## May 7th, 2019 9:00 am

- 1. Call to Order by Mayor Jonathan McCollar
- 2. Invocation and Pledge of Allegiance by Councilman Jeff Yawn
- 3. Recognitions/Public Presentations
  - **A)** Proclamation presented to S.H.I.N.E. Clubhouse recognizing May 5<sup>th</sup> 11<sup>th</sup>, 2019 as Children's Mental Health Awareness Week in Statesboro.
  - **B)** Recognition of the Graduates of the Statesboro Fire Department Recruit Indoctrination Program Class 2019-1
  - C) Proclamation for Recognition of National Public Works Week and City of Statesboro Public Works & Engineering Employees.
  - **D)** Proclamation recognizing May 12<sup>th</sup> 18<sup>th</sup>, 2019 as National Police Week
  - **E)** Recognition of the Finance Department for receiving the GFOA Distinguished Budget Award for the City of Statesboro's FY2019 Budget.
  - F) Recognition of City Manager Randy Wetmore retiring with the City of Statesboro on May 31, 2019
- 4. Public Comments (Agenda Item):
- 5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 04-09-2019 Called Council Minutes
    - b) 04-09-2019 Called Executive Session Minutes
    - c) 04-10-2019 Called Council Meeting
    - d) 04-10-2019 Called Executive Session Minutes
    - e) 04-16-2019 Council Minutes
  - B) Consideration of a motion for the surplus and disposition of a 2000 Chevrolet Silverado in the Public Works & Engineering Department and various items at the City gym.
- 6. 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)
- 7. Consideration of a Motion to approve employment contract appointing Charles Penny as City Manager.

- 8. Public Hearing of First Reading and Consideration of a Motion to move forward with **Ordinance 2019-02:** An Ordinance empowering the Statesboro Works Commission to raise and expend funds in compliance with its mission statement.
- 9. Public Hearing of First Reading and Consideration of a Motion to move forward with **Ordinance 2019-03**: An Ordinance Empowering the Statesboro Youth Commission to raise and expend funds in compliance with its mission statement.
- 10. Public Hearing of First Reading and Consideration of a Motion to move forward with **Ordinance 2019-04**: An Ordinance empowering Statesboro Commission on Diversity and Inclusion to raise and expend funds in compliance with its mission statement.
- 11. Public Hearing of First Reading and Consideration of a Motion to move forward with Ordinance 2019-05: An Ordinance revising body appointments.
- 12. Public Hearing and discussion of the proposed City of Statesboro Budget for Fiscal Year 2020.
- 13. Consideration of a Motion to Approve <u>Resolution 2019-13</u>: A Resolution Approving Application for Funding in the amount of \$6,662.50 from the Local Government Scrap Tire Abatement Program administered by the Georgia Environmental Protection Division.
- 14. Consideration of a Motion to approve **Resolution 2019-14**: A Resolution authorizing Davenport & Associates to act as City's agent in seeking out and analyzing financing options to fund public infrastructure in the Old Register TAD.
- 15. Other Business from City Council
- 16. City Managers Comments
  - A) Robert Seamans (Public Works & Engineering) and Megan Jackson (Keep Statesboro Bulloch Beautiful) to provide an update on the Great American Cleanup held on April 13.
- 17. Public Comments (General)
- 18. Consideration of a Motion to Adjourn

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

## National Children's Mental Health Awareness Week Proclamation

Whereas, addressing the complex mental health needs of children, youth, and families today is fundamental to the future of Statesboro and Bulloch County; and,

Whereas, the need for comprehensive, coordinated mental health services for children, youth, and families places upon our community a critical responsibility; and,

Whereas, it is appropriate that time should be set apart each year for the direction of our thoughts toward our children's mental health and well-being; and,

Whereas, S.H.I.N.E. Clubhouse, through its unique approach to serving children and adolescents, is effectively caring for the mental health needs of children, youth, and families in our community;

Now, Therefore, I, Jonathan McCollar, Mayor of Statesboro, Georgia, do hereby proclaim the week of May 5, 2019 – May 11, 2019 as "Children's Mental Health Awareness Week" in the City of Statesboro and urge our citizens and all agencies and organizations interested in meeting every child's mental health needs to unite this week in the observance of such exercises and activities that will acquaint the people of Statesboro with the fundamental necessity of awareness and support of programs that serve children and youth with mental health needs and their families.

Passed and adopted this 7th day of May, 2019.

CITY OF STATESBORO, GEORGIA

Jonathan McCollar, Mayor



COUNCIL

Phil Boyum, District 1 Sam Jones, District 2 Jeff Yawn, District 3 John Riggs, District 4 Derek Duke, District 5 Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

**To:** Sue Starling, City Clerk

Randy Wetmore, City Manager

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

Robert Seamans, Streets and Parks Superintendent

**Date:** 04/30/19

**RE:** National Public Works Week Proclamation

**Policy Issue:** Advocacy and Outreach of Public Works Activities and

**Programs** 

#### **Recommendation:**

Recognition of National Public Works Week and City of Statesboro Public Works & Engineering Employees

#### **Background:**

The 2019 National Public Works Week is May 19 - 25, 2019. The American Public Works Association uses this time to promote public works as a profession and to educate the public on the importance of public works activities and program to their daily lives.

#### **Budget Impact:**

None

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

All (citywide)

#### Attachments:

2019 NPWW Proclamation

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

## NATIONAL PUBLIC WORKS WEEK PROCLAMATION May 19 – 25, 2019

#### "IT STARTS HERE"

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality

of life and well-being of the people of the City of Statesboro]; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving

and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Statesboro to gain knowledge of and to maintain a progressive interest and understanding of the

importance of public works and public works programs in their respective communities;

and,

WHEREAS, the year 2019 marks the 59th annual National Public Works Week sponsored by the

American Public Works Association/Canadian Public Works Association be it now,

RESOLVED,

I, Jonathan McCollar, Mayor of the City of Statesboro, do hereby designate the week May

19 - 25, 2019 as National Public Works Week; I urge all citizens to join with

representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety,

and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Statesboro on this 7th day of May, 2019.

Jonathan McCollar, Mayor

#### 2019 National Police Week Proclamation

Whereas, in 1962, President John F. Kennedy signed a proclamation which designated May 15<sup>th</sup> as Peace Officer's Memorial Day and the week in which that date falls as Police Week; and

Whereas, the officers and staff of the Statesboro Police Department play an essential role in protecting the freedoms and safeguarding the rights of the citizens of our community; and

Whereas, there are nearly 60,000 assaults on law enforcement officers across the United States each year, resulting in approximately 16,000 injuries; and

Whereas, more than 20,000 law enforcement officers in the United States have died in the line of duty since the first recorded death in 1791; and

**Whereas**, the names of 144 officers who dies in the line of duty in 2018 are being added to the National Law Enforcement Officer's memorial this spring; and

**Whereas**, it is important to recognize the partnership that exists between the police and their community in order to ensure a high quality of life for all citizens,

**Now, therefore**, I Jonathan McCollar, Honorable Mayor of Statesboro, Georgia, do hereby proclaim the week of May 12 through May 18, 2109 as Police Week in the City of Statesboro, and therefore extend appreciation to the members of the Statesboro Police Department for their dedicated work alongside our community, and call upon all citizens to take a moment to consider the responsibilities we place upon the shoulders of our law enforcement officers, and to reflect on those officers in our nation who have died in the line of duty.

**In Witness Whereof**, I, Jonathan McCollar, Honorable Mayor of the City of Statesboro, Georgia, hereunto set my hand and caused the seal of the City of Statesboro to be affixed this 7<sup>th</sup> day of May, 2019.

_				
	Jonathan	McC	ollar,	Mayor



#### CITY OF STATESBORO COUNCIL MINUTES April 9<sup>th</sup>, 2019

Called Meeting 50 E. Main St. City Hall Council Chambers 8:00 AM

#### 1. CALL TO ORDER

Mayor Jonathan McCollar called the meeting to order

#### 2. INVOCATION AND PLEDGE

Councilman John Riggs gave the Invocation and Pledge of Allegiance.

#### ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Sam Jones	Councilmember	Present	
Jeff Yawn	Councilmember	Present	
John Riggs	Councilmember	Present	
Derek Duke	Councilmember	Present	

Other staff present was: City Attorney Cain Smith, City Clerk Sue Starling, Director of Human Resource Flavia Starling and Senior HR Coordinator Tarraz Brown.

3. 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)

A motion was made to enter into Executive Session

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

Mayor McCollar asked for a motion to exit Executive Session with no action taken.

A motion was made to exit into Executive Session

RESULT:	Approved (Unanimous)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman John Riggs	

AYES:	Boyum Jones, Yawn, Riggs, Duke
ABSENT	

## 4. Consideration of a Motion to Adjourn

A motion was made to adjourn

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

The meeting was adjourned at 12:40 pm.



#### CITY OF STATESBORO COUNCIL MINUTES April 10<sup>th</sup>, 2019

Called Meeting 50 E. Main St. City Hall Council Chambers 8:00 AM

#### 1. CALL TO ORDER

Mayor Jonathan McCollar called the meeting to order

#### 2. INVOCATION AND PLEDGE

Councilman John Riggs gave the Invocation and Pledge of Allegiance.

#### ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Sam Jones	Councilmember	Present	
Jeff Yawn	Councilmember	Present	
John Riggs	Councilmember	Present	
Derek Duke	Councilmember	Present	

Other staff present was: City Attorney Cain Smith, City Clerk Sue Starling, Director of Human Resource Flavia Starling and Senior HR Coordinator Tarraz Brown.

3. 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)

A motion was made to enter into Executive Session

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

Mayor McCollar asked for a motion to exit Executive Session with no action taken.

A motion was made to exit into Executive Session

RESULT:	Approved (Unanimous)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman Derek Duke	

AYES:	Boyum Jones, Yawn, Riggs, Duke
ABSENT	

## 4. Consideration of a Motion to Adjourn

A motion was made to adjourn

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

The meeting was adjourned at 10:55 pm.



#### CITY OF STATESBORO COUNCIL MINUTES April 16, 2019

Regular Meeting 50 E. Main St. City Hall Council Chambers 5:30 PM

#### 1. CALL TO ORDER

Mayor Jonathan McCollar called the meeting to order

#### 2. INVOCATION AND PLEDGE

Councilman Sam Jones gave the Invocation and Pledge of Allegiance.

#### ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Sam Jones	Councilmember	Present	
Jeff Yawn	Councilmember	Present	
John Riggs	Councilmember	Present	
Derek Duke	Councilmember	Present	

Other staff present was: City Attorney Cain Smith and Assistant City Clerk Leah Harden. City Manager Randy Wetmore and City Clerk Sue Starling was absent.

#### 3. Recognitions/Public Presentations

- A) Proclamation recognizing Georgia Cities Week
- 4. Public Comments (Agenda Item): None

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

- A) Approval of Minutes
  - a) 03-29-2019 Called Council Minutes
  - b) 03-29-2019 Called Executive Session Minutes
  - c) 04-02-2019 Council Minutes
  - d) 04-02-2019 Executive Session Minutes
  - e) 04-05-2019 Budget Retreat Minutes

A motion was made to approve the consent agenda as written.

<b>RESULT:</b>	Approved (Unanimous)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman Derek Duke	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT		

- 6. Public Hearing of First Reading and Consideration of a Motion to move forward with Ordinance 2019-02: An Ordinance empowering the Statesboro Works Commission to raise and expend funds in compliance with its mission statement.
- 7. Public Hearing of First Reading and Consideration of a Motion to move forward with Ordinance 2019-03: An Ordinance Empowering the Statesboro Youth Commission to raise and expend funds in compliance with its mission statement.
- 8. Public Hearing of First Reading and Consideration of a Motion to move forward with Ordinance 2019-04: An Ordinance empowering Statesboro Commission on Diversity and Inclusion to raise and expend funds in compliance with its mission statement.

Mayor McCollar asked City Attorney Cain Smith if it would be ok to open a public hearing for all three ordinances. City Attorney Cain Smith said that would be ok.

A motion was made to open the public hearing for Ordinance 2019-02, Ordinance 2019-03 and Ordinance 2019-04:

RESULT:	Approved (Unanimus)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman John Riggs	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		

There was no one to speak for or against Ordinance 2019-02, Ordinance 2019-03 or Ordinance 2019-04

A motion was made to close the public hearing for Ordinance 2019-02 Ordinance 2019-03 and Ordinance 2019-04 All three of these ordinances will move forward to the next Council Meeting to be held on May 07, 2019.

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	

9.	and landowners rega Register Tax Allocat	Into to Approve a Development Agreement between the City of Statesboro arding construction and installation of public infrastructure within the Old ion District. City would issue TAD revenue bonds or make alternative ents for \$4,750,000 to reimburse landowners for installation of said
	<b>RESULT:</b>	Approved (Unanimous)
	MOVER:	Councilman Phil Boyum
	SECONDER:	Councilman Jeff Yawn
	AYES:	Boyum, Jones, Yawn, Riggs, Duke
	ABSENT:	
10.		tion to reject all bids concerning the purchase of a backhoe for use by the Storm lic Works. This item is budgeted under CIP# STM-20 in the amount of \$160,000.00.
	RESULT:	Approved (Unanimous)
	MOVER:	Councilman Jeff Yawn
	SECONDER: Councilman Sam Jones	
	AYES:	Boyum, Jones, Yawn, Riggs, Duke
	ABSENT:	
11.		notion to award a contract to Xylem Dewatering Solution, Inc. in the amount of 100 Ori-Prime Pumps with funds approved in the 2019 CIP Budget item# WWD-37.
	RESULT:	Approved (Unanimous)
	<b>MOVER:</b>	Councilman Jeff Yawn
	SECONDER:	Councilman Phil Boyum
	AYES:	Boyum, Jones, Yawn, Riggs, Duke
	ABSENT:	
12.		notion to award a contract to Y-Delta, Inc. in the amount of \$210,735.66 for the mately 1253 feet of 12" Sewer Main with approved CIP Funds WWD-32F.
	RESULT:	Approved (Unanimous)
	MOVER:	Councilman Derek Duke
	SECONDER:	Councilman Jeff Yawn

AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		
Brothers, Inc. in the \$1,072,561.86 (including	Totion to Approve Award of Contract for the FY2019 Resurfacing project amount of \$910,611.60 with approval to spend up to the budgeted anny LMIG funds) for additional work based on contractor's unit prices. For revenues and GDOT LMIG funds.	mount of
RESULT:	Approved (Unanimous)	
MOVER:	Councilman Phil Boyum	
SECONDER:	Councilman Derek Duke	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		
	otion to set the public hearing for the FY2020 budget as May 7, 2019.	
RESULT:	Approved (Unanimous)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman John Riggs	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		
the fiscal year 2019 B shown in each budget	otion to approve <u>Resolution 2019-11</u> : A resolution to adopt the second amen Budget for each fund of the City of Statesboro, Georgia, appropriating the t as expenditures/expenses, adopting the several items of revenue anticipatives or expenses from exceeding the actual funding appropriated.	amounts
RESULT:	Approved (Unanimous)	
MOVER:	Councilman Jeff Yawn	
SECONDER:	Councilman John Riggs	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		

	Notion to approve Resolution 2019-12: A resolution to adopt the third amendme rovements program for the Fiscal Year 2018-2019 through 2023-2024 for the
RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	
which will outline a	Motion to request the City Attorney to draft an ordinance (or modify an exist transparent process for naming, discussing and appointing committee members committees/commissions/authorities/boards.  Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	
. Other Business from . City Managers Com . Public Comments (C	nments: None General) None
	Motion to enter into Executive Session to discuss "Personnel Matters" "Real tigation" in accordance with O.C.G.A 50-14-3(b)
Motion was make to ent	ter into executive session with a 10 minute break at 6:06 pm.
RESULT:	
MOVER:	Approved (Unanimous)
	Councilman Phil Boyum
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	

A motion was made to exit Executive Session at 7:10pm.

RESULT:	Approved (Unanimous)	
MOVER:	Councilman John Riggs	
SECONDER:	Councilman Jeff Yawn	
AYES:	Boyum, Jones, Yawn, Riggs, Duke	
ABSENT:		

Mayor McCollar called the regular meeting back to order with no action taken

## A motion was made to select Candidate "B" as the finalist for City Manager

<b>RESULT:</b>	Approved (Unanimous)
MOVER:	Councilman Sam Jones
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	

#### 22. Consideration of a Motion to Adjourn

A motion was made to adjourn the council meeting.

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT:	

The meeting was adjourned at 7:11 pm



Phil Boyum, District 1 Sam Jones, District 2 Jeff Yawn, District 3 John Riggs, District 4 Derek Duke, District 5



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

**To:** Sue Starling, City Clerk

Randy Wetmore, City Manager

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

**Date:** 4/29/19

**RE:** Asset Surplus and Disposition

**Policy Issue:** Purchasing Policy Section 3: Surplus and Disposition

#### **Recommendation:**

Surplus and disposition of the following items in Public Works & Engineering:

a) 2000 Chevrolet Silverado in Landfill Division

Surplus and disposal of the following item at the City Gym:

- a) EFX elliptical precor
- b) Cybex International treadmill x 6
- c) 2 Filling Cabinets
- d) Cable spools x 3
- e) Lge antenna
- f) Nordictrack A2050 treadmill
- a) Elephant bar barbell
- h) Cable/pulley rack system
- i) Hammer strength tricep extension
- j) Maximus fitness fly machine
- k) Yukon flat bench
- 1) Pieces of overhead shoulder press
- m) Maximus fitness row machine

#### **Background:**

The vehicle listed above is 19 years of age and has exceeded its useful life. The list of gym equipment is in disrepair and is not safe to use.

**Budget Impact:** Decrease in maintenance costs

Council Person and District: N/A

**Attachments:** Equipment and parts list

COUNCIL
Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: April 29, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: Employment contract with Charles Penny appointing him as City Manager commencing July 1, 2019 to fill vacancy upon retirement of Randy Wetmore effective June 1, 2019.

**Recommendation**: Consideration of contract for approval and appointment.

**Background:** Charter Section 3-5 vests Mayor and Council with the authority to appoint City Manager.

**Budget Impact:** Salary of \$159,000 and costs of benefits set out in contract.

Council Person and District: All

**Attachments:** Proposed Employment contract

#### **EMPLOYMENT AGREEMENT**

GEORGIA, BULLOCH COUNTY.

This agreement entered into this 7th day of May, 2019 by and between the MAYOR AND CITY COUNCIL OF STATESBORO, a municipal corporation, its assigns and successors, hereinafter known as "City", and CHARLES W. PENNY, his heirs, assigns and successors, hereinafter known as "Employee"

#### WITNESSETH:

WHEREAS, the Charter of the City of Statesboro provides for the appointment of a City Manager, and the City is in need of a City Manager, and;

WHEREAS, Employee is an experienced City Manager and is desirous of fulfilling the duties the office of the City Manager;

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

#### **SECTION 1. DUTIES**

Employee covenants and agrees to act as the City Manager and shall be vested with the legal authority prescribed to the City Manager by the City Charter, and Code of Ordinances of the City of Statesboro as amended and shall represent and pursue the interests of the municipal corporation of the City of Statesboro as defined by the Mayor and City Council as the governing body of the municipal corporation of the City of Statesboro. In so doing, the City Manager shall act as an executive and fiduciary of the municipal corporation of the City of Statesboro.

#### **SECTION 2. TERM**

A. This agreement shall remain in full force and effect from July 1, 2019 until terminated by the Employer or Employee as provided in Section 3 of this agreement.

- B. All parties acknowledge that Employee is an appointed official and serves at the pleasure of the Mayor and City Council, and that the Mayor and City Council can terminate that appointment at will, and thereby terminate this agreement at will subject only to the provisions set forth in Section 3, Paragraph A of this agreement.
- C. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with the City, subject to the provision set forth in Section 3, Paragraphs B and C of this agreement.

#### **SECTION 3. TERMINATION AND SEVERANCE PAY**

- A. In the event the Employee is terminated and the Employee is willing and able to perform the duties of the position under this agreement, the Employer agrees to pay the Employee a lump sum cash payment equal to six (6) months' gross salary. However, in the event Employee is terminated because the Employee is convicted of a crime of moral turpitude or a felony, or if the City determines that the Employee has engaged in unprofessional conduct, conduct that breaches the public trust, including but not limited to illegal acts involving moral turpitude, malfeasance or misfeasance, the City shall be entitled to terminate the Employee immediately without any severance pay or indemnification as specified and provided for in this agreement.
- B. If Employer refuses, following a written request to comply with any provision benefitting Employee herein, or of if the Employee resigns following an offer to accept resignation whether formal or informal by the Employer, then the Employee may declare a termination and receive severance pay as above provided.
- C. In the event the Employee voluntarily resigns his position with the City then the Employee shall give the City FORTY-FIVE (45) days' written notice in advance, unless

the parties otherwise agree. The severance pay agreement detailed above shall not apply to voluntary resignation.

#### **SECTION 4. TERMINATION DUE TO DISABILITY**

If the Employee is unable to perform his duties because of illness, accident, injury, or mental incapacity, for a period of at least twelve (12) weeks and no reasonable accommodations are available, the City shall have the option to terminate employment. However, the employee shall be entitled to severance pay as provided for in Section 3.

#### **SECTION 5. COMPENSATION**

- A. As compensation for acting as the City Manager, Employee shall be paid the annual sum of One Hundred Fifty Nine Thousand and No/100 Dollars (\$159,000.00), payable in installments at the same time as other employees of the City are paid. The City agrees that the employee shall receive increases in base salary and benefits due other employees on the anniversary date of this agreement each year in the same percentage as all other employees who receive a favorable evaluation in that year unless the Employer determines in an annual evaluation that the employees performance in the past year does not justify a merit increase. Employee shall also receive the same cost of living adjustments as a percentage of annual salary as other full time City employees receive that year.
- B. As further compensation for acting as the City Manager, the City of Statesboro shall provide a car allowance in the amount of Seven Hundred Dollars (\$700.00) per month.
- C. As further compensation for acting as the City Manager, 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.
- D. As further compensation for acting as the City Manager, the City shall reimburse the Employee for all reasonable and necessary moving expenses actually incurred and associated with the Employee relocating his household to this area.

#### **SECTION 6. BENEFITS**

Employee shall receive all benefits typically provided to employees of the City of Statesboro including, but not limited to, participation in the Defined Benefit Retirement Plan; life insurance equivalent to his annual salary, as well as long term disability. The City shall contribute the Employee's share to the Defined Benefit Retirement Plan. These benefits shall equal those offered to regular employees of the City. Participation in the City's health, vision, and dental employee insurance programs is expressly excluded for purposes of this Section.

#### **SECTION 7. VACATION AND SICK LEAVE**

Employee shall accrue sick leave at the same rate as regular full time employees of the City. At the date of hiring employee shall be vested with 160 hours vacation leave time. Beginning on January 1, 2020 Employee shall begin to accrue additional vacation leave time as other salaried employees at the rate of 160 hours per calendar year. The maximum amount of vacation leave time that the Employee may accrue shall be governed by the *City of Statesboro, Georgia Personnel Policies and Procedures (Employee Handbook)* as from time to time amended by the Mayor and City Council of Statesboro.

#### SECTION 8. DUES, SUBSCRIPTIONS, AND PROFESSIONAL DEVELOPMENT

A. City agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's

- duties, not to exceed the budgeted amount and subject to prior budgetary approval of the Mayor and City Council. Should cover any professional memberships
- B. The City agrees to pay for travel and subsistence expenses for the Employee for professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions of the City, not to exceed the budgetary restrictions and subject to prior budgetary approval by the Mayor and City Council. Mileage shall be paid when Employee is required to drive his own vehicle outside Bulloch County for any purpose under this subsection..
- C. City agrees to pay the dues and meal expenses for Employee's membership in one civic club of Employee's choosing.

#### **SECTION 9. HOURS OF WORK**

The City recognizes that Employee must devote substantial time outside of normal business hours to the affairs of the City and that Employee shall be allowed to take time off as he shall deem appropriate during normal office hours (8:00 a.m. -5:00 p.m.).

#### SECTION 10. HOLD HARMLESS AND INDEMNIFICATION

The City recognizes that Employee is an agent and an employee of the City of Statesboro and that in the performance of Employee's duties and as an agent of the City, the City shall defend, hold harmless, and indemnify Employee from all claims, demands, and liabilities arising directly or indirectly from Employee's service as an agent and employee of the City to the extent that such claims, demands, or liabilities are covered by the City's general liability insurance policy or other applicable insurance policies.

#### SECTION 11. CONTINUING DUTY OF COOPERATION

At the termination of the employment relationship between the parties, if requested by the City Employee expressly agrees to cooperate with and assist any newly appointed City Manager during the period of transition at a rate of pay equivalent to one-half Employee's last salary level. The period of transition shall begin on the date of the termination of the employment relationship, and shall be for a period not to exceed six (6) months unless otherwise agreed to by the parties.

#### **SECTION 12. MISCELLANEOUS PROVSIONS**

- A. Mayor and City Council reserve the right to fix any other reasonable terms and conditions of employment as it may determine from time to time relating to the performance of Employee provided that such terms and conditions are not inconsistent with or in conflict with other provisions of this Agreement, the City Charter, or the Code of Ordinances.
- B. If any provision or portion of this Agreement is held to be invalid or unenforceable for any reason, the remainder of this Agreement or portion thereof shall be severable and shall remain in full force and effect.

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

	MAYOR AND CITY COUNCIL OF STATESBORO
Charles W Penny	By: Jonathan McCollar
Employee	Mayor, City of Statesboro
	Attest:

## Sue Starling City Clerk, City of Statesboro

Given to me, this day of		2019	
NOTARY PUBLIC			
My commission expires on the	day of	, 20	

COUNCIL
Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: May 2, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: Empowering Statesboro Works Commission on to raise funds and expend same in compliance with its mission statement

**Recommendation**: First Reading of Ordinance 2019-02 of attached proposed ordinance revision.

**Background:** Mayor McCollar requested city attorney to draft proposed revision to the City of Statesboro Code of Ordinances at the April 2, 2019, meeting of City Council.

**Budget Impact:** None

Council Person and District: All

**Attachments:** Section 2-63 of Statesboro Code of Ordinances

#### Sec. 2-63. - Finances.

The works 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 beautification 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 of Statesboro. 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.

COUNCIL
Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: May 2, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: Empowering Statesboro Youth Commission on to raise funds and expend same in compliance with its mission statement

**Recommendation**: First Reading attached proposed ordinance 2019-03 revision.

**Background:** Mayor McCollar requested city attorney to draft proposed revision to the City of Statesboro Code of Ordinances at the April 2, 2019, meeting of City Council.

**Budget Impact:** None

Council Person and District: All

Attachments: Section 2-84 of Statesboro Code of Ordinances

#### Ordinance 2019-03

#### Sec. 2-84. - Finances.

The youth 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 beautification 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 of Statesboro. 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.

COUNCIL
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Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: May 2, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: Empowering Statesboro Commission on Diversity and Inclusion to raise funds and expend same in compliance with its mission statement

**Recommendation**: First Reading of attached proposed ordinance 2019-04 revision.

**Background:** Mayor McCollar requested city attorney to draft proposed revision to the City of Statesboro Code of Ordinances at the April 2, 2019, meeting of City Council.

**Budget Impact: None** 

Council Person and District: All

**Attachments:** Section 2-58 of Statesboro Code of Ordinances

Sec. 2-58. - Finances.

The diversity and inclusion 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 beautification 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 of Statesboro. 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.

COUNCIL
Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: April 29, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: City selection and appointment of persons to Chapter 2 entities (authorities, boards, and commissions) and other bodies created by contract with private and/or public entities

**Recommendation**: First Reading and discussion of attached proposed ordinance revision.

**Background:** Councilman Phil Boyum requested city attorney to draft proposed revision to the City of Statesboro Code of Ordinances at the April 16, 2019, meeting of City Council.

**Budget Impact: None** 

Council Person and District: All

Attachments: Proposed Section 2-36 of the Statesboro Code of Ordinances

2019-05

#### 2-36.- Appointment

- (a) This section shall apply to all authorities, boards, and commissions established pursuant to this Chapter and to any and all bodies created pursuant to intergovernmental agreements and all other partnerships or other collaborations with public and/or private entities.
- (b) Should the establishment documents of any such body vest the general power to appoint member(s) in the City of Statesboro or Mayor and City Council the method described in this section shall be complied with in the order set out.
- (c) Body chairperson shall notify the City Clerk of any vacancy or pending vacancy of a seat over which the City has appointment powers.
- (d) At next regularly scheduled Council meeting City Clerk shall notify Mayor and Council of the vacancy during department head reports. If public applications are required or requested such announcement shall be made at this time.
- (e) Mayor and Council shall send any nominations to fill vacancy(ies) to City Clerk via email prior to the next regular meeting of Mayor and Council.
- (f) City Clerk shall produce a list of nominees and/or applications to be presented to Mayor and Council for consideration during executive session.
- (g) Vacancy shall be discussed in executive session upon motion to do so.
- (h) Any action taken by Mayor and Council as a result of the executive discussion, including but not limited to appointment of body member(s), shall be made in open session of the meeting.
- (i) This section shall not apply in the event the establishment documents vest appointment powers in particular elected or non-elected persons or positions.

COUNCIL

Phil Boyum, District 1 Sam Jones, District 2 Jeff Yawn, District 3 John Riggs, District 4 Derek Duke, District 5



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

**To:** Randy Wetmore, City Manager

Sue Starling, City Clerk

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

**Date:** April 29, 2019

**RE:** Local Government Scrap Tire Abatement Program Application

**Policy:** Grant Application

#### **Recommendation:**

Staff recommends application to the Georgia Environmental Protection Division requesting \$6,662.50 in funds for the removal of scrap tires.

#### **Background:**

Following a meeting earlier in 2019 when the Mayor and City Council addressed concerns regarding scrap tires in public rights of way City staff studied effective means of enforcement and disposal. One available program discovered is the Local Government Scrap Tire Abatement Program administered by the Georgia Environmental Protection Division. This program provides financial reimbursement to qualifying local governments for the collection and recycling of scrap tires.

The only financial obligation on the City's part is the labor and equipment necessary to collect the tires. No local match in funds are required.

Budget Impact: None

Council Person and District: All - citywide

Attachments: Resolution, Program Application 2019-13

## RESOLUTION 2019 -13: A RESOLUTION APPROVING APPLICATION FOR FUNDING FROM THE LOCAL GOVERNMENT SCRAP TIRE ABATEMENT PROGRAM

THAT WHEREAS, the Mayor and City Council have found that scrap tires in the public rights of way is a nuisance that creates adverse effects on the environment and quality of life of the citizens of Statesboro, Georgia; and,

WHEREAS, the Mayor and City Council have found that the Local Government Scrap Tire Abatement Program is desirable in order to provide financial support to the safe and effective removal of scrap tires from the public rights of way in City of Statesboro, Georgia; and,

WHEREAS, City staff shall prepare an application to said program to provide funding for an amount up to \$6,662.50 for reimbursement of costs incurred in the collection and proper disposal of scrap tires removed from the public rights of way in Statesboro, Georgia; and,

WHEREAS, said Program allows for the disbursement of funds over a 12 month period; and,

WHEREAS, said Program requires no additional financial match;

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

Section 1. That the Mayor and City Council hereby authorize the submittal of application to the Georgia Environmental Protection Division for funding from the Local Government Scrap Tire Abatement Program.

Section 2. That the City Manager is hereby authorized to execute all documents related to the application of said grant.

Adopted this 7th day of May, 2019.
STATESBORO, GEORGIA
By: Jonathan McCollar, Mayor
Attest: Sue Starling, City Clerk

## Local Government Scrap Tire Abatement Reimbursement Application RIGHT-OF-WAY CLEANUP

I. APPLICANT INFORMATION			t out at a special				
County/Municipality/Authority: City of Statesboro, Georgia							
Federal tax ID#: 58-6000668							
Project manager name (contact for questions about the application/project):	Mana debris arlances en Pas de Séri	graphe (1-49°), by Abbient Manier (1-4					
Robert Seamans Title:	Michigan in head of additional adjustment	oo oo gaarahaa ah ah ka	reduced medical concessor				
Streets and Parks Superintendent							
Email: robert.seamans@statesboroga.gov Phone: 912-764-0681							
II. RIGHT-OF-WAY INFORMATION							
Site name (e.g., all ROWs in county, or smaller boundary, such as name of neighborhood or p	olitica	l distri	ct):				
Within the City limits of the City of Statesboro, Georgia							
Estimated # of scrap tires:							
Passenger: 1780 Truck: 85 Total #: 1865 Total PTE: 2225							
Estimated cleanup cost: \$,6662.50 If it is determined that the project's cost will exceed the approved amount of funding, the applicant must submit a written request to EPD for additional funds.							
List all locations where scrap tires will temporarily be stored while awaiting transport to a proafter being removed from the right-of-way:	cessir	ig facil	ity				
Statesboro / Bulloch County Landfill / TransferStation 016-030-GN 1	PBR-0	16-06	TS				
Is the temporary storage site or sites approved/permitted by EPD to store scrap tires?							
∑ Yes – List the approval/permit number(s):							
□ No - Site(s) must be approved/permitted by EPD before execution of the contract							
Tire carriers and scrap tire processors you plan to use and their permit/approval numbers. For permitted tire carriers and permitted/approved processors, visit <a href="mailto:epd.georgia.gov/scrap-and-used-tires">epd.georgia.gov/scrap-and-used-tires</a> .							
Tire carrier name: Rackleff Enterprises, LLC. Permit#: 016-001-CR							
Tire carrier name: Permit#:			•				
Scrap tire processor name: Quality Tire Recycling, Inc. Permit/Approval#: 018-002-STP							
Scrap tire processor name: Permit/Approval#:							
III. ACKNOWLEDGEMENTS	Yes	No	N/A				
Permitted tire carriers and permitted/approved processors will be used.	K)						
Procurement of contractors will follow current city/county procurement policy.							
Appropriate safety measures will be used while performing scrap tire abatement.							
Liability waivers will be completed.							
If there are any changes in the project after the execution of the agreement, awardee will notify EPD in writing (e.g., changes in the estimated cost of cleanup, location of temporary storage sites, carriers/processors, project start/end date).							
Scrap tire removal will begin within 90 days of executed agreement date.							
Final report, reimbursement request, and other required documents will be submitted to EPD within 30 days of completing the project.							

promise and compared the compared to the compa					
IV. AUTHORIZATION					
I, the undersigned authorized representative, certify that to the best of my knowledge, the information contained herein is true and correct.					
Signature:	Date:				
Print name:	Title:				
Address:	Per milita mini terkemini sekon mi skistemiste menor temperanana a mini temperana nyangarana manana				
PO Box 348					
City: Statesboro	State: GA	ZIP: 30459			

Send completed application and any supporting materials to: Georgia Environmental Protection Division, Land Protection Branch c/o Russell Nix, Recovered Materials Unit Manager 4244 International Parkway, Suite 104 Atlanta, GA 30354

Questions? Call EPD at 404-362-2537 PLEASE ALLOW 90 DAYS FOR PROCESSING

EPD Use Only - Project ID#:

COUNCIL
Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor Randy Wetmore, City Manager Sue Starling, City Clerk I. Cain Smith, City Attorney

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

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: April 29, 2019

RE: May 7, 2019 City Council Agenda Items

**Policy Issue**: Resolution authorizing Davenport & Company to act as City's agent in exploring and analyzing financing options to fund public infrastructure in the Old Register TAD.

**Recommendation**: Consideration of resolution for approval.

**Background:** City adopted a redevelopment plan creating the Old Register TAD in August, 2018. Plan authorizes City to finance up to \$4,750,000 to fund public infrastructure, particularly new and improved roadways and utilities infrastructure, within the TAD.

**Budget Impact: TBD** 

Council Person and District: All

**Attachments:** Proposed Resolution 2019-14

#### **RESOLUTION 2019-14:**

## A RESOLUTION AUTHORIZING DAVENPORT & ASSOCIATES TO EXPLORE AND EVALUATE AVAILABLE FINANCING OPTIONS TO FUND PUBLIC INFRASTRUCTURE IN OLD REGISTER TAD

THAT WHEREAS, on August 7, 2018 the Mayor and City Council of Statesboro, as authorized redevelopment agency, approved and adopted a Redevelopment Plan and associated Tax Allocation District ("Old Register TAD") for an area within the City;

WHEREAS, the Redevelopment Plan authorizes the City to obtain revenue bonds or other financing arrangements for up to \$4,750,000 to fund public infrastructure within the TAD;

WHEREAS, Davenport & Company has been retained as the City's outside financial analysis firm and has the requisite knowledge and experience regarding public financing to properly advise Mayor & Council on funding options; and

WHEREAS, the City of Statesboro desires to have Davenport and Company act as the City's agent regarding the search and analysis of options to fund the public infrastructure in the Old Register TAD;

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

- Section 1. Davenport and Company is hereby authorized to act as the City's agent in regards to exploring and analyzing the City's options as to the financing options available regarding the \$4,750,000 needed to fund public infrastructure within the Old Register TAD.
- Section 2. Davenport is additionally authorized to collaborate with bond counsel, specifically Gray Pannell, and Woodward, regarding financing options.
- Section 2. Davenport shall present their findings to City staff and elected officials.
- Section 3. Davenport and Company is not authorized to undertake any debt obligations on behalf of the City of Statesboro.
- Section 4. That this Resolution shall be and remain effective from and after its date of adoption.

Jonathan McCollar, Mayor	Sue Starling, City Clerk	
Ву:	Attest:	
CITY OF STATESBORO, GEORGIA		
Adopted this 7th day of May 2019		
Adopted this 7th day of May 2019		