



April 19, 2022 5:30 pm

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember Phil Boyum
3. Recognitions/Public Presentations
 - A) Presentation of a Certificate of Recognition to Mayor Pro Tem Shari Barr.
 - B) Proclamation for Georgia Cities Week
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 04-05-2022 Council Minutes
 - b) 04-05-2022 Executive Session Minutes
6. Second Reading and Consideration of a motion to approve **Ordinance 2022-02**: An Ordinance amending Chapter 2 of the Statesboro Code of Ordinances establishing the Greener Boro Commission.
7. Public Hearing and Consideration of a Motion to Approve **Application RZ 22-03-01**: Hermann Enterprises, LLC requests a Zoning Map Amendment on a 0.52 acre parcel from the R-15 (Single-family Residential) zoning district to the O (Office) Zoning District in order to expand the commercial uses on the property located at 108 South Zetterower Avenue (Tax Parcel # S40 000006 000).
8. Public Hearing and Consideration of a motion to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13(a) and 6-23(h):

Stephen Bradley Clarke DBA Clark Beverages
607 Brannen St
Statesboro, GA 30458

9. Public Hearing and Consideration of a motion to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-12(a) and 6-23(h):

FTJ Enterprises, LLC DBA S'Boro Liquors
860 Buckhead Dr
Statesboro, GA 30458

10. Public Hearing and Consideration of a motion to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13(a) and 6-23(h) :

Lindsay Martin DBA L/C Package Sales
2823 Northside Dr W.
Statesboro, GA 30458

11. Public Hearing and Consideration of a motion to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13(a) and 6-23(h):

- a. 3 Brothers 2021 LLC DBA Two Guys Beverage
520 Fair Road Ste. 410
Statesboro, GA 300458

- b. Blue Mile Wine & Spirits LLC DBA Blue Mile Wine & Spirits
12 Brannen St.
Statesboro, GA 30458

12. Consideration of a motion to approve an employment agreement with W. Keith Barber to serve as the Municipal Court Judge.

13. Consideration of a motion to approve a lease agreement with ADOM Enterprises, LLC in the amount of \$42,000.00 for twelve months for the employee health clinic.

14. Other Business from City Council

15. City Managers Comments

16. Public Comments (General)

17. 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)

18. Consideration of a Motion to Adjourn

**A PROCLAMATION BY THE MAYOR AND
CITY COUNCIL OF STATESBORO, GEORGIA**

GEORGIA CITIES WEEK

April 24-29, 2022

WHEREAS: city government is the closest most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS: city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS: city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS: Georgia Cities Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS: this week offers an important opportunity to spread the word to all the citizens of Georgia that they can shape and influence this branch of government which is closest to the people; and

WHEREAS: the Georgia Municipal Association and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS: Georgia Cities Week offers an important opportunity to convey to all citizens of Georgia that they can shape and influence government through their civic involvement.

NOW, THEREFORE be it resolved that the City of Statesboro declares April 24-29 2022 as Georgia Cities Week.

BE IT FURTHER RESOLVED that the City of Statesboro encourages all citizens, city government officials and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

PASSED AND ADOPED by the City of Statesboro this 19th day of April, 2022

Jonathan McCollar, Mayor



CITY OF STATESBORO
COUNCIL MINUTES
APRIL 05, 2022

Regular Meeting

50 E. Main St. City Hall Council Chambers

9:00 AM

1. Call to Order

Mayor Jonathan McCollar called the meeting to order

2. Invocation and Pledge

Mayor Pro Tem Shari Barr 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	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, I.T. Support Specialist Alan Schleder, City Attorney Cain Smith and City Clerk Leah Harden

3. Public Comments (Agenda Item): None

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.

A motion was made to approve the consent agenda.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember John Riggs

SECONDER:

Councilmember Venus Mack

AYES:

Boyum, Chavers, Mack, Riggs, Barr

NAYS

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.

A Motion was made 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.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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.

A motion was made to open the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Mayor Pro Tem Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

A motion was made to close the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Mayor Pro Tem Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

No one spoke for or against the request.

A motion was made to approve the First Reading of **Ordinance 2022-02** amending Chapter 2 of the Statesboro Code of Ordinances establishing the Greener Boro Commission.

RESULT:	Approved (Unanimous)
MOVER:	Mayor Pro Tem Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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 Statesboro Police Department.

A motion was made to approve **Resolution 2022-13** 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 Statesboro Police Department.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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.

A motion was made to approve **Resolution 2022-14** adopting an amendment to the Capital Improvement Program for Fiscal Year 2022 – Fiscal Year 2027.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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.

City Manager Charles Penny stated under the Subdivision Incentive Program there is a provision that states for a period of one year developers cannot rent any of the homes they build. However when speaking with potential developers this is a major sticking point. Our plan is to look at the overall ordinance and come back to you but in the meantime we have a project that has been approved for an incentive grant. However without this modification to the agreement the developer is not willing to move forward.

Councilmember Phil Boyum asked what processes are in place to ensure that only 20% of these houses will be rented. How do we monitor this?

Mr. Penny stated that this is the first time we've made this modification. We don't give the money to the developer right up front so that would be the best way to monitor compliance with the 20% number.

Councilmember Boyum stated his concern about making a decision without putting a process in place ensuring compliance.

Assistant City Manager Jason Boyles stated that from a staff level we can verify if it's owner occupied or rentals through the permitting and CO process.

City Attorney Cain Smith stated this is solely a resolution in order to enter into a developer agreement. When we go against our own ordinances we need to admit that openly through resolution as in this case waiving the requirement under 62-2(j)(6) which prohibits all rentals for a period of one year. In this situation we would allow up to 20% rentals during the first year. All of this is spelled out in the development agreement which is the next item on the agenda. This is an enforceable agreement that has to be entered into before those funds can be expended to the developer.

A motion was made to approve Resolution 2022-15 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.

RESULT:	Approved 4-1
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Chavers, Mack, Riggs, Barr
NAYS:	Councilmember Phil Boyum

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 Fernhill Farms Subdivision by L&S Acquisitions, LLC (Tax Parcels # Ms57000004 000 & MS57000006 000) under the Subdivision Incentive Program.

Councilmember Boyum asked if the developer has to build the houses in order to receive money back from the infrastructure.

Assistant City Manager Jason Boyles replied no they have to complete the infrastructure itself.

City Manager Charles Penny recommended that we create a callback provision in the agreement that if they exceed 20% rentals it would be grounds for calling the bond. That way we would be able to recover a portion of our funds we committed to the program.

A motion was made to approve a development agreement with the identified amendment between the City of Statesboro and L&S Acquisitions, LLC for installation of public infrastructure for the development Fernhill Farms Subdivision by L&S Acquisitions, LLC (Tax Parcels # Ms57000004 000 & MS57000006 000) under the Subdivision Incentive Program.

RESULT:	Approved 4-1
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Chavers, Mack, Riggs, Barr
NAYS:	Councilmember Phil Boyum

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.

A motion was made 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.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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.

A motion was made 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.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

13. Other Business from City Council:

Mayor Pro Tem Shari Barr congratulated Allen and Elena and everybody at DSDA for a successful First Friday event. Also the Farmers Market is opening this Saturday at its new location on South Main Street behind Statesboro Convention and Visitors Bureau. Lastly Alona Fountain, a local mortgage officer at Core Credit and is from the Ukraine, is working together with Pittman Park United Methodist Church to raise funds for relief efforts in the Ukraine. So if you're looking for a way to help out with the Ukraine you can contact Pittman Park.

Councilmember Paulette Chavers asked if the City has a policy in place holding people responsible for the living conditions of their rentals. This weekend I drove around and found places way under par. Specifically the Mulberry Court area is despicable, doors off of the buildings where people are living and the parking area full of holes.

City Manager Charles Penny stated the best tool we have is Code Enforcement. If you can give us the address we will make sure our Code Enforcement Officers go to those properties and they can cite the issue. Through Code Enforcement the Court can order improvements, so that is the best mechanism we have in place.

Mayor Pro Tem Shari Barr asked if the City Attorney would share any direction about the appropriateness of having discussion away from Council in regards to alcohol licensing for package stores.

City Attorney Cain Smith stated that any questions about the application procedure should be addressed to the City Clerk or to the Tax Clerk. And if anyone wants an idea of how the City review of the application process goes it is set out thoroughly in Section 6-12 and Section 6-13 covers the approval process by Mayor and Council. Mayor and Council being the final arbiter of whether or not a license should be granted. Mr. Smith advised that those making the final decision not to engage in conversation about the package store process to avoid any image of impropriety and to avoid any personal or municipal liability.

Councilmember Phil Boyum reminded everyone that an alcohol license is a privilege not a right. Our city staff is just doing their jobs and they do not deserve to be berated or talked down to or in any other way be treated inappropriately during this process. If that comes to light I personally will consider it.

Mayor Jonathan McCollar gave kudos to City Council is consistent in fighting to improve the quality of life for people within our community. Everything from the housing situations to the ordinances that we're working to get more home ownership inside the city and improving the homes of those living inside the city.

Mayor McCollar also gave kudos to the staff for going well beyond the call of duty in many aspects to improve the quality of life for the people in this city. We are in a fortunate position as an organization to be able to serve the people of the City of Statesboro.

14. City Managers Comments

City Manager Charles Penny recognized Alan Schleder thanking him for stepping in, in Layne's absence.

Mr. Penny stated there was a vaccination clinic last Thursday at the Health Department where we gave away 26 gift cards. That will conclude our participation in these clinics but we still encourage individuals to receive their vaccination. Also Statesboro was selected to receive a testing kiosk from the Health Department. The kiosk will be located at the Fire headquarters on Grady Street and should be delivered this week.

Mr. Penny also reviewed with Mayor and Council a few items from this week's FYI Packet, the Downtown Master Plan hard copy, a group of citizen went up to DOT seeking funding for the bridges for the Creek on the Blue Mile, the employee clinic will remain at its current location, and the request for direct funding from Senator Jon Ossoff's office for the Creek on the Blue Mile and the Children's Zone.

Lastly Mr. Penny announced that a staff retreat will take place in the latter part of May.

Mayor Pro Tem Shari Barr stated we are very pleased with our City Manager Mr. Penny and we are happy to acknowledge that where he came from appreciated him as well and he has been invited back up there to be honored by naming the lobby of the event center after him in Rocky Mount North Carolina.

15. Public Comments (General):

Sarah A. Lawrence stated she lives on Akin Street and that area is pitiful. She stated she came to City Hall to request the grass to be cut but no one came out to cut the grass. Mrs. Lawrence spoke of other places in the city that are run down and in need of attention.

City Manager Charles Penny stated that since the last time we met we have received over 20 applications for housing rehab. The folks in the Johnson Street neighborhood are very active.

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

At 10:10 am a motion was made to enter Executive Session.

RESULT:	Approved (Unanimous)
MOVER:	Mayor Pro Tem Shari Barr
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

At 10:20 am a motion was made to exit Executive Session.

RESULT:	Approved (Unanimous)
MOVER:	Mayor Pro Tem Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

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

A motion was made to approve a Resolution to convey a roughly eight foot wide segment of City Right-of-way along Tillman Road to Chapman Rentals, LLC/Gnats Landing of Sboro LLC.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

17. 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 10:21 am.

Jonathan McCollar, Mayor

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: April 12, 2022

RE: April 19, 2022 City Council Agenda Items

Policy Issue: *Second 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. First reading was approved on April 5, 2022.

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

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



Jonathan M. 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 and Leah Harden, City Clerk

From: Justin Williams, Planning & Housing Administrator

Date: April 8, 2022

RE: April 19, 2022 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment*

Recommendation: Planning Commission recommends Approval of the Zoning Map Amendment requested by RZ 22-03-01.

Background: Hermann Enterprises, LLC requests a Zoning Map Amendment on a 0.52 acre parcel from the R-15 (Single-family Residential) zoning district to the O (Office) Zoning District in order to expand the commercial uses on the property located at 108 South Zetterower Avenue (Tax Parcel # S40 000006 000).

Budget Impact: None

Council Person and District: Mack (District 3)

Attachments: Development Services Report (RZ 22-03-01)



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

**RZ 22-03-01
ZONING MAP AMENDMENT REQUEST
108 SOUTH ZETTEROWER AVENUE**

LOCATION:	108 South Zetterower Avenue
EXISTING ZONING:	R15 (Single Family Residential)
ACRES:	0.52 acres
PARCEL TAX MAP #:	S40 000006 000
COUNCIL DISTRICT:	District 3 (Mack)
EXISTING USE:	Doctor's Office
PROPOSED USE:	Doctor's Office



PETITIONER Hermann Enterprises, LLC
ADDRESS 110 S Zetterower Ave, Statesboro, GA 30458

REPRESENTATIVE Jessica Hermann
ADDRESS Same As Above

PROPOSAL

The applicant is requesting a Zoning Map Amendment from the R-15 (Single-Family Residential) to the O (Office) zoning district on a residential conversion home at 108 South Zetterower Avenue.

PLANNING COMMISSION RECOMMENDATION

RZ 22-03-01 - CONDITIONAL APPROVAL

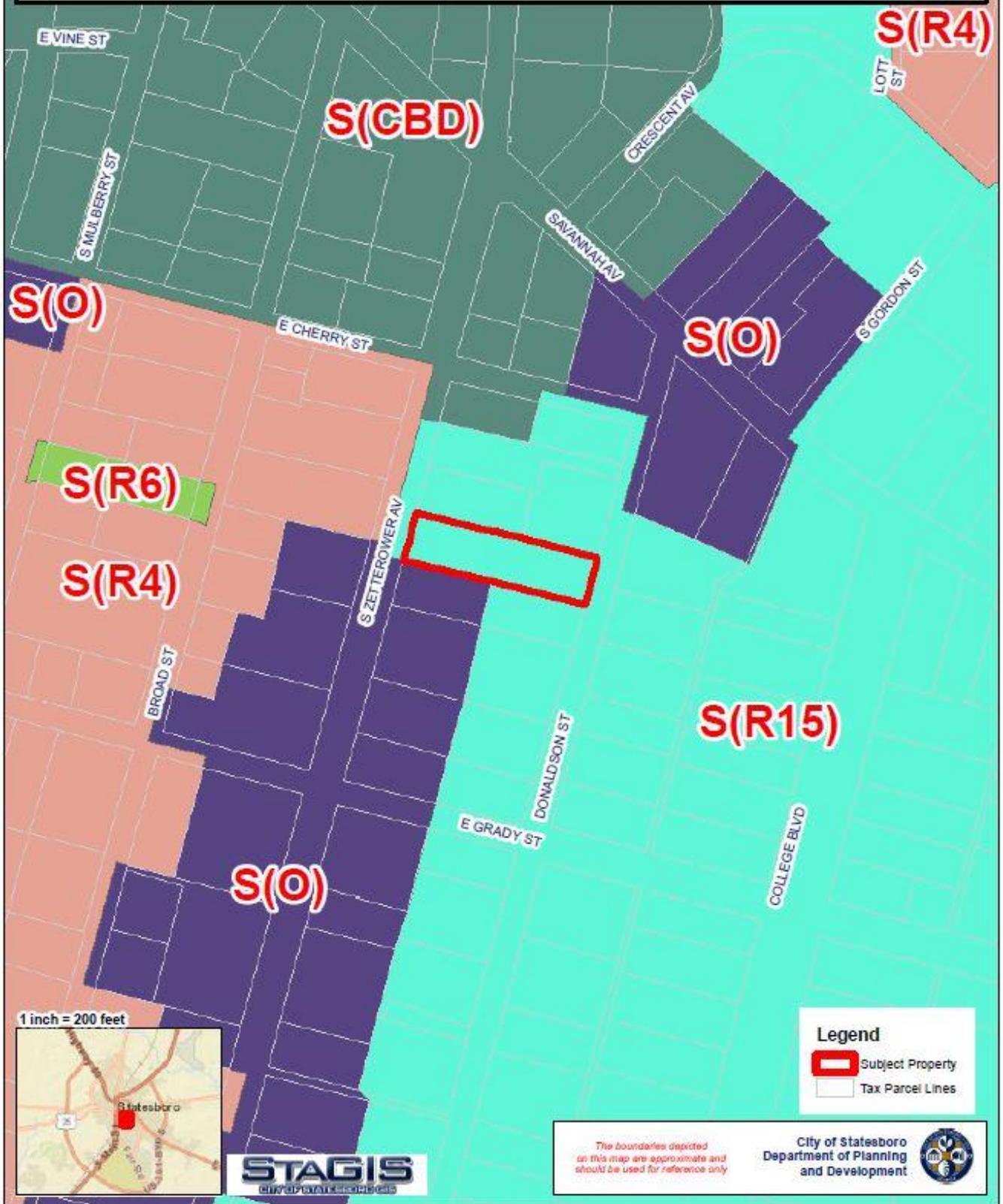
Case # RZ 22-03-01
108 South Zetterower Ave.
Parcel: S40 000006 000

Location Map



Case # RZ 22-03-01
108 South Zetterower Ave.
Parcel: S40 000006 000

Current Zoning Map



1 inch = 200 feet



Legend

- Subject Property
- Tax Parcel Lines

The boundaries depicted on this map are approximate and should be used for reference only.

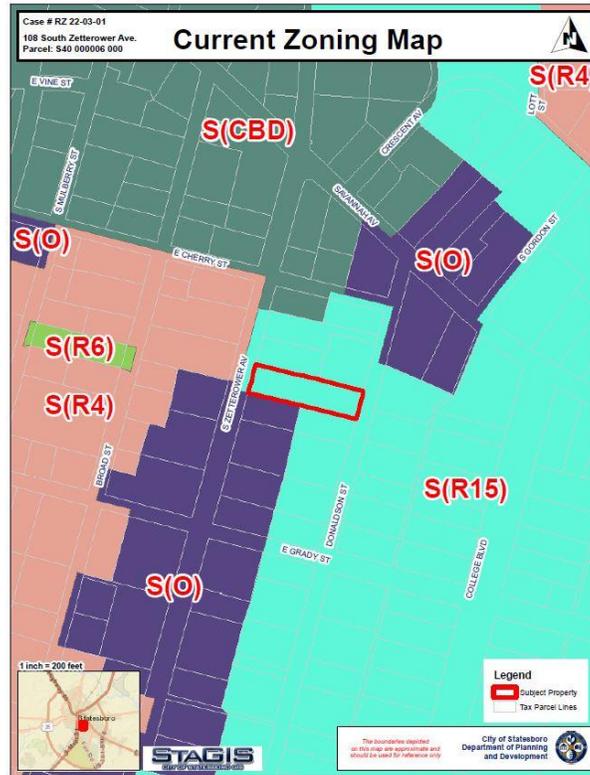
City of Statesboro
Department of Planning
and Development



Case # RZ 22-03-01
108 South Zetterower Ave.
Parcel: S40 000006 000

Future Landuse Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R15 (Single Family Residential)	Single Family Dwelling
Northeast	Location Area #2: R15 (Single Family Residential)	Single Family Dwelling
Northwest	Location Area #3: R4 (High Density Residential)	Residential Conversion
East	Location Area #4: R15 (Single Family Residential)	Single Family Dwelling
West	Location Area #5: R4 (High Density Residential)	Residential Conversion
Southwest	Location Area #6: O (Office)	Psychic Office
Southeast	Location Area #7: R15 (Single Family Residential)	Single Family Dwelling
South	Location Area #8: O (Office)	Realtor Office

SUBJECT SITE

The subject site is a residential conversion on a 0.52 acre site, on South Zetterower Avenue. The property was built as a residence, but for over 20 years has served as a psychologist office under both a Conditional Use Variance and a Special Exception. The intent of the applicant is allow for commercial uses beyond the current allowance for only medical offices at this location. This would require a zoning map amendment.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site primarily in the “Neighborhood Center” area, which is characterized by a blend of lower to medium density residential and commercial, personal service, and offices that are neighborhood scale in size and intensity. Additionally, the location is in the Established Residential Area.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a flood zone. No significant impact is expected on community facilities or services as a result of this request.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is currently served by City water and Sewer.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

The mayor and city council in exercising its zoning power, shall be governed by the following standards in making its determination and balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property:

- 1. Existing uses and zoning or [of] property nearby.**
 - The surrounding lots consists of single-family homes, residential conversions, and offices.
- 2. The extent to which property values are diminished by the particular zoning restrictions.**
 - Although an appraisal has not been conducted on the property, it is Staff’s opinion that the proposal will likely increase the overall value of property in the area.
- 3. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
 - Although an appraisal has not been completed at this time, the proposed zoning would bring the property in line with the surrounding uses of the area, and would likely shift the remaining properties into a more suitable zoning.
- 4. The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - The property has served as a commercial use since 1997, and would not substantially change the neighborhood in any significant manner, as the proposed zoning is not an intense commercial use.

5. The suitability of the subject property for the zoned purposes.

- This zoning is suitable, as multiple surrounding properties are zoned in this manner.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.

- The property is not currently vacant, but would be restricted to only the single-family use or as a medical office as zoned.

7. The extent the proposed change would impact the following:

- Population density in the area.
 - Population density would only be altered during business hours and there is sufficient space on the property for approximately 10 cars.
- Community facilities.
 - There will be a small impact in the use of City Sewer and Water.
- Living conditions in the area.
 - This is not applicable to this case, as there is no additional residential impact caused.
- Traffic patterns and congestion.
 - There is likely to be no significant increase at this time. Additional ingress and egress is located on Donaldson Street as per the existing special exception.
- Environmental aspects.
 - There are no wetlands on the property, and it is already used in a commercial manner.
- Existing and future land use patterns.
 - Generally the area is surrounded by a mix of high-density residential uses and other offices.
- Property values in the adjacent areas.
 - There would likely be no significant impact in the surrounding property values, as most are already used for commercial or uses.

8. Consistency with other governmental land use, transportation, and development plans for the community.

- The proposed residential use of the property is consistent with the *City of Statesboro 2019 – 2029 Comprehensive Master Plan* in the “Neighborhood Center.”

Subject Property



Northern Property



Southern Property



Western Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 22-03-01**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

1. Approval of this Zoning Map Amendment does not grant the right to develop on the property. All construction must be reviewed and approved by the City.

At the regularly scheduled meeting of the Planning Commission on April 5, 2022, the commission recommended approval of RZ 22-03-01 and associated conditions with a 4-0 vote.

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: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 4/12/2022

RE: Clarke Beverages

Policy Issue: Mayor and Council shall consider a Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a) and 6-23 (h):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Consideration of issuance of location reservations shall be before Mayor & Council and include a public hearing. Issuance of a location reservation shall forestall consideration of other Package Store applicants within 1,000 yards of subject site.

Recommendation: Planning & Development, Police Department, and Legal recommended approval

Budget Impact: None

Council Person & District: Shari Barr, District 5

Attachments: Application & Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: 3-28-22

1. Business Trade Name: Clarke Beverages
D/B/A Name

2. Applicant's Name: Stephen Bradley Clarke
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 607 Brannen St

4. Business mailing address: 607 Brannen St Statesboro Ga

5. Local business phone number: 912-682-1573

Corporate office phone number: _____

6. Name of Manager: Stephen Bradley Clarke
Person responsible for alcohol licensing issues

7. Phone number for manager: 912-682-1573

8. Email address for manager: Bradleyc1031@gmail.com

10. Purpose of application is:

New Business New Owner

Previous owner's name: _____

If the business name has changed, list previous name: _____

If the business address has changed, list the previous address: _____

11. Indicate where the business will be located:

- Above ground
 Street or ground floor level

Section 6-10(B) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of business: Individual Corporation Partnership LLC

Complete EITHER numbers 13, 14, and 15 OR 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: Stephen Bradley Clarke Phone #: 912-682-1573

Have you completed the financial affidavit attached to this application? _____

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: _____

Do you have an operating or partnership agreement for the LLC, LLP, or partnership? _____

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____

(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

- 16. If applicant is a corporation:** Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

Tracy Ham + Tracy Waters " TNT Ent "
607 Brannen St

21. Is the commercial space where the business is to be located rented or leased? Yes

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

TNT Ent. 607 Brannen St

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? No

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? Yes - see attached

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred? No

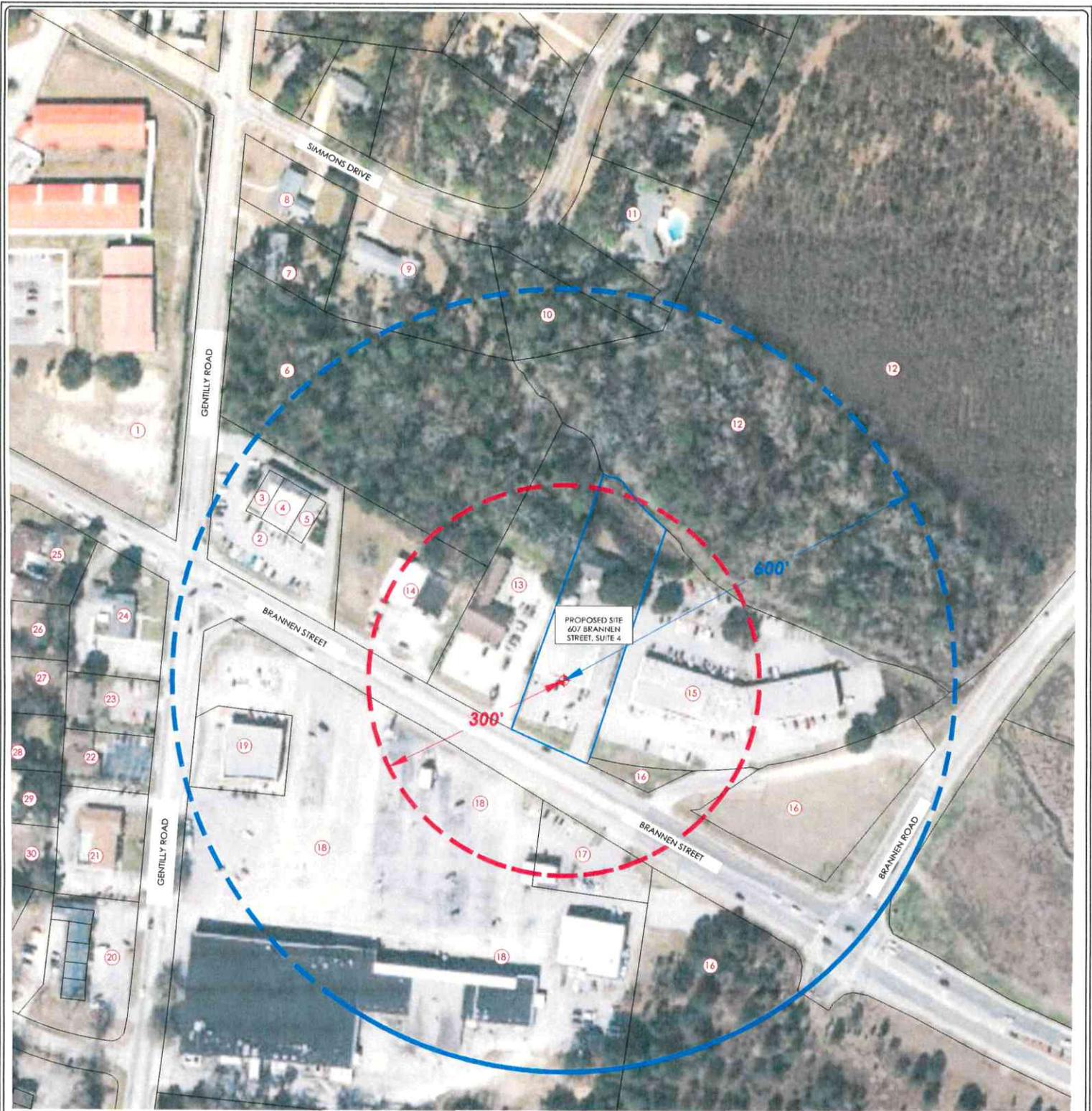
If yes, please provide details on a separate sheet of paper.

Calculation of Basic License Fee

For Calendar Year: _____

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<input checked="" type="checkbox"/>	\$1750
B. Package Sales (Distilled Spirits)	<input checked="" type="checkbox"/>	\$5000
Location Reservation	<input checked="" type="checkbox"/>	N/A
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ 6750⁰⁰

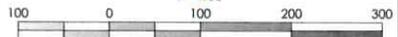


CURRENT OWNER:
 TRACY WATERS & TRACY HAM
 STREET ADDRESS:
 607 BRANNEN STREET, SUITE 4
 STATESBORO, GA
 TAX ID# 553 00061 000
 ZONING FROM BULLOCH
 COUNTY GIS MAP = CF

GENERAL NOTES:
 1) DISTANCES WERE OBTAINED
 FIELD SURVEY PERFORMED
 BY MAXWELL-REDDICK.
 2) PROPERTY LINES AND
 PROPERTY OWNERS SHOWN
 WERE TAKEN FROM THE
 BULLOCH COUNTY TAX
 ASSESSORS SITE.
 3) AS OF MARCH 30, 2022,
 THERE ARE NO PACKAGE
 STORES WITHIN 1,000 FEET OF
 THIS SITE.

- 1 SOUTH MAIN PTP LLC & JOHN E. LAVENDER
- 2 GENTILLY PLACE PROPERTY OWNERS ASSOCIATION
- 3 ANH DAO-NGOC & NGA K. NGUYEN
- 4 GEORGIA EYE PROPERTIES LLC
- 5 GEORGIA EYE PROPERTIES KKC
- 6 STATESBORO PROFESSIONAL BLDG LLC
- 7 MOHAMMAD AHAD & FAIZA NEWAZ
- 8 JESSE FU
- 9 ARTHUR G. SPARKS
- 10 B. AWANT EDENFIELD
- 11 EDWARD J. & EILEEN F. BAYENS
- 12 KAREN E. LOVETT, KATHRYN L. VEECH & CATHY C. LOVETT
- 13 DGP RENTALS LLC
- 14 COWBOYUP ENTERPRISE LLC
- 15 TRACY WATERS & TRACY HAM
- 16 KATHRYN LOVETT & JAMES HULL
- 17 JAMES M. HULL ETAL
- 18 JAMES M. HULL ETAL
- 19 JAMES M. HULL ETAL
- 20 GENTILLY OFFICE COMPLEX, INC.
- 21 THE SLP GROUP LLC
- 22 VISION FINANCIAL HOLDING LLC
- 23 DANIEL LONG AGENCY INC.
- 24 VINCENT LEE MARTIN
- 25 VERONICA GEARY
- 26 PENNY PROPERTIES ASSETS LLC
- 27 BRASON INVESTMENTS LLC
- 28 TERRY B. JOYNER, SR
- 29 CARIBBEAN LAND HOLDINGS LLC
- 30 WILLIAM P. BRITT

GRAPHIC SCALE
 1" = 100'



**MAXWELL-REDDICK
 AND ASSOCIATES**
 ENGINEERING &
 LAND SURVEYING
 40 JOE KENNEDY BLVD.
 STATESBORO, GA 30458
 (912) 489-7125 OFFICE
 (912) 489-7125 FAX
 NORTHWINDS II
 2500 NORTHWINDS PKWY
 SUITE 340
 ALPHARETTA, GA 30009
 (404) 493-1418 OFFICE



DRAWN BY: JAD
 FIELD WORK: 03-31-2022
 DATE: MARCH 31, 2022
 JOB NO.: 2022-100
 SCALE: 1" = 100'

ALCOHOL PROXIMITY DRAWING
 PREPARED FOR
BRADLEY CLARK
 607 BRANNEN STREET, SUITE 4
 CITY OF STATESBORO
 1209TH G.M.D., BULLOCH COUNTY, GA

Clarke Beverages
607 Brannen St
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	Justin Williams	Approve	
Fire Department			
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	

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: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 4/12/2022

RE: S'Boro Liquors

Policy Issue: Mayor and Council shall consider a Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a) and 6-23 (h):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Consideration of issuance of location reservations shall be before Mayor & Council and include a public hearing. Issuance of a location reservation shall forestall consideration of other Package Store applicants within 1,000 yards of subject site.

Recommendation: Planning & Development, Police Department, and Legal recommended approval

Budget Impact: None

Council Person & District: Shari Barr, District 5

Attachments: Application & Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: _____

1. Business Trade Name: S' BORO LIQUORS
D/B/A Name

2. Applicant's Name: FTJ ENTERPRISES, LLC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 860 BUCKHEAD DR.
STATESBORO, GA 30458

4. Business mailing address: 21807 WALTON MANOR
SAN ANTONIO, TX 78261

5. Local business phone number: 210 380 6468

Corporate office phone number: 210 380 6468

6. Name of Manager: ROBERT L. BAUGHAN
Person responsible for alcohol licensing issues

7. Phone number for manager: 210 380 6468

8. Email address for manager: ROBERTBAUGHAN@YMAIL.COM

New Business New Owner _____

Previous owner's name: N/A

If the business name has changed, list previous name: N/A

If the business address has changed, list the previous address: N/A

11. Indicate where the business will be located:

- Above ground
- Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: Individual Corporation Partnership LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: ROBERT LOWELL BAUGHN Phone #: 210 380 6468

Have you completed the financial affidavit attached to this application? YES

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: _____

Do you have an operating or partnership agreement for the LLC, LLP, or partnership? _____

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____

(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

- 16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.**

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Attach additional pages if necessary

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: ROBERT L BAUGHN Phone #: 210 380 6468

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ Phone #: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ Phone #: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

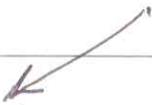
Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

SAME AS #21



21. Is the commercial space where the business is to be located rented or leased? LEASED

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

DELOACH PROPERTIES, LLC

8640 SEMINOLE BLVD, SEMINOLE, FL 33772

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

N/A

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? NO

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? NO

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?

NO

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? NO
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? NO
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? NO
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? NO
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? NO
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, ROBERT LOWELL BAUGHN, solemnly swear, subject to the penalties O.C.G.A. sec 16-10-20 as provided above which I have read and understood, that all information required in this application for license to sell alcoholic beverages and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

ROBERT LOWELL BAUGHN

Print full name as signed below

[Signature]

Signature of applicant

OWNER

Title

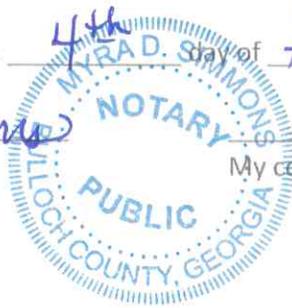
4/4/22

Date

Sworn and subscribed before me this 4th day of April, 2022.

Myra D. Simmons

Notary Public



7/23/2023

My commission expires

Calculation of Basic License Fee

For Calendar Year: _____

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<input checked="" type="checkbox"/>	\$1750
B. Package Sales (Distilled Spirits)	<input checked="" type="checkbox"/>	\$5000
Location Reservation	<input checked="" type="checkbox"/>	N/A
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

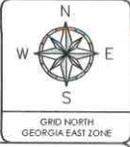
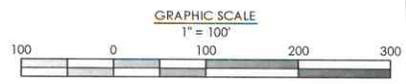
Total Due: \$ 5000.⁰⁰



CURRENT OWNER:
 JENNINGS-DELOACH
 PROPERTIES, LLC
 STREET ADDRESS:
 860 BUCKHEAD DRIVE
 STATESBORO, GA
 TAX ID # MS84 000100 010
 ZONING FROM BULLOCH
 COUNTY GIS MAP = CR

- 1 H&H FOOD SERVICES, LLC
- 2 GOLDEN DIAMOND, LLC
- 3 RUSSELL DAVID ROSENGART
- 4 W4 PROPERTIES STATESBORO 2, LLC
- 5 DRAYTON-PARKER COMPANIES, LLC
- 6 JANICE C. GRAY
- 7 WHITFIELD SIGNS HOLDINGS, LLC
- 8 VP STATESBORO, LLC (LOWES)
- 9 SOUTHERN BREAD PROPERTIES, LLC
- 10 WHISPERING PINES, LLC
- 11 RSW PARTNERSHIP
- 12 FARMERS & MERCHANTS BANK
- 13 TAM DOAN
- 14 COLE AN PORTFOLIO III, LLC
- 15 BULLOCH TELEPHONE COOPERATIVE
- 16 EL SOMBERO PROPERTIES, LLC
- 17 WAL-MART REAL ESTATE
- 18 STARRCAPITAL LP

GENERAL NOTES:
 1) DISTANCES WERE OBTAINED
 FIELD SURVEY PERFORMED
 BY MAXWELL-REDDICK.
 2) PROPERTY LINES AND
 PROPERTY OWNERS SHOWN
 WERE TAKEN FROM THE
 BULLOCH COUNTY TAX
 ASSESSORS SITE.
 3) AS OF MARCH 31, 2022,
 THERE ARE NO PACKAGE
 STORES WITHIN 1,000 FEET OF
 THIS SITE.



**MAXWELL-REDDICK
 AND ASSOCIATES**
 ENGINEERING &
 LAND SURVEYING
 40 JOE KENNEDY BLVD.
 STATESBORO, GA 30488
 (912) 489-7112 OFFICE
 (912) 489-7153 FAX
 NORTHWINDS II
 2500 NORTHWINDS PKWY
 SUITE 340
 ALPHARETTA, GA 30009
 (404) 493-1618 OFFICE



DRAWN BY: JAD
 FIELD WORK: 03-31-2022
 DATE: MARCH 31, 2022
 JOB NO.: 2022-109
 SCALE: 1" = 100'

ALCOHOL PROXIMITY DRAWING
 PREPARED FOR
 FTJ ENTERPRISES LLC
 860 BUCKHEAD DRIVE
 CITY OF STATESBORO
 1209TH G.M.D., BULLOCH COUNTY, GA

S'Boro Liquors
860 Buckhead Dr
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	Justin Williams	Approve	
Fire Department			
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	

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: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 4/12/2022

RE: L/C Package Sales

Policy Issue: Mayor and Council shall consider a Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a) and 6-23 (h):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Consideration of issuance of location reservations shall be before Mayor & Council and include a public hearing. Issuance of a location reservation shall forestall consideration of other Package Store applicants within 1,000 yards of subject site.

Recommendation: Planning & Development, Police Department, and Legal recommended approval

Budget Impact: None

Council Person & District: Paulette Chavers, District 2

Attachments: Application & Department Approvals

**Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia**

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: _____

1. Business Trade Name: L/c Package store
D/B/A Name

2. Applicant's Name: Lindsay Martin
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 2823 Northside Dr West
Statesboro, Ga 30461

4. Business mailing address: MSO Water, 236 N. Main St
Statesboro, Ga 30461

5. Local business phone number: 912-259-9292

Corporate office phone number: 912-489-6668

6. Name of Manager: Lindsay Martin owner
Person responsible for alcohol licensing issues

7. Phone number for manager: 912-687-6100

8. Email address for manager: msowater1@bulloch.net

10. Purpose of application is:

New Business New Owner _____

Previous owner's name: N/A

If the business name has changed, list previous name: _____

If the business address has changed, list the previous address: N/A

11. Indicate where the business will be located:

- Above ground
- Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: Individual _____ Corporation _____ Partnership _____ LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: Lindsay B. Martin Phone #: 912-687-6100

Have you completed the financial affidavit attached to this application? Yes

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: _____

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? _____

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____

(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

Lindsay R. Martin - South Ga Gun & Title
hm-606 Pear Orchard LN - business - 2823 W. Northside

21. Is the commercial space where the business is to be located rented or leased? NO

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? NO

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? Yes but I sold Five Points & more
If yes, please provide details on a separate sheet of paper. cov. store

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred? NO

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? NO

If yes, please provide details on a separate sheet of paper.

28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? NO

If yes, please provide details on a separate sheet of paper.

29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? NO

If yes, please provide details on a separate sheet of paper.

30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? NO

If yes, please provide details on a separate sheet of paper.

31. Will live nude performances or adult entertainment be a part of this business operation? NO

If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, Lindsay Robert Martin, solemnly swear, subject to the penalties O.C.G.A. sec 16-10-20 as provided above which I have read and understood, that all information required in this application for license to sell alcoholic beverages and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

Lindsay Robert Martin
Print full name as signed below

[Signature]
Signature of applicant

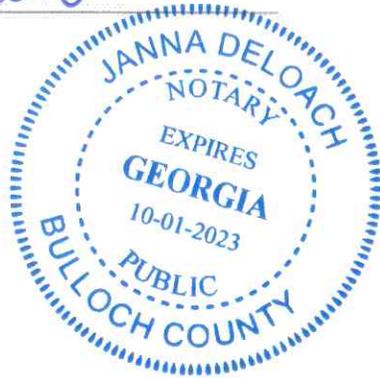
owner
Title

3/27/22
Date

Sworn and subscribed before me this 27th day of March, 2022.

[Signature]
Notary Public

10-01-2023
My commission expires

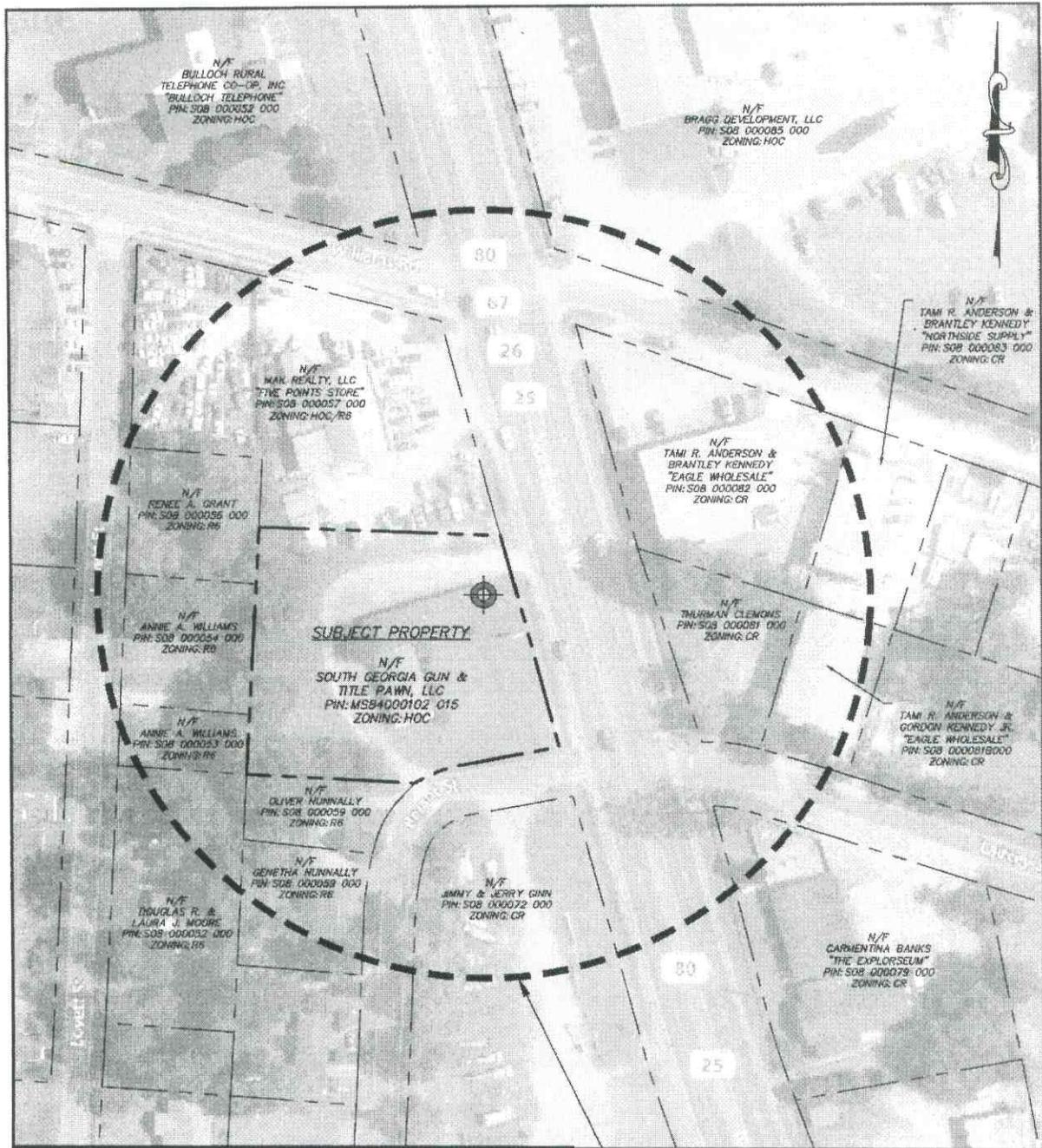


Calculation of Basic License Fee

For Calendar Year: _____

<u>Classification:</u>	<u>Mark all that apply</u>	<u>License Fee</u>
1. A. Package Sales (Beer & Wine)	<input checked="" type="checkbox"/>	\$1750
B. Package Sales (Distilled Spirits)	<input checked="" type="checkbox"/>	\$5000
Location Reservation	<input checked="" type="checkbox"/>	N/A
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ 6,750.⁰⁰



NOTES:

- PROPERTY ZONING: HOC (HIGHWAY ORIENTED COMMERCIAL DISTRICT)
- PROXIMITY REQUIREMENTS SHALL BE IN CONFORMANCE WITH THE STATE OF GEORGIA (O.C.G.A. § 3) AND CITY OF STATESBORO CODE OF ORDINANCES (CHAPTER 6 - ALCOHOLIC BEVERAGES).

CERTIFICATION:

I CERTIFY THAT ALL STATE AND LOCAL PROXIMITY REQUIREMENTS FOR THE PROPOSED LOCATION HAVE BEEN MET. THERE ARE NO CHURCH BUILDINGS, SCHOOL BUILDINGS, SCHOOL GROUNDS, COLLEGE BUILDING, COLLEGE CAMPUS, OR ALCOHOLIC TREATMENT CENTER BUILDING LOCATED WITHIN A RADIUS OF 100-YARDS OF THE FRONT DOOR / PRIMARY ENTRANCE OF THE SUBJECT PROPERTY.

Wesley R. Weitman
 WESLEY R. WEITMAN, RLS
 GA. REG. L.S. LIC. NO. 003343

2/10/22
 DATE

FRONT DOOR / PRIMARY ENTRANCE 100-YARD LINE:

- CLASS B AND C ALCOHOLIC BEVERAGE LICENSE, MUST COMPLY WITH THE PROXIMITY REQUIREMENTS PROVIDED BY O.C.G.A 3-3-21 AS MEASURED BY THE RULES AND REGULATIONS PROMULGATED BY THE GEORGIA DEPARTMENT OF REVENUE.
- CLASS D, E, F ALCOHOLIC BEVERAGE LICENSE: CHURCH BUILDING, SCHOOL BUILDING, EDUCATION BUILDING, SCHOOL GROUNDS, COLLEGE BUILDING, COLLEGE CAMPUS OR ALCOHOL TREATMENT CENTER BUILDING.



EMC ENGINEERING SERVICES, INC.
 PO Box 2086
 1211 Marchand Way, Ste 201
 Statesboro, GA 30458
 Ph: (912) 764-7022
 Fax: (912) 233-4580
 statesboro@emc-eng.com
 www.emc-eng.com

PROXIMITY REQUIREMENTS MAP
 2823 NORTHSIDE DRIVE WEST
 1209TH G. M. DISTRICT
 STATESBORO, BULLOCH COUNTY, GEORGIA
 Prepared for:
 FINE CHOP DEVELOPMENT, LLC

PROJECT NO: 22-2004
 DRAWN BY: SAC
 DESIGNED BY: -
 SURVEYED BY: -
 SURVEY DATE: -
 CHECKED BY: WPW
 SCALE: 1" = 80'
 DATE: 02/10/2022

SHEET
 1
 OF 1

LC Package Store
2823 Northside Dr W
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	Justin Williams	Approve	
Fire Department			
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	

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: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 4/12/2022

RE: Two Guy Beverage

Policy Issue: Mayor and Council shall consider a Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a) and 6-23 (h):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Consideration of issuance of location reservations shall be before Mayor & Council and include a public hearing. Issuance of a location reservation shall forestall consideration of other Package Store applicants within 1,000 yards of subject site.

Recommendation: Planning & Development and Police Department recommended approval, Legal recommended to consider

Budget Impact: None

Council Person & District: John Riggs, District 4

Attachments: Application & Department Approvals

**Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia**

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable \$200 application fee must be tendered with the application. (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: _____

1. Business Trade Name: Two Guy Beverage
D/B/A Name

2. Applicant's Name: 3 Brothers 2021 LLC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 520 Fair Rd. Ste 410
Statesboro Ga. 30458.

4. Business mailing address: 90 520 Fair Rd. Suite 410
Statesboro Ga. 30458

5. Local business phone number: 912 681 9780

Corporate office phone number: _____

6. Name of Manager: Quinnell L Duffin
Person responsible for alcohol licensing issues

7. Phone number for manager: 912 245 8960.

8. Email address for manager: TwoGuyBoro@gmail.com

10. Purpose of application is:

New Business _____ New Owner _____

Previous owner's name: _____

If the business name has changed, list previous name: _____

If the business address has changed, list the previous address: _____

11. Indicate where the business will be located:

_____ Above ground

_____ Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: _____ Individual _____ Corporation _____ Partnership LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: Niranjay A Patel Phone #: 478 494 5542

Have you completed the financial affidavit attached to this application? _____

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: 3 Brothers 2021 LLC

275 Axden Dr. Swainsboro, GA 30401

Do you have an operating or partnership agreement for the LLC, LLP, or partnership? _____

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: Niranjana Patel, Phone #: 478 494.5542

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____
(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

- Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

Odd Lot Inc
Pmb 343 430 Northside DR. E. ste-160 Statesboro GA 30458

21. Is the commercial space where the business is to be located rented or leased? yes

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

Odd Lot Inc
Pmb 343, 430 Northside Dr. E. ste-160 Statesboro GA. 30458.

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?
NO

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? yes

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? yes

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?
NO

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? No

If yes, please provide details on a separate sheet of paper.

28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? No

If yes, please provide details on a separate sheet of paper.

29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? No

If yes, please provide details on a separate sheet of paper.

30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? No

If yes, please provide details on a separate sheet of paper.

31. Will live nude performances or adult entertainment be a part of this business operation? No

If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

Calculation of Basic License Fee

For Calendar Year: _____

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	_____	\$1750
B. Package Sales (Distilled Spirits)	<u>✓</u> _____	\$5000
Location Reservation	<u>✓</u> _____	N/A
2. On Premise License Types		
A. Bar	_____	\$4300
B. Bar with Kitchen	_____	\$4300
C. Event Venue	_____	\$2500
D. Low Volume	_____	\$750
E. Pub	_____	\$5600
F. Restaurant	_____	\$2800
3. Caterer	_____	\$200
4. Brewer, manufacturer of malt beverages only	_____	\$1750
5. Broker	_____	\$1750
6. Importer	_____	\$1750
7. Manufacturer of Wine only	_____	\$1750
8. Sunday Sales Permit	_____	\$300
9. In Room Service Permit	_____	\$150

Total Due: \$ 5000 / -

Two Guy Beverage
520 Fair Rd Ste 410
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	Justin Williams	Approve	
Fire Department			
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Consider	

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: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 4/12/2022

RE: Blue Mile Wine & Spirits, LLC

Policy Issue: Mayor and Council shall consider a Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a) and 6-23 (h):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Consideration of issuance of location reservations shall be before Mayor & Council and include a public hearing. Issuance of a location reservation shall forestall consideration of other Package Store applicants within 1,000 yards of subject site.

Recommendation: Planning & Development and Police Department recommended approval, Legal recommended to consider

Budget Impact: None

Council Person & District: Venus Mack, District 3

Attachments: Application & Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: _____

1. Business Trade Name: Blue Mile Wine + Spirits
D/B/A Name

2. Applicant's Name: Blue mile wine + spirits LLC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 12 Brannen St.
Statesboro GA 30458

4. Business mailing address: 470 S main St.
Statesboro GA 30458

5. Local business phone number: N/A

Corporate office phone number: N/A

6. Name of Manager: Kaleo lyles
Person responsible for alcohol licensing issues

7. Phone number for manager: 678 - 943 - 5368

8. Email address for manager: k-lyles@yahoo.com

New Business New Owner

Previous owner's name: N/A

If the business name has changed, list previous name: N/A

If the business address has changed, list the previous address: N/A

11. Indicate where the business will be located:

- Above ground
- Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: Individual Corporation Partnership LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: N/A Phone #: N/A

Home Address: N/A

Have you completed the financial affidavit attached to this application? N/A

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: Blue Mile Wine + Spirit LLC
470 S Main St Statesboro GA 30458

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? Yes

If not, what documents establish the ownership rights of the members/partners? Operating agreement

15. Members of LLC and/or partners:

Full Legal Name: Kaleo Lyles Phone #: 678 943 5368

Home Address: _____

Full Legal Name: Clyde Chapman Phone #: 912 481 4636

Home Address: _____

Full Legal Name: William Bridwell Phone #: 205 296 4520

Home Address: _____

See Exhibit A.

Has each member/partner completed a financial affidavit to attach to this application? YES
(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

Exhibit A

Full Legal Name: Prashant Patel

Phone # : (229) 256-3260

Home Address: *

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Attach additional pages if necessary

Has each shareholder completed the financial affidavit attached to this application? Yes

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: Clyde Chapman Phone #: 912 481 4636

Previous address: _____

Dates lived there: 2015 - 2022

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: William Bridwell Phone #: 705 296 4520

Previous address: _____

Dates lived there: July 2018 - 2019

Previous address: _____

Dates lived there: July 2016 - July 2018

Previous address: _____

Dates lived there: _____

Name: Rashant Patel Phone #: 779 256 3260

Previous address: _____

Dates lived there: Aug 2019^U - Aug 2021

Previous address: _____

Dates lived there: Aug 2017^U - Aug 2019

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

Charles Tsang
109 Harvey Dr Statesboro GA 30458

21. Is the commercial space where the business is to be located rented or leased? yes, Leased

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

Charles Tsang
109 Harvey Dr Statesboro GA 30458

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

N/A

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States? N/A

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? NO

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? NO

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no-final disposition has occurred? NO

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? NO
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? NO
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? NO
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? NO
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? NO
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

Calculation of Basic License Fee

For Calendar Year: _____

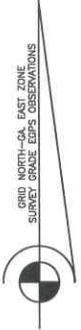
Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<u>X</u>	\$1750
B. Package Sales (Distilled Spirits)	<u>X</u>	\$5000
Location Reservation	<u>X</u>	N/A
2. On Premise License Types		
A. Bar	_____	\$4300
B. Bar with Kitchen	_____	\$4300
C. Event Venue	_____	\$2500
D. Low Volume	_____	\$750
E. Pub	_____	\$5600
F. Restaurant	_____	\$2800
3. Caterer	_____	\$200
4. Brewer, manufacturer of malt beverages only	_____	\$1750
5. Broker	_____	\$1750
6. Importer	_____	\$1750
7. Manufacturer of Wine only	_____	\$1750
8. Sunday Sales Permit	_____	\$300
9. In Room Service Permit	_____	\$150

Total Due: \$ _____

PARCEL:	ADDRESS:	OWNER:	USE:	ZONING:
1	408 SOUTH MAIN STREET	DRAGAN INC	COMMERCIAL-RESTAURANT	HOC
2	404 SOUTH MAIN STREET	DRAGAN INC	COMMERCIAL-MULTI-USE	HOC
3	338 SOUTH MAIN STREET	ALTON E SMITH	COMMERCIAL-INSURANCE BUILDING	HOC
4	12 FAIR RD	CHENG-CHIA TSANG	COMMERCIAL-VACANT PARKING LOT	HOC
5	348 SOUTH MAIN STREET	JANE BRANNEN ANDERSON	RESIDENTIAL-SINGLE FAMILY DWELLING	HOC
6	406 FAIR RD	LAG PROPERTIES INC	COMMERCIAL-RESTAURANT	HOC
7	0 BRANNEN ST	DARBY PARTNERSHIPS	COMMERCIAL-VACANT LOT	HOC
8	0 BRANNEN ST	DARBY PARTNERSHIPS	COMMERCIAL-VACANT LOT	U
9	15 EAST JONES AVENUE	STATESBORO RESIDENTIAL LP	COMMERCIAL-APARTMENT COMPLEX	HOC/U
10	336 SOUTH MAIN STREET	FRANK C AND AMANDA FORTUNE	COMMERCIAL-VACANT BUILDING	HOC
11	332 SOUTH MAIN STREET	GEORGIA OUTREACH LLC	COMMERCIAL-OFFICE BUILDING	HOC
12	328 SOUTH MAIN STREET	CHARLES TSANG	COMMERCIAL-VACANT BUILDING	HOC
13	326 SOUTH MAIN STREET	JRU HOLDINGS LLC	COMMERCIAL-LAW OFFICE BUILDING	HOC
14	322 SOUTH MAIN STREET	RUSSELL D ROSENGART	COMMERCIAL-SONIC RESTAURANT	HOC
15	323 SOUTH MAIN STREET	323 SOUTH MAIN LLC	COMMERCIAL-LAW OFFICE BUILDING	HOC
16	325 SOUTH MAIN STREET	55 EAST MAIN LLC	COMMERCIAL-MEDICAL OFFICE	HOC
17	335 SOUTH MAIN STREET	HERITAGE BANK OF THE SOUTH	COMMERCIAL-BANK	HOC
18	401 SOUTH MAIN STREET	ROBERT L WIGGINS SR	COMMERCIAL-RETAIL (ELECTRICAL & PLUMBING)	HOC
19	407 SOUTH MAIN STREET	DAWLIN HOLDINGS LLC	COMMERCIAL-RETAIL (LOCK & KEY)	HOC
20	409 SOUTH MAIN STREET	DAWLIN HOLDINGS LLC	COMMERCIAL-VACANT LOT	HOC
21	409 FAIR ROAD	EYM REALTY OF GEORGIA LLC	COMMERCIAL-VACANT LOT	HOC
22	1 MAX LOCKWOOD DR	STATESBORO REC DEPT	EXEMPT-COUNTY RECREATIONAL DEPARTMENT	HOC
23	STILLWELL ST	STATESBORO REC DEPT	EXEMPT-COUNTY RECREATIONAL DEPARTMENT	HOC
24	95 WEST BRANNEN ST	ROBERT L WIGGINS SR	COMMERCIAL WAREHOUSE	CR

NOTES:

1. THE PURPOSE OF THIS MAP IS TO CONVEY THE USE AND LOCATION OF THE SURROUNDING BUILDINGS AND PROPERTIES WITHIN A 200 YARD RADIUS OF THE PRIMARY ENTRANCE TO THE PROPOSED ALCOHOL LICENSE PREMISES.
2. JAMES MATTHEW ANDERSON, MAKE NO CERTIFICATION TO THE USE OF THE SURROUNDING BUILDINGS AND PROPERTIES SHOWN ON THIS MAP. THE USE OF THE BUILDINGS AND PROPERTIES WERE TAKEN FROM BULLOCH COUNTY GIS INFORMATION AND VISUAL INSPECTION OF THESE PROPERTIES ON THIS DATE.
3. PROPERTY LINE AND ZONING INFORMATION TAKEN FROM BULLOCH COUNTY GIS. PROPERTY CORNER TIES TO THE PRIMARY ENTRANCE OF THE PROPOSED ALCOHOL LICENSE PREMISES ARE AS PER FIELD MEASUREMENTS ON THIS DATE.
4. THE LOCATION OF THE PRIMARY ENTRANCE TO THE PROPOSED ALCOHOL LICENSE PREMISES WAS LOCATED ON THIS DATE. THE PROPOSED ALCOHOL LICENSE IS FOR DISTILLED SPIRITS PACKAGE SALES FOR OFF-PREMISES CONSUMPTION.
5. COORDINATES SHOWN ARE STATE PLANE COORDINATES, NAD 83, AS PER SURVEY GRADE GPS OBSERVATIONS.
6. CURRENT USE OF THIS PROPERTY IS COMMERCIAL (VACANT RESTAURANT).
7. PARCEL #22, & #23 ARE UNDER THE OWNERSHIP OF BULLOCH COUNTY RECREATION & PARKS.



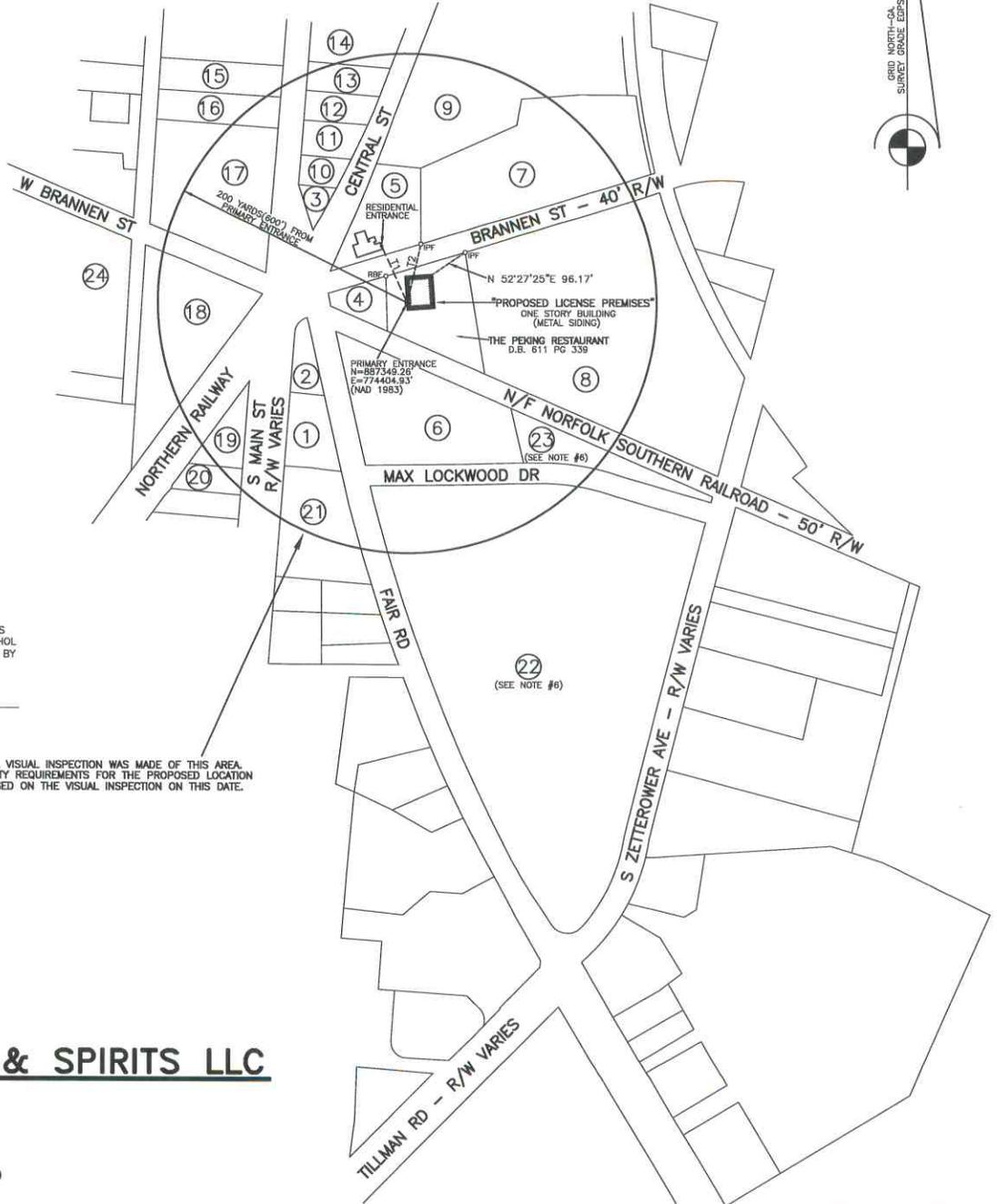
TIE LINE CHART

Course	Bearing	Distance
T1	N 24°10'07" W	149.52'
T2	N 07°18'37" E	129.21'



IN MY OPINION THIS PROPOSED LICENSED PREMISES DOES MEET ALL PROXIMITY REQUIREMENTS OF THE ALCOHOL ORDINANCE: 2022-01, SECTION 6-23 (a) PROVIDED BY THE CITY OF STATESBORO.

NOTE: ON MARCH 24, 2022 A VISUAL INSPECTION WAS MADE OF THIS AREA. THE STATE AND LOCAL PROXIMITY REQUIREMENTS FOR THE PROPOSED LOCATION APPEAR TO HAVE BEEN MET, BASED ON THE VISUAL INSPECTION ON THIS DATE.

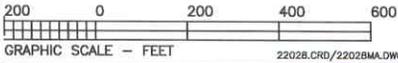


ALCOHOL LICENSE PROXIMITY MAP FOR:
BLUE MILE WINE & SPIRITS LLC

"12 BRANNEN STREET"
 LOCATION: 1209TH. G.M.D. BULLOCH CO., GA.
 CITY OF STATESBORO

DATE: MARCH 24, 2022

BY: JAMES MATTHEW ANDERSON-GA. R.L.S. 3280
 SCALE: 1" = 200'



JAMES M. ANDERSON & ASSOCIATES, INC.
 REGISTERED LAND SURVEYORS
 P.O. BOX 894 104 OAK STREET
 STATESBORO, GA. 30459
 PHONE: (912) 764-2002

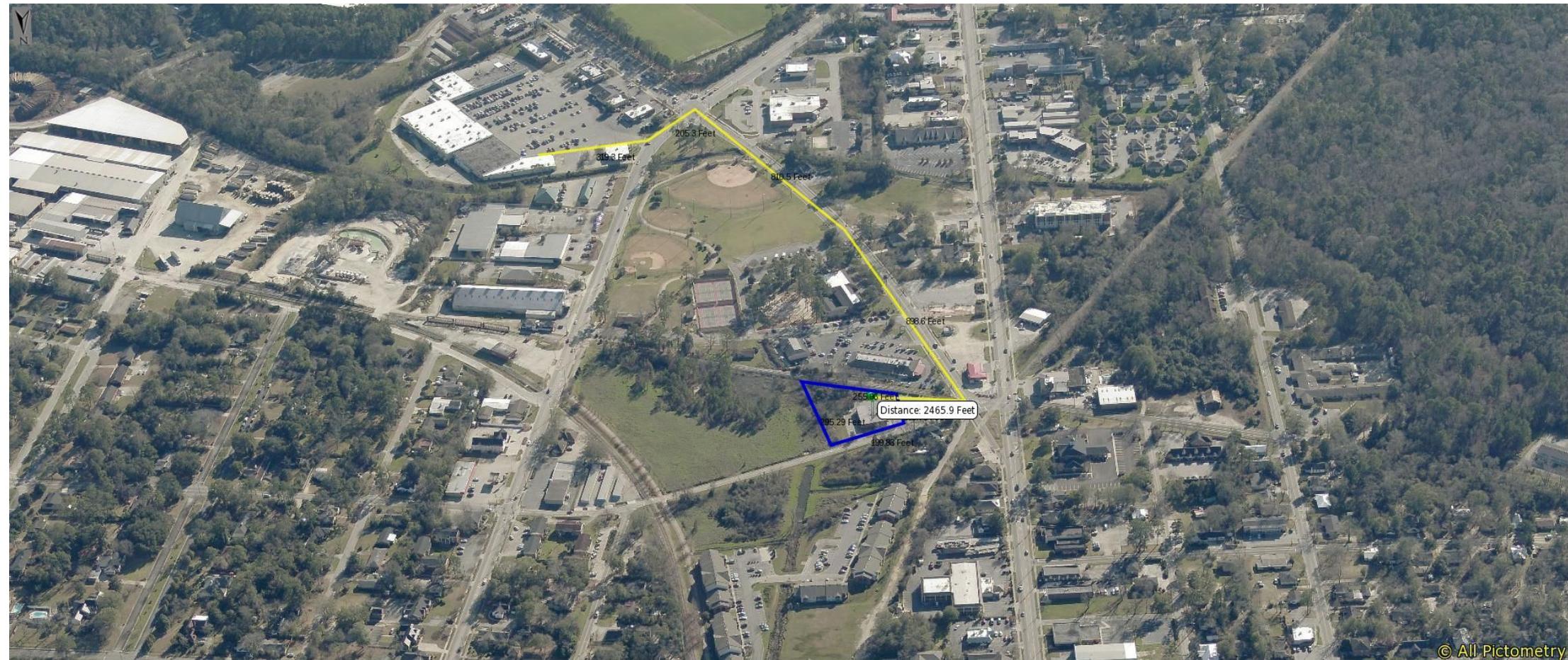
Blue Mile Wine & Spirits
12 Brannen St
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	JLW	Approve	
Fire Department			
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Consider	

Prime Route



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
I. 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: April 12, 2022

RE: April 19, 2022 City Council Agenda Items

Policy Issue: Three year renewal of employment contract with Municipal Court Judge Keith Barber

Recommendation: Consideration of contract for approval

Background: W. Keith Barber has served as Municipal Court Judge since 2010, with most recent 3 year term renewal in 2019. Charter Section 5-6 vests Mayor and Council with the authority to appoint this position. Charter Section 1-2 grants Mayor and Council the power to enter into contracts on behalf of the City.

Budget Impact: Salary of \$65,000 and costs of benefits as set out in contract

Council Person and District: All

Attachments: Proposed Employment contract

EMPLOYMENT AGREEMENT

GEORGIA, BULLOCH COUNTY.

This agreement entered into this 19th day of April, 2022 by and between the MAYOR AND CITY COUNCIL OF STATESBORO, a municipal corporation, its assigns and successors, hereinafter known as "City", and W. KEITH BARBER, his heirs, assigns and successors, hereinafter known as "Employee"

WITNESSETH

WHEREAS, the City has a Municipal Court and is in need of a Municipal Court Judge;
and

WHEREAS, Employee is a practicing attorney and is desirous of fulfilling the duties of the office of the Municipal Court Judge;

NOW, THEREFORE, both parties covenant and agree as follows:

Employee covenants and agrees to act as the Municipal Court Judge in such a manner to accommodate all the needs of the Court, to include: administration of the Municipal Court, its docket and its finances, conducting arraignments; conferences with the officers of the Court; conducting bench trials as needed; and other such duties that are assigned by the Mayor and Council of the City of Statesboro.

-2-

Employee shall be allowed to practice general, civil and criminal law as long as there are no conflicts between his practice of general, civil and criminal law and the duties of Municipal Court Judge. Employee shall, at all times, remain a member in good standing as an active member in the State Bar of Georgia. Suspension or revocation of the Employee's license to

practice law in the State of Georgia shall be grounds for immediate termination of this Agreement.

-3-

This contract shall be for a period of three (3) years from the date this Agreement is executed.

-4-

As compensation for acting as the Municipal Court Judge, Employee shall be paid the annual sum of Sixty-Five Thousand Dollars and No/100 (\$65,000.00), payable in equal installments per the payroll schedule established for other city employees. In addition to the salary compensation, Employee shall participate in the City's health and dental insurance program and will be provided with life insurance equivalent to his annual salary, as well as long term disability. These benefits shall equal those offered to regular employees of the City.

-5-

As further compensation for acting as the Municipal Court Judge, the City of Statesboro shall provide an amount equal to four percent (4.00%) of Employee's salary into a deferred compensation account for Employee's benefit. Such deferred compensation account shall be titled in Employee's name. No vesting period shall be required by the City. Such account will remain the property of the Employee during and after his employment.

-6-

All parties acknowledge that Employee is hired by and is responsible to the Mayor and City Council and that either party may terminate this agreement upon ninety (90) days written notice to the other party, except that this Agreement may be terminated immediately in the event

that Employee is found to have committed serious misconduct as an officer of the Court and/or Employee's license to practice law in the State of Georgia has been suspended or revoked.

-7-

City covenants and agrees that Employee shall be allowed to attend required Municipal Court training seminars and continuing education and that the City shall pay for the expenses of such training, to include registration fee, lodging, travel, and meals in accordance with the City's travel policy. However, Employee is responsible for maintaining the required amount of continuing education hours (CLE's), as to maintain good standing with the State Bar of Georgia as an active member of the Bar. The cost of attendance of such seminars and continuing education that is unrelated to the specific requirements of the position of Municipal Court Judge shall be the sole responsibility of Employee.

IN WITNESS WHEREOF, all parties hereto have affixed their hands and seals the day and year above written.

MAYOR AND CITY COUNCIL
OF STATESBORO

By: _____
Jonathan McCollar, Mayor
City of Statesboro

W. Keith Barber
Attorney at Law

Attest: _____
Leah Harden
City Clerk, City of Statesboro

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: April 13, 2022

RE: April 19, 2022 City Council Agenda Items

Policy Issue: Consideration of a motion to approve a lease with ADOM Enterprises, LLC in the amount of \$42,000.00 for twelve months.

Recommendation: Approve

Background: On March 15, 2022, the Council approved a motion to award a contract for an onsite employee health clinic to Everside Health. Premise Health, the previous vendor, was notified immediately and is collaborating with City staff to finalize medical services. Staff recommends the City of Statesboro enter into a lease with ADOM Enterprises, LLC for a period of twelve months. Supporting the recommendation allows the employee health clinic to remain at its current location while also granting time for a decision to be finalized concerning the permanent location of the onsite employee health clinic.

Budget Impact: \$42,000.00

Council Person and District: Shari Barr, District 5

Attachment: Lease Agreement

Lease Agreement

This Commercial Lease Agreement ("Lease") is made and effective April 4, 2022, (the "Effective Date"), by and between ADOM Enterprises, LLC, a Georgia Limited Liability Company (" Landlord") and the City of Statesboro, ("Tenant").

Landlord is the owner of land and improvements commonly known and numbered as 1203 Brampton Avenue, Statesboro, GA, 30458 and legally described as follows (the "Building"): an outpatient Medical Office building.

Landlord makes available for lease a portion of the Building designated as comprising one of four suites, plus storage areas, located in the building (the " Premises"), approximately totaling 1139 sq ft together with access to use the Common Areas, approximating 1115 sq ft (as defined below)(the "Leased Premises").

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. Term.

A. Landlord hereby leases the Leased Premises to Tenant, and Tenant hereby leases the same from Landlord, for an "Initial Term" beginning July 1, 2022 and ending June 30, 2023. Landlord shall use its best efforts to give Tenant possession as nearly as possible at the beginning of the Lease term. If Landlord is unable to timely provide the Leased Premises, rent shall abate for the period of delay. Tenant shall make no other claim against Landlord for any such delay.

B. Tenant may renew the Lease for Tenant may elect to renew this Lease for two (2) additional one (1) year terms (each a "Renewal Term"). Tenant shall exercise such renewal option, if at all, by giving written notice to Landlord not less than ninety (90) days prior to the expiration of the Initial Term. The renewal term shall be at the rental set forth below and otherwise upon the same covenants, conditions and provisions as provided in this Lease.

2. Rental.

A. Tenant shall pay to Landlord during the Initial Term rental of \$42,000 per year, payable in installments of \$3500 per month. Each installment payment shall be due in advance on the first day of each calendar month during the lease term to Landlord at 1 S. College Street, #103 Statesboro, GA, 30459 or at such other place designated by written notice from Landlord or Tenant. The rental payment amount for any partial calendar months included in the lease term shall be prorated on a daily basis.

B. The rental for any renewal lease term, if created as permitted under this Lease, shall be at the current Lease rate.

3. Use

Notwithstanding the forgoing, Tenant shall not use the Leased Premises for the purposes of storing, manufacturing, or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device. Tenant shall use the Premises as a medical clinic, or for any other related use permitted by law ("Permitted Use").

4. Sublease and Assignment

Tenant shall not have the right without Landlord's consent, to assign this Lease to a corporation with which Tenant may merge or consolidate, to any subsidiary of Tenant, to any corporation under common control with Tenant, or to a purchaser of substantially all of Tenant's assets. Except as set forth above, Tenant shall not sublease all or any part of the Leased Premises, or assign this Lease in whole or in part without Landlord's consent, such consent not to be unreasonably withheld or delayed.

5. Repairs

During the Lease term, Tenant shall make, at Tenant's expense, all necessary repairs to the Leased Premises. Repairs shall include such items as routine repairs of bathrooms, floors, walls, ceilings, and other parts of the Leased Premises damaged or worn through normal occupancy, except for major mechanical systems or the roof, subject to the obligations of the parties otherwise set forth in this Lease.

6. Alterations and Improvements

Tenant, at Tenant's expense, shall have the right following Landlord's consent to remodel, redecorate, and make additions, improvements, and replacements of and to all or any part of the Leased Premises from time to time as Tenant may deem desirable, provided the same are made in a workmanlike manner and utilizing good quality materials. Tenant shall have the right to place and install personal property, trade fixtures, equipment, and other temporary installations in and upon the Leased Premises, and fasten the same to the premises. All personal property, equipment, machinery, trade fixtures and temporary installations, placed or installed on the Leased Premises by Tenant, thereafter, shall remain Tenant's property free and clear of any claim by Landlord. Tenant shall have the right to remove the same at any time during the term of this Lease provided that all damage to the Leased Premises caused by such removal shall be repaired by Tenant at Tenant's expense.

7. Property Taxes

Landlord shall pay, prior to delinquency, all general real estate taxes and installments of special assessments coming due during the Lease term on the Leased Premises, and all personal property taxes with respect to Landlord's personal property, if any, on the Leased Premises. Tenant shall be responsible for paying all personal property taxes with respect to Tenant's personal property at the Leased Premises.

8. Insurance

A. If the Leased Premises or any other part of the Building is damaged by fire or other casualty resulting from any act or negligence of Tenant or any of Tenant's agents, employees or invitees, rent shall not be diminished or abated while such damages are under repair, and Tenant shall be responsible for the costs of repair not covered by insurance.

B. Landlord shall maintain fire and extended coverage insurance on the Building and the Leased Premises in such amounts as Landlord shall deem appropriate. Tenant shall be responsible, at its expense, for fire and extended coverage insurance on all of its personal property, including removable trade fixtures, located in the Leased Premises.

C. Tenant and Landlord shall, each at its own expense, maintain a policy or policies of comprehensive general liability insurance with respect to the respective activities of each in the Building with the premiums thereon fully paid on or before due date, issued by and binding upon some insurance company approved by Landlord, such insurance to afford minimum protection of not less than \$1,000,000 combined single limit coverage of bodily injury, property damage or combination thereof. Landlord shall be listed as an additional insured on Tenant's policy or policies of comprehensive general liability insurance, and Tenant shall provide Landlord with current Certificates of Insurance evidencing Tenant's compliance with this Paragraph. Tenant shall obtain the agreement of Tenant's insurers to notify Landlord that a policy is due to expire at least (10) days prior to such expiration. Landlord shall not be required to maintain insurance against thefts within the Leased Premises or the Building.

9. Utilities.

Landlord shall pay all charges for water, sewer, electricity, Pest Control, and Building security Monitoring used by Tenant on the Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Landlord. In the event that any utility or service provided to the Leased Premises is not separately metered, Landlord shall pay the amount due and separately invoice Tenant for Tenant's pro rata share of the charges. Tenant shall pay such amounts within fifteen (15) days of invoice. Tenant acknowledges that the Leased Premises are designed to provide standard office use electrical facilities and standard office lighting. Tenant shall not use any equipment or devices that utilizes excessive electrical energy or which may, in Landlord's reasonable opinion, overload the wiring or interfere with electrical services to other tenants.

10. Signs.

Following Landlord's consent, Tenant shall have the right to place on the Leased Premises, at locations selected by Tenant, any signs which are permitted by applicable zoning ordinances and private restrictions. Landlord may refuse consent to any proposed signage that is in Landlord's opinion too large, deceptive, unattractive or otherwise inconsistent with or inappropriate to the Leased Premises or use of any other tenant. Landlord shall assist and cooperate with Tenant in obtaining any necessary permission from governmental authorities or adjoining owners and occupants for Tenant to place or construct the foregoing signs. Tenant shall repair all damage to the Leased Premises resulting from the removal of signs installed by Tenant.

11. Entry.

Landlord shall have the right to enter upon the Leased Premises at reasonable hours to inspect the same, provided Landlord shall not thereby unreasonably interfere with Tenant's business on the Leased Premises.

12. Parking.

During the term of this Lease, Tenant shall have the non-exclusive use in common with Landlord, other tenants of the Building, their guests and invitees, of the non-reserved common automobile parking areas, driveways, and foot ways, subject to rules and regulations for the use thereof as prescribed from time to time by Landlord. Landlord reserves the right to designate parking areas within the Building or in reasonable proximity thereto, for Tenant and Tenant's agents and employees.

13. Building Rules.

Tenant will comply with the rules of the Building adopted and altered by Landlord from time to time and will cause all of its agents, employees, invitees and visitors to do so; all changes to such rules will be sent by Landlord to Tenant in writing. The initial rules for the Building are attached hereto as Exhibit "A" and incorporated herein for all purposes.

14. Damage and Destruction.

Subject to Section 8 A. above, if the Leased Premises or any part thereof or any appurtenance thereto is so damaged by fire, casualty or structural defects that the same cannot be used for Tenant's purposes, then Tenant shall have the right within ninety (90) days following damage to elect by notice to Landlord to terminate this Lease as of the date of such damage. In the event of minor damage to any part of the Leased Premises, and if such damage does not render the Leased Premises unusable for Tenant's purposes, Landlord shall promptly repair such damage at the cost of the Landlord. In making the repairs called for in this paragraph, Landlord shall not be liable for any delays resulting from strikes, governmental restrictions, inability to obtain necessary materials or labor or other matters which are beyond the reasonable control of Landlord. Tenant shall be relieved from paying rent and other charges during any portion of the Lease term that the Leased Premises are inoperable or unfit for occupancy, or use, in whole or in part, for Tenant's purposes. Rentals and other charges paid in advance for any such periods shall be credited on the next ensuing payments, if any, but if no further payments are to be made, any such advance payments shall be refunded to Tenant. The provisions of this paragraph extend not only to the matters aforesaid, but also to any occurrence which is beyond Tenant's reasonable control and which renders the Leased Premises, or any appurtenance thereto, inoperable or unfit for occupancy or use, in whole or in part, for Tenant's purposes.

15. Default and Remedies.

(a) **Events of Default.** Each of the following shall constitute an "Event of Default" hereunder:

(i) Tenant fails to pay any installment of Base Rent as and when due and such failure is not cured within five (5) days, or any other amount Tenant is required to pay hereunder and such failure continues for a period of ten days after written notice thereof from Landlord to Tenant.

(ii) Tenant fails to procure, pay for and keep in full force and effect any of the insurance coverages and policies required under Section 8 of this Lease.

(iii) Tenant fails to timely perform or observe any other term, covenant or condition of this Lease on its part to be performed, and such failure is not cured by Tenant within a period of thirty (30) days after notice thereof from Landlord, unless such failure by its nature cannot be cured within a period of thirty (30) days, in which case such failure will not be deemed to continue if Tenant commences to cure the failure within said thirty (30) day period and diligently completes the curing thereof as soon as reasonably possible.

(iv) Tenant should become insolvent or admit in writing to Landlord upon Landlord's inquiry its inability to meet its obligations as they may mature, or should be adjudicated bankrupt, or should apply for the appointment of a trustee, or receiver, for itself or for any substantial part of its property or assets or any such receiver, trustee, liquidator, or similar person should be appointed or selected and if appointed in any proceeding brought against Tenant or its property, Tenant by any action should indicate its approval or acquiescence thereof, or any such receiver, liquidator, trustee or similar person should not be discharged within sixty (60) days; or any proceeding involving Tenant or its property and assets should be commenced by or against Tenant or its property and assets under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution, or liquidation under the laws or statutes of the United States of America or any state hereof, and if such a proceeding should be instituted against Tenant or its property and assets, then Tenant or its property and assets should by any action indicate its approval of, consent or acquiescence therein, or same should remain undismissed for more than sixty (60) days; or any regulatory authority issues a valid and proper order ordering Tenant to cease doing business, temporarily or permanently.

(b) Remedies. Upon the occurrence of an Event of Default, Landlord shall have the option to do and perform any one or more of the following:

(i) Terminate this Lease by written notice to Tenant, in which event Tenant shall immediately surrender the Premises to Landlord. Notwithstanding such termination, Tenant's liability and obligation under all provisions of this Lease, including the obligation to pay Rent and any and all other amounts due hereunder, shall survive and continue. In such event, Landlord shall be entitled to recover from Tenant (A) the unpaid Rent which had been earned at the time of termination; (B) the amount by which the unpaid Rent which would have been earned after termination until the date of the award exceeds the amount of rental loss that Tenant proves could have been reasonably avoided; (C) the worth at the time of award of the amount by which the unpaid Rent for the balance of the term after the time of award exceeds the amount of rental loss that Tenant proves could be reasonably avoided; (D) any other amount necessary to compensate Landlord for all detriment proximately caused by Tenant's failure to perform its obligations under this Lease. Landlord and Tenant acknowledge and agree that the amounts to which Landlord is entitled pursuant to this paragraph constitute liquidated damages and are not intended as a penalty. Landlord shall reimburse Tenant for any amounts that Tenant may have paid by reason of such Event of Default which exceed the foregoing amounts for which Tenant is responsible;

(ii) Pursue any other right available to Landlord at law or in equity.

(c) Remedies Not Exclusive Except as otherwise provided in this Lease, no remedy herein conferred upon or reserved to Landlord or Tenant is intended to be exclusive of any other remedy, and every remedy will be cumulative and in addition to every other remedy herein or now or hereafter existing at law, in equity or by statute. No delay or failure to exercise any right or power accruing upon a default hereunder will impair any such right or power or will be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient.

16. Quiet Possession.

Landlord covenants and warrants that upon performance by Tenant of its obligations hereunder, Landlord will keep and maintain Tenant in exclusive, quiet, peaceable and undisturbed and uninterrupted possession of the Leased Premises during the term of this Lease.

17. Condemnation

If any legally, constituted authority condemns the Building or such part thereof which shall make the Leased Premises unsuitable for leasing, this Lease shall cease when the public authority takes possession, and Landlord and Tenant shall account for rental as of that date. Such termination shall be without prejudice to the rights of either party to recover compensation from the condemning authority for any loss or damage caused by the condemnation. Neither party shall have any rights in or to any award made to the other by the condemning authority.

18. Subordination.

Tenant accepts this Lease subject and subordinate to any mortgage, deed of trust or other lien presently existing or hereafter arising upon the Leased Premises, or upon the Building and to any renewals, refinancing and extensions thereof, but Tenant agrees that any such mortgagee shall have the right at anytime to subordinate such mortgage, deed of trust or other lien to this Lease on such terms and subject to such conditions as such mortgagee may deem appropriate in its discretion. Landlord is hereby irrevocably vested with full power and authority to subordinate this Lease to any mortgage, deed of trust or other lien now existing or hereafter placed upon the Leased Premises of the Building, and Tenant agrees upon demand to execute such further instruments subordinating this Lease or attorning to the holder of any such liens as Landlord may request. In the event that Tenant should fail to execute any instrument of subordination herein required to be executed by Tenant promptly as requested, Tenant hereby irrevocably constitutes Landlord as its attorney-in-fact to execute such

instrument in Tenant's name, place and stead, it being agreed that such power is one coupled with an interest. Tenant agrees that it will from time to time upon request by Landlord execute and deliver to such persons as Landlord shall request a statement in recordable form certifying that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same is in full force and effect as so modified), stating the dates to which rent and other charges payable under this Lease have been paid, stating that Landlord is not in default hereunder (or if Tenant alleges a default stating the nature of such alleged default) and further stating such other matters as Landlord shall reasonably require.

19. Notice.

Any notice required or permitted under this Lease shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:

If to Landlord to:

ADOM Enterprises, LLC
1 S. College St., #103
Statesboro, GA, 30459

If to Tenant to:

Demetrius Bynes
Director Of Human Resources
City of Statesboro
50 E. Main Street
Statesboro, GA 30458

Landlord and Tenant shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

20. Brokers.

Tenant represents that Tenant was not shown the Premises by any real estate broker or agent and that Tenant has not otherwise engaged in, any activity which could form the basis for a claim for real estate commission, brokerage fee, finder's fee or other similar charge, in connection with this Lease.

21. Waiver.

No waiver of any default of Landlord or Tenant hereunder shall be implied from any omission to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by Landlord or Tenant shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

22. Memorandum of Lease.

The parties hereto contemplate that this Lease should not and shall not be filed for record, but in lieu thereof, at the request of either party, Landlord and Tenant shall execute a Memorandum of Lease to be recorded for the purpose of giving record notice of the appropriate provisions of this Lease.

23. Headings.

The headings used in this Lease are for convenience of the parties only and shall not be considered in interpreting the meaning of any provision of this Lease.

24. Successors.

The provisions of this Lease shall extend to and be binding upon Landlord and Tenant and their respective legal representatives, successors and assigns.

25. **Consent.**

Landlord shall not unreasonably withhold or delay its consent with respect to any matter for which Landlord's consent is required or desirable under this Lease.

26. **Performance.**

If there is a default with respect to any of Landlord's covenants, warranties or representations under this Lease, and if the default continues more than fifteen (15) days after notice in writing from Tenant to Landlord specifying the default, Tenant may, at its option and without affecting any other remedy hereunder, cure such default and deduct the cost thereof from the next accruing installment or installments of rent payable hereunder until Tenant shall have been fully reimbursed for such expenditures, together with interest thereon at a rate equal to the lessor of twelve percent (12%) per annum or the then highest lawful rate. If this Lease terminates prior to Tenant's receiving full reimbursement, Landlord shall pay the unreimbursed balance plus accrued interest to Tenant on demand.

27. **Compliance with Law.**

Tenant shall comply with all laws, orders, ordinances and other public requirements now or hereafter pertaining to Tenant's use of the Leased Premises. Landlord shall comply with all laws, orders, ordinances and other public requirements now or hereafter affecting the Leased Premises.

28. **Miscellaneous**

"**Common Areas**" generally include space that is not included in portions of the Building set aside for leasing to tenants or reserved for Landlord's exclusive use, including, without limitation, entrances, hallways, lobbies, elevator, restrooms, walkways, kitchen areas, supply rooms and conference rooms.

29. **Final Agreement.**

This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by a further writing that is duly executed by both parties.

30. **Governing Law.**

This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Georgia.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

Tenant:

By: _____
Name: _____
Title: _____
Date: _____

LandLord:

ADOM Enterprises, LLC, a Georgia Limited Liability Corporation

By: John Berguis
Name: John Berguis
Title: President
Date: 4/13/2022