
COUNTY OF BULLOCH**

**MAYOR AND COUNCIL OF THE CITY OF STATEBORO GEORGIA**

**RESOLUTION 2022 – 15:**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF STATEBORO GEORGIA TO MODIFY REQUIREMENTS UNDER CITY ORDINANCE SECTION 62-2(j)(6) IN ORDER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH L&S ACQUISITIONS, LLC, FOR THE DEVELOPMENT OF FERNHILL FARMS SUBDIVISION**

WHEREAS, Chapter 62 of the City of Statesboro Code of Ordinances, specifically Section 62-2, governs the general qualifying criteria for the City’s Residential Subdivision Incentive Program;

WHEREAS, Section 62-2(j)(6) requires a prohibition of all unit rentals for a minimum of one year following City’s acceptance of the roads;

WHEREAS, current housing market and supply chain issues, along with the possibility of future revisions of Chapter 62, create a temporary and location specific need for flexibility regarding application of qualifying program criteria ; and

WHEREAS, based upon the current market conditions, Mayor and Council deem it necessary and to be in the best interests of the health, safety, and welfare of the citizens and residents of the City, to modify the requirements under Section 62-2(j)(6) in this particular circumstance..

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STATESBORO THAT:

The prohibition of rental properties under 62-2(j)(6) be modified to allow for developer to offer up to 20% of the housing units for rental with a minimum of a one year rental term.

RESOLUTION APPROVED AND ADOPTED this 5<sup>th</sup> day of April, 2022.

By: \_\_\_\_\_  
Jonathan McCollar, Mayor

Attest: \_\_\_\_\_  
Leah Harden, City Clerk

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager

**From:** Jason Boyles, Assistant City Manager

**Date:** March 31, 2022

**RE:** Development Agreement with L&S Acquisitions, LLC to Receive Funding  
From the Residential Incentive Program for Development of Fernhill Farms Subdivision  
(Parcels # MS57000004 000 & MS57000006 000)

**Policy:** Residential Subdivision Incentive Program

### **Recommendation:**

Staff recommends approval of a Development Agreement with L&S Acquisitions, LLC in the not to exceed amount of \$800,000 for installation of public infrastructure associated with the development of an 80 lot subdivision, Fernhill Farms Subdivision, on the referenced parcels on Lakeview Road.

### **Background:**

At the August 17, 2021 meeting, city council approved a PUD zoning proposal for the development of an 80 lot residential subdivision on the parcels referenced above for NeSmith Properties LLLP. Subsequently, NeSmith Properties submitted application for funding from the Residential Subdivision Incentive Program for all 80 lots. City staff has reviewed and approved the incentive application and subdivision development plans and administratively cleared the subdivision for development.

After staff approval NeSmith Properties entered into a sales agreement with L&S Acquisitions, LLC. Staff has since working with L&S Acquisitions LLC partners, Lisa Hodges and Stephen Sauers, in preparing the development agreement to receive incentives.

The Fernhill Farms Subdivision plans, incentive application, and attached development agreement are in conformance with the Program. If approved, City staff will oversee development of infrastructure in accordance with City policies and standards and payment will not be made until infrastructure is complete, either in whole or development phases. As stated in the Program and Development Agreement payment will be made for public infrastructure in an amount equivalent to \$10,000 per lot but not to exceed actual cost of construction as competitively bid. This subdivision will be the fourth subdivision to receive incentives since the program began in 2001 (Pepperidge, Myrtle Crossing, and Moss Creek).

**Budget Impact:** Total of \$800,000 in funding from TSPLOST (roadway construction) and Water and Sewer revenues (water and sewer infrastructure); plus up to \$320,000 from Natural Gas revenues (as necessary)

**Council Person and District:** Phil Boyum, District 1

**Attachments:** Development Agreement; Letter from Property Owner

## SUBDIVISION INFRASTRUCTURE DEVELOPMENT AGREEMENT

GEORGIA, BULLOCH COUNTY.

This Agreement made and entered into this 5<sup>th</sup> day of April, 2022, by and between **MAYOR AND CITY COUNCIL OF STATESBORO**, a municipal corporation incorporated under the laws of Georgia, its assigns and successors, hereinafter known as "City", and L & S Acquisitions LLC, a Georgia limited liability corporation, its assigns and successors, hereinafter known as "Developer";

WITNESSETH:

WHEREAS, the City of Statesboro's subdivision regulations by Article 3, Subdivision Platting Procedure and Requirements provides for two methods of compliance: Section 3 .1 E Option 1 and Section 3 .1 E Option 2; and,

WHEREAS, Developer desires to utilize Option 2 as provided by Section 3 .1 E of the subdivision regulations; and,

WHEREAS, the City of Statesboro's residential subdivision incentive program provides for two methods of consideration: Article 1 and Article 2; and

WHEREAS, Developer desires to utilize Article 1 or the residential subdivision incentive program;

NOW, THEREFORE, the City and Developer covenant and agree as follows:

1. Developer agrees to install at its cost not later than 5<sup>th</sup> of October, 2023, all of the streets, curb and gutter, drainage pipe and/or ditches, retention and/or detention ponds; sidewalks, bikeways, and similar pedestrian transportation systems; street lights; electricity; telecommunications; water and sewer mains and taps; and all other infrastructure designated on the Final Plat, the Preliminary Plat for the portion designated in this specific phase, and associated documents filed with the City as a part of this subdivision review and approval process for all phases of Fernhill Farms Subdivision, said plat as designed by the project engineer, Maxwell-Reddick & Associates, dated 14<sup>th</sup> day of December, 2021. City shall not unreasonably deny a request for time extension for installation of infrastructure.
2. Developer agrees to provide the City a copy of all recorded covenants and restrictions which now or in the future pertain to this subdivision; and any documents now or in the future pertaining to the ownership, operation and maintenance of all common areas not owned by an individual lot owner, or to be dedicated to the City.
3. Developer agrees to dedicate to the City at no cost all public street and other rights-of-way, easements, and all the infrastructure enumerated in Paragraph 1 above except for the electricity and telecommunications; and to dedicate any other infrastructure as follows: None. It is expressly understood that should the Developer choose to make this a gated community, thereby restricting public access, that any roads and road rights-of-way would not be accepted for ownership and maintenance by the City, but the City would obtain a fifteen feet wide easement for the installation and maintenance of any water, sewer and natural gas lines. Developer agrees that in that case, it will have its engineer modify the plans to show said easements, and to notate on the plat that these roads are privately owned, and maintenance will be the responsibility of a homeowners' association, not the City of Statesboro.

4. Developer, as part of the consideration for this agreement, shall provide as collateral the following financial assets guaranteeing the installation of all Phases of infrastructure as enumerated in Paragraph 3: letter of credit from Synovus Bank (# \_\_\_\_\_) in the amount of two million seven hundred twenty five thousand forty three dollars (\$2,725,043.00), which the Developer is using to install said infrastructure in accordance with the project engineer's cost estimate; and indicating that in the event of non-performance of this Agreement that Synovus Bank will release sufficient funds from said line of credit to reimburse the City for its installation of the public infrastructure Developer is required to install. City hereby acknowledges the sufficiency of said collateral. Developer hereby agrees that should it not finish the installation of the required infrastructure covered by the terms of this Agreement by the agreed upon date in Paragraph 1 above, City is hereby authorized to draw against the collateral given in an amount necessary for City to hire a contractor(s) to finish said infrastructure in a timely manner. City shall inform Developer of this decision before proceeding with the contracts and draw down of funds. City shall not unreasonably deny a request for time extension for satisfactory completion of the infrastructure.

5. Developer further agrees to keep said collateral in full force and effect until said infrastructure is installed completely in a manner satisfactory to the City Engineer. Developer further agrees that if the collateral time period should lapse, thereby negating the provision of the collateral, and said infrastructure has not been completely installed, a lien against the lots within said subdivision is hereby automatically created in favor of City in the full amount necessary for City to hire a contractor(s) to complete satisfactorily the unfinished portion(s) of said infrastructure and obtain ownership of it as outlined in Paragraph 3 above.

6. Developer agrees that it is voluntarily requesting funding under the City's Residential Subdivision Incentive Program, Chapter 62, Article I of the Statesboro Code of Ordinances, and agrees to comply with all requirements and Program criteria of said Code in consideration of receipt of incentives for installation of public street and utility infrastructure unless stated as follows: Section 2-2(j)6 shall be waived and replaced with the following: "For a period of one year running from the date the City os Statesboro accepts the roads in the subdivision, no more that 20% of lots for any phase in the subdivision shall be utilized for rental occupancy and those utilized for rental occupancy shall be leased for a minimum one year term."

7. City hereby agrees to make periodic construction inspections of the subdivision infrastructure in a timely manner and to promptly notify Developer, or his agent, of any and all corrections needed to comply with the construction documents and the City's Subdivision Regulations Ordinance's standards for said infrastructure. Nothing herein shall create an agency relationship between the City and Developer regarding said inspections and Developer remains fully responsible for (1) having his contractor(s) build and install the infrastructure properly; and (2) having the work periodically inspected by a qualified Professional Engineer, or an individual knowledgeable and experienced in utility and street construction materials and methods.

8. City hereby agrees to accept the dedication of the infrastructure enumerated in Paragraph 3 above, once it has been built to the City's standards and certified as such by the City Engineer and upon receipt of a set of "as-built" plans in a paper or electronic format acceptable to the City Engineer. However, if the Developer should decide to make this a gated community, as outlined in Paragraph 3, the City shall not accept dedication of the streets and street rights-of-way for ownership and maintenance.



9. Pursuant to Section 3.IE, Option 2, subparagraph 4, Maintenance of public improvements, the Developer agrees to post a maintenance bond with City before acceptance of the dedication of twenty percent (20%) of the total costs of required improvements of said facilities to warrant the infrastructure installation against defects for one (1) year after the date of their approval by the City.

10. All phases of this residential subdivision, 80 lots total, qualifies for Article 1 of the City's Subdivision Incentive Program and is subject to the following:

a) City shall reimburse Developer \$10,000 per lot or a maximum of \$800,000.00 aggregate for all phases, but no more than actual cost of construction, for installation of public street and public utility infrastructure as enumerated in Paragraph 1 and Paragraph 3. Reimbursement payment shall be lump sum for each respective phase of the Subdivision following completion and certification of proper installation by its City Engineer and request for payment in writing by Developer for the respective phase.

b) Developer shall be responsible for competitive bidding and payment of all invoices for all public street and public utility infrastructure.

c) Developer shall provide City with copy of bid documents, contracts, invoices, and proof of invoice payments for all public street and public utility infrastructure.

c) Further, the City will bid out and install the natural gas lines within the development at no cost to the Developer.

11. It is expressly agreed further that Developer, and subsequent lot purchasers shall not install any form of irrigation well, or pump to irrigate from a pond; but shall exclusively use City water for both potable and irrigation purposes. This is agreed to given the City's large capital investment in the water and sewer systems within the development. Developer agrees that this prohibition on irrigation wells and pond irrigation systems shall be noted on the Final Plat and covenants of each Phase of Fernhill Farms Subdivision.

12. This Agreement constitutes the entire agreement between the parties, and both agree that no other inducement of any kind has been relied upon in agreeing to the terms and conditions herein. The parties further agree that should any part of this Agreement be declared unenforceable by a court of competent jurisdiction, then the remainder of the Agreement shall continue in full force and effect and be interpreted to carry out the intent of the terms and conditions originally agreed to as closely as legally possible.

13. Both signatories covenant and affirm that they are legal representatives of the entities entering into this Agreement; that they are fully authorized, empowered, and directed to execute this Agreement; and that they are not violating any other agreement, contract, provision, court order or decree in entering into this Agreement.

14. This Agreement cannot be amended in any manner without the express written agreement of both parties.

15. This Agreement cannot be transferred, assigned, or conveyed by either party by any manner without the written approval of the other party.

16. This Agreement shall remain in full force and effect and inure to the benefit of the parties and their heirs, successors and assigns, until the infrastructure required to be installed under its provisions is completely installed in a manner satisfactory to the City Engineer, the public infrastructure has been offered for dedication by the Developer, or his heirs, successors or assigns, accepted by the City, and the one-year maintenance warranty period has expired with no outstanding maintenance problems.

17. This Agreement shall be interpreted under the laws of the State of Georgia, and any action by either party to enforce or enjoin its provisions shall be brought only in either the State Court or Superior Court of Bulloch County, Georgia.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth in the preamble above.

**MAYOR AND CITY COUNCIL OF STATESBORO:**

**DEVELOPER:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Mayor

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

City Clerk

Title: \_\_\_\_\_

Signed, sealed and delivered in the presence of:

\_\_\_\_\_

Witness

\_\_\_\_\_

Notary Public

# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5

Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant City Manager

**From:** John Washington, Director of Public Works and Engineering

**Date:** March 29, 2022

**RE:** Recommendation of Low Bidder for “City of Statesboro Street Resurfacing FY 2022”

**Policy Issue:** Purchasing

### **Recommendation:**

The low bidder, Sikes Brothers Inc., meets the requirements of the bid package and submitted an acceptable bid bond. Staff recommends awarding this contract to Sikes Brothers Inc. in the amount of \$1,088,424.05 and requests approval to spend up to the budgeted amount of \$1,099,747.10 for additional work to be based on contractor’s unit bid prices.

### **Background:**

The work in this contract includes, but is not limited to, asphalt resurfacing of approximately 5.18 miles of city streets, 19,705 square yards of asphalt milling, as well as permanent grassing, shoulder dressing, and the reinstallation of thermoplastic roadway striping.

The low bidder is Sikes Brothers Inc. with a bid of \$1,322,517.75, followed by McLendon Enterprises, Inc. with a bid of \$1,340,598.00 and Reeves Construction Co. with a bid of \$1,495,000.00. Due to an increase in construction materials, all of the submitted bids were over the budgeted amount for FY2022 Resurfacing. Therefore, the resurfacing road list was reduced and negotiated to result in a project cost of \$1,088,424.05 which is within budget.

### **Budget Impact:**

The low bid submitted by Sikes Brothers Inc. has been negotiated to be below the budgeted amount of \$1,099,747.10. The project is to be paid for by 2022 LMIG funds in the amount of \$324,747.10 and 2018 TSPLOST funds in the amount of \$775,000.

**Council Person and District:** The street resurfacing list includes streets in each district.

Attachments: FY2022 Revised Street Resurfacing List

CC: Darren Prather, Director of Central Services

### FY 2022 RESURFACING

District	Street Name	Beginning	End	Miles
1	Pine Cone Court	Northlake Drive	Cul-de-sac	0.03
1	Northlake Drive	Zetterower Road	Zetterower Road	0.76
1	Lakeland Drive	North Main Street	Terminus	0.23
2	Whispering Pines Boulevard	Cypress Lake Road	Terminus	0.70
2	White Pine Avenue	Scotch Pine Avenue	Scotch Pine Avenue	0.43
2	Virginia Pine Avenue	Scotch Pine Avenue	Scotch Pine Avenue	0.34
2	Lee Hill Drive	Denmark Street	Terminus	0.12
3	College Boulevard (Southbound)	Savannah Avenue	Stillwell Street	0.61
3	Brannen Street	Fair Road	South Zetterower Avenue	0.23
4	Marvin Avenue	Fair Road	Gentilly Road	0.38
4	Knight Drive	Chandler Road	Harvey Drive	0.41
5	Greenbriar Trail	Wildwood Drive	Robinhood Road	0.28
5	Grady Johnson Road	Fair Road	Property Line	0.19
5	Rushing Lane	Fair Road	Terminus	0.29
5	Wood Valley Circle	Oakleaf Drive	Greenbriar Trail	0.19
			Totals	5.18

# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5

Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant City Manager

**From:** John Washington, Director – Public Works and Engineering

**Date:** March 28, 2022

**RE:** CIP – Stillwell Street and Zetterower Ave. Intersection Improvements  
Asphalt Paving associated with Railroad Grade Crossing Rehabilitation by Pioneer Lines/Georgia Southern Railroad

**Policy Issue:** Purchasing

### Recommendation:

Staff recommends approval of Potential Change Order (PCO) No. 2 listed below to the contract with Y-Delta, Inc. in the not to exceed amount of **\$33,714.79** and authorize the Mayor to execute contract document amendment to proceed with construction of services listed in the change order for the Stillwell Street and Zetterower Ave. Intersection Improvements project:

PCO # 2 - Labor, material, and equipment for Roadway Asphalt Concrete Changes:

- Additional asphalt removal, grading and install GAB \$18,912.04
- Additional new asphalt per specs for railroad excessive excavation and raising of tracks for an area of 1320 sq. feet \$14,802.75

**TOTAL: \$33,714.79**

### Background:

During the railroad track rehabilitation, the railroad contractor removed more of the existing asphalt than anticipated and was agreed upon. This required Y-Delta to place additional new asphalt to accommodate the new grade crossing. Further, additional work by Y-Delta will be required for new paving and asphalt leveling to improve drainage and ensure a smooth transition for vehicle traffic from Zetterower Ave. onto Stillwell Street due to a higher rail profile of the new rail than previously existed.

### Budget Impact:

The project is to be paid from the 2018 TSPLOST fund. The estimated amount for this work, utility relocation and construction remains within the budget amount of \$460,000.00 allocated for the project.

### Council Person and District:

District 3, Councilmember Venus Mack

**Attachment:** Proposal



**Y-Delta, Inc.**  
**5657 Lakeview Road**  
**Statesboro, GA 30461**  
**Phone: 912-587-5839**  
**Fax-912-587-5495**

**March 28, 2022**

**Re: Change Order #2 for Asphalt Paving at Stillwell Road in Statesboro, GA**

Dear Sir or Madam:

**CHANGE ORDER 2 PROPOSAL**

Due to the railroad company raising the tracks height more asphalt was needed. This also creates a problem with drainage. We propose the following to include the following:

- **Additional asphalt removal, grading and install GAB \$18,912.04**
  - 142.21 sy @ 69.70 per SY 9,912.04
  - Asphalt removal and grading 9,000.00
- **Additional new asphalt per specs for railroad excessive excavation and raising of tracks for an area of 1320 sq feet \$14,802.75**
  - 25 mm 56.99 tons @ 168.75 per ton 9,617.06
  - 12.5 mm 30.73 tons @ 168.75 per ton 5,185.69
- **Total: \$33,714.79**
- **The above items are related to work which has been done. There is an expectation that the intersections will need more asphalt to allow for proper draining. The city will be responsible for the new design and there is a high likelihood there will be an additional increase in work.**

**Please review the following notes:**

1. Y-Delta cannot be held responsible for unforeseen conditions.
2. No permits, fees or any kind of testing included.
3. No removal of unsuitable soil and no compaction test.
4. No Layouts/ as-builts included.
5. No removal or relocating existing utilities.
6. Add 1% to Total Price if the Bonding of Our Portion is required

Sincerely,

Pete Sharkey  
Project Manager/ Estimator