



**June 6, 2023 9:00 am**

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember Phil Boyum
3. Recognitions/Public Presentations
  - A) Presentation to the Finance Department for receiving the Government Finance Officers Association (GFOA) Distinguished Budget Award for the City of Statesboro FY 2023 Budget.
  - B) Recognition of Cindy West, Director of Finance for completing the Carl Vinson Institute of Government's Public Finance Leadership Academy.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 05-09-2023 Budget Work Session Minutes
    - b) 05-16-2023 Work Session Minutes
    - c) 05-16-2023 Council Minutes
    - d) 05-16-2023 Executive Session Minutes
6. Public Hearing to solicit input on the proposed FY2024 Budget for the City of Statesboro.
7. Public Hearing & Consideration of a Motion to approve application for an alcohol license in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a):  
Clarke Beverages II  
607 Brannen Street, Suite 1  
Statesboro, Ga 30458  
License Type: Package Sales: Beer, Wine, and Distilled Spirits
8. Public hearing and first reading of **Ordinance 2023-05**: An Ordinance amending Sections 2-55 and 2-57 of the Statesboro Code of Ordinances in order to expand One Boro Commission membership to sixteen members and to incorporate the mission and scope of authority of the Healthy Boro mayoral ad hoc committee.
9. Consideration of a motion to approve the Statesboro Police Department Towing Rotation and Wrecker Agreement for FY 2024.

10. Consideration of a Motion to approve an easement with the Bulloch County Historical Society to place a historical marker on City of Statesboro property adjacent to the Art Park, recognizing the Dover & Statesboro Railroad.
11. Other Business from City Council
  - a) Discussion regarding work session procedure.
12. City Managers Comments
13. Public Comments (General)
14. 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)
15. Consideration of a Motion to Adjourn



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**CITY OF STATESBORO  
COUNCIL BUDGET WORK SESSION MINUTES  
May 09, 2023**

A work session of the Statesboro City Council was held on May 09, 2023 at 2:00 p.m. in the Council Chambers at City Hall. Present were Mayor Jonathan McCollar, Council Members: Phil Boyum, Paulette Chavers, Venus Mack, John Riggs, and Shari Barr. Also present was City Clerk Leah Harden, City Attorney Cain Smith, City Manager Charles Penny, Assistant City Manager Jason Boyles, Finance Director Cindy West and Public Information Officer Layne Phillips.

Mayor Jonathan McCollar called the meeting to order.

**Review of the Proposed City of Statesboro Fiscal Year 2024 Operating Budget.**

City Manager Charles Penny presented the “City Manager’s Proposed FY 2024 Annual Operating Budget.” The FY 2024 budget objectives include, retaining and recruiting exceptional employees, emphasis on utility infrastructure growth, tax base and revenue growth, and emphasis on public safety. The FY 2024 budget is a 24.8% increase from FY2023 with an 8.2% increase in the General Fund.

Compensation and benefits review includes a 5% pay plan adjustment due to inflation, per the City’s consulting firm Condrey and Associates. The federal inflation rates in 2021 was 7% in 2022 6.5% and in 2023 6%. In addition the continuation of pay for performance. The current & future opportunities are to position Statesboro for growth in the region, grow the downtown center, keep the pay plan up to date, and advance a creative, inclusive, and professional culture.

Mr. Penny continued with concerns and unknowns stating that a significant amount of fund balance will be necessary to balance this year’s budget and that nearly 25% of the total value for real and personal property is non-taxable. The Old Register TAD will need to be refinanced and this year more than ever we are looking at labor market challenges.

Director of Finance Cindy West present the projected FY 2024 Budget in brief which includes the general fund, enterprise funds, special purpose sales tax funds, hotel/motel tax, and grant funds. Excluding internal funds and fund transfers total expenditures for FY 2024 comes in at \$91.4 million up from current fiscal years’ \$73.25 million. The General Fund expenditures will increase about \$1.6 million which is about 8% due to personnel, benefits, as well as increases in operating costs.

Revenue trends reflect a 17% overall increase in General Fund revenues and a 10% increase in the property tax digest. Mr. Penny presented a bar chart showing the City’s current property tax rate compared to other cities comparable to Statesboro. Statesboro is in the middle of the pack with a tax rate of 7.308. The City has a lower rate than that of Bulloch County Board of Commissioners and the Board of Education. A one mill increase for Statesboro would generate a little over \$900,000. In the proposed budget we are showing an increase in our property tax revenue, from growth and from a possible increase in the millage rate in order to balance the budget. The city is at a good place when it comes to debt service there is just a small amount of debt in the general fund. The Old Register TAD will need to be refinanced early in the 2024 Fiscal Year.

When we look at balancing the budget \$366,651 of fund balance will be used to balance the Fire Fund. We are currently in discussion with Bulloch County and we are asking them for an increase in the millage rate in the five mile district in order to cover our costs. The next meeting with the county is Monday May 22, 2023. We have informed the county that we are willing to meet with the county residents in the fire

district to explain to them how we provide services, what they get for these services and what the actual costs are.

Councilmember Phil Boyum stated we need to be sure to remind the residents that if they do not have the fire services from the Statesboro Fire Department, their ISO rating would increase substantially. Which would affect how much they pay.

The General fund highlights include authorization for the police department to over hire 4 additional officers. The percentage of general fund budget applied to salary and benefit is 64.6%. Projected increased expenditures include salaries and benefits, small business recruiter, debt service, street and parks contract labor, compensation study, and police small tools. The public safety highlights affecting the proposed budget include the SAFER grant award, the five mile district agreement with Bulloch County and the need for a third fire station due to the increase of personnel.

City Manager Charles Penny reviewed the fund appropriation levels. The water/sewer fund stating there is a proposed 10% increase to the base fees, utility infrastructure expansion and the addition of a new position for an assistant public utilities director. The stormwater fund does not include a fee increase but just to maintain a fund reserve and to implement essential capital projects. The natural gas fund shows a base fee increase, a new rate for generator, new industrial firm rate, and to continue pursuing opportunities for expansion and system growth. Solid waste collection and solid waste disposal funds include a proposed 10% fee increase, increase transfer to the General Fund and expanding the inert landfill.

The capital project priorities include housing rehabilitation, using interest earned from ARPA funds for replacement housing, sewer installation in unserved areas, and the transportation master plan. There are two new programs beginning the end of FY2023 and will continue they are the transit system and the summer concert series.

Mr. Penny stated we needed to look at a Millage rate increase, if there is not one this year we would be faced with one next year. In the Budget 1 Mil will generate \$914,911, this year. An example of what a 2 mill increase would look like for a home valued at 200,000 is an additional \$156 a year. Mr. Penny asked the council to consider a millage rate increase. The reason this is important is because this year we used \$600,000 of fund balance. Last year the fund balance was 54% of our budget, this year it dropped to 46% of our budget.

Assistant City Manager Jason Boyles presented the Enterprise Fund proposed rate increases. Beginning with the solid waste disposal fund has a proposed 10% increase per ton and increasing the fee for bulk tires to \$230 per ton. The solid waste collection fund also has a proposed fee increase residential and commercial polycarts and dumpsters as well as increase tippage fee for roll-off. In addition the elderly/low-income credit will increase from \$3.95 to \$7.00 per month. Based on the report from Raftilis that was presented last year no increase in the water user fee is proposed but it is proposed to have a 10% increase on the sewer side. Currently the base fee for water is broken down into four categories, residential, commercial, government, and industrial we are proposing changing the base rate factor to be charged by water meter size. The elderly/low-income credit per month for water/sewer will increase from \$2.00 to \$6.00 inside the city and from \$4.00 to \$8.00 outside the city. The per gallon aid to construction fee will have an increase as well. The natural gas fund shows increases to tap fees, base charges, labor charges with the addition of two new fees one for "industrial firm" and one for "standby" (generators and pumps). There is also proposed an increase in rebates through the customer assistance program.

In summary the FY 2024 budget is financially sound, has strong reserves, good growth in property values, new investment, and looking out for our employees. We could balance the budget without increasing the millage rate it would require the use of \$1.34 million of fund balance in order to do so. Last year the city use \$600,000 of fund balance and using \$1.34 million would further erode the fund balance. A millage rate increase would allow the city to cover the increase personnel cost. It would also replace the fund balances used last year and help prepare the city for pay plan increase in the FY2025 budget.

The city must continue to expand the base and a way to do that is by accepting voluntary annexations and through development. The city has approved over 600 townhomes and new commercial/retail developments help to grow the tax base and revenue. Currently there are two single family subdivisions under construction that could positively impact growth in the tax base.

The next steps for the FY 2024 budget are holding a Public Hearing on June 6th during the regular council meeting followed by budget adoption slated for the June 20th council meeting.

Mr. Penny stated the city is looking at giving hiring bonuses for police officers.

Mr. Penny asked for Council's direction regarding revenue, whether you want to use fund balance or whether you want to look at the millage rate.

Councilmember Venus Mack stated she appreciates that we take care of our employees but the governing body pay is something nobody wants to talk about. She stated she brought this up a couple years back but nobody wanted to have the conversation and asked if council would be open to it.

Councilmember John Riggs stated he is willing to discuss it.

Councilmember Venus Mack asked City Attorney Cain Smith to share with the rest of council what they had come up for governing body pay increase a couple of years ago.

Councilmember Paulette Chavers spoke regarding the millage rate and stated we should just go ahead and do it. She said she understands there will be some backlash like it was last year but is willing to take the backlash because we have to balance the budget. And instead of raising the rate by one or half to go ahead and raise it the two mills that has been recommended.

Councilmember Venus Mack agreed, stating we are showing the community we are doing what we are supposed to do, we are not just raising it and not doing anything. She also asked if there is some type of way that citizens could make monthly tax payments throughout the year so it's not so much of a strain.

After some discussion direction was given to look into what options may be available to our taxpayers regarding incremental payments on their tax bills.

Mayor Pro Tem Shari Barr shared her concern with the increase of rent in the community and the proposed fee increases.

Councilmember Phil Boyum stated that if we are going to raise the millage rate it needs to be announced at budget time.

No action taken.

The meeting was adjourned at 4:32 pm

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk



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CITY OF STATESBORO  
WORK SESSION MINUTES  
MAY 16, 2023

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Mayor & Council Work Session

50 East Main Street

3:00 PM

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A Work Session of the Statesboro City Council was held on May 16, 2023 at 3:00 p.m. in the Council Chambers at City Hall, 50 East Main Street. Present was Mayor Jonathan McCollar; Council Members: Phil Boyum, Paulette Chavers, Venus Mack, John Riggs and Shari Barr. Also present was City Clerk Leah Harden, City Attorney Cain Smith, City Manager Charles Penny, Assistant City Manager Jason Boyles, Assistant to the City Manager Olympia Gaines, and Public Information Officer Layne Phillips.

### **1. Unified Development Code**

Caleb Racicot with TSW presented a summary of updates to the City of Statesboro Unified Development Code since the last conversation in April. Beginning with sustainability, the UDC diagnostic objective is to promote environmental sustainability. The ways to achieve that is through zoning and town planning standards, landscaping standards, tree protection, and parking standards. A voluntary way to protect local character would be through preservation incentives. Four key incentives include parking relief, relaxed zoning standards, and residential in historic homes in the Office and Business (O) district. Proposed parking standards include lowering the threshold for landscaping, perimeter landscape buffers, and tree islands. In addition required 20% pervious paving, medium or large canopy trees and full cutoff light fixtures. The Urban Forest builds on the 35% tree canopy requirement by creating an incentive for preserving large canopy trees and by requiring larger replacement trees. It also includes removing the irrigation requirement, updated tree maintenance standards and a lower threshold for under brushing approval from 20 acres down to 4 acres. Other potential policies include requirements for bio-swales/rain gardens in parking areas, elimination of small canopy trees from calculations, and placing a cap on genus of trees used on a site. Tree diversity will better protect the city's canopy from disease. The recommendation is to place a 33% maximum on one genus tree on a site.

There was Council discussion regarding residential neighborhoods and the lack of tree requirements in them.

Mr. Racicot stated he could include wording that requires trees to be planted back if some are removed.

The next topic for discussion was shareable mobility devices. Mr. Racicot presented four options the city could choose to implement. The city could allow everywhere without standards, allow everywhere without standards, prohibit everywhere, or allow in some places with standards. Typical standards are to require a permit or license, insurance, annual fee, numeric limit, operation standards, storage/parking standards, reporting standards, and termination standards. Council had decision about the different options and which would be the best for the City of Statesboro.

The next steps for the Unified Development Code are to finalize the draft and present it to the Statesboro Planning Commission on June 6, 2023. A public hearing would be held on June 13, 2023 and July 10, 2023. It would then be brought back to Mayor and Council for first reading on July 18, 2023 with a second reading on August 1, 2023.

### **2. Housing Rehabilitation Program Update**

City Manager Charles Penny gave some background on the Housing Rehabilitation Program. In total the city received 83 applications. The housing assistant policy allows for a rehab cost of \$50,000 per home. Homes above that limit must be considered for reconstruction. There are some program constraints due to supply shortages and elevated cost for materials. A large number of the homes are slated to exceed the \$50,000 cost for repair. In addition it is hard getting contractor response as this program is competing with new housing construction. So far title searches have begun on the first 10 homes slated for bid. Contracts have been awarded for three homes and work should begin in about three weeks. Insight Planning & Development is writing the scopes of work for bid packets and are preparing them for distribution

on 20 homes. Lastly, 11 homes in the Johnson Street area have been recommended for demolition. Mr. Penny recommend using ARPA interest funds in the amount of \$300,000 for the replacement of two homes.

A motion was made use \$300,000 in ARPA interest funds for two replacement homes.

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

### 3. Apartment Security Issues

City Manager Charles Penny state that security is important and technology is a good resource and recommends using \$80,000 of ARPA interest funds for security technology improvements in targeted areas. We would have to develop a program to provide safety through technology in some of the high crime areas so we can ensure video cameras are placed in the right location and whether they would want gates to control access.

City Attorney Cain Smith stated that cities can require apartment complexes to have cameras. For each one of these requirements it would be problematic to retroactively require them in existing complexes. However, there is no issue with requiring them for new construction or if construction is enough to require a building permit. Many cities do require them as a way to deter crime and improve public safety. The city of San Francisco requires apartment complexes with 50 or more units to install security cameras in common area whereas New York requires the same with the addition of the lobby and hallways. Studies have shown that the presence of security cameras can reduce crime rates by up to fifty percent. In addition cameras can help solve crimes and can provide a peace of mind for residents. Some of the potential drawbacks to requiring cameras on apartment complexes is the concern that it may invade the privacy of residents. Regulations can be put in place to protect residents’ privacy. Overall the benefits of requiring apartment complexes to have cameras outweigh the drawbacks.

Mr. Smith continued with another option cities have to improve public safety and deter crime is complex security which is the requirement of security gates. The city of Los Angeles and Chicago require apartment complexes with 50 or more units to install security gates at all entrances and exits. As with the cameras security gates can deter and solve crimes it also provides a peace of mind for residents. One concern is that security gates can be a fire hazard however security gates can be equipped with fire alarms and they can be unlocked from the inside in case of an emergency. The benefits of security gate requirements outweigh the drawbacks.

Lastly there is landlord criminal liability. Landlords in Georgia can face criminal liability for crimes that occur by knowingly allowing criminal activity on their property and does nothing to stop it. An example would be if a landlord knows a tenant is selling drugs out of their unit and does nothing to evict them the landlord may be charged with drug trafficking. Also if a landlord fails to take reasonable measures to protect tenants from crime they may be held criminally liable for any injuries that result. In addition if a landlord fails to maintain the property in a safe condition they may be held criminally liable for any injuries that result. These are just a few examples of the types of crimes for which landlords in Georgia can be held criminally liable.

Councilmember Phil Boyum joined the meeting.

Councilmember Paulette Chavers stated she has concerns about a place in her district, Morris Heights, stating they need cameras now and that she is for requiring cameras as soon as possible.

Councilmember Venus Mack agrees it is the owners’ responsibility to keep tenants safe.

Mr. Penny stated that is why he led with the opportunity to use the interest from the ARPA funds. We have to deal with the property owner but we can use those funds to make sure the cameras are where we need them to be. Guidelines need to be developed to make these funds available for properties that we deem need to have the cameras installed.

A motion was made to direct City Attorney Cain Smith to draft an ordinance in regards to camera systems, security gates, and security personnel for apartment complexes.

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

#### 4. Event Venues in Statesboro

City Attorney Cain Smith presented to Mayor and Council for their consideration on an ordinance regulating event venues in Statesboro. The presented ordinance would require event centers who do not have a valid alcohol license to obtain a permit from the city. The permit would allow access to police and fire at any event for inspection of life/safety hazards. It would require a responsible person on behalf of the ownership/management of the facility to be present for every event for which they would be responsible for the safety/welfare of the people at the event. Any private party must have a written contract and submitted to the Police Department seven days prior to the event. No alcohol may be present unless there is a valid catered or special event permit. The facility must follow Fire department occupancy requirements and the entire inside and outside perimeter must be covered by cameras. The ordinance would also allow for a permit to be pulled temporarily by the Chief of Police or designee to correct any life/safety issues.

A motion was made to direct City Attorney Cain Smith to draft an ordinance for event venues.

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

#### 5. Mission, Vision, and Values

Human Resources Director Demetrius Bynes began his presentation with the definitions of mission, vision, and values. A mission is a concise explanation of the organization’s reason for existence. Vision is a forward-looking statement which creates a mental image of the ideal state the organization wishes to achieve, and values are a list of core principals guiding and direction the organization and its culture. The current mission statement of the city is “to provide the most responsive and progressive public services so that our residents, businesses, and visitors can enjoy the highest quality of life Statesboro has to offer.” The proposed mission for the City of Statesboro is “to provide the most efficient and effective public services” and the proposed vision is “we strive to be a vibrant and inclusive community for all people.” During the department head retreat we worked with a facilitator to come up with a mission as well as vision for the City of Statesboro. A subcommittee was created to continue to fine tune the information talked about at the retreat.

After some discussion a decision was made to keep the current mission statement for the City of Statesboro and to add the word “safe” to the vision statement to read “we strive to be a vibrant, safe, and inclusive community for all people”. Mr. Bynes continued stating that currently we do not have values organizational wide. The proposed values are integrity, innovation, stewardship, inclusivity, and mission-focused. The statement behind each word is integrity – we operate in an honest transparent manner, innovation – we encourage employees to identify creative solutions, stewardship – we value the resources provided by citizens, businesses, and visitors, inclusivity – we respect each other’s differences;



diversity of thought, diversity of experiences, and diversity of cultures, and mission – focused – we understand our responsibilities and work to get the job done.

Councilmember Phil Boyum suggested adding the word “protect” to the statement for stewardship to read “we value and protect the resources provided by citizens, businesses, and visitors”.

Mayor Pro Tem Shari Barr asked about reducing some of the wording of the mission statement. After some discussion it was agreed for the mission to read “The City of Statesboro’s mission is to provide responsive, progressive public services, so that our residents, businesses, and visitors enjoy a high quality of life Statesboro has to offer”.

The meeting was adjourned at 5:12 pm.

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk



CITY OF STATESBORO  
COUNCIL MINUTES  
MAY 16, 2023

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

**1. Call to Order**

Mayor Jonathan McCollar called the meeting to order

**2. Invocation and Pledge**

Mayor 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, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

**3. Recognitions/Public Presentations**

**A) Presentation of a Certificate of Recognition from the Georgia Municipal Association to Councilmember Venus Mack.**

GMA's District 12 Member Services Representative, Pam Helton, represented a Certificate of Recognition to Councilmember Venus Mack for her completion of 42 hours of education training with the Georgia Municipal Association and the Carl Vinson Institute of Government.

Pam Helton recognized and presented a Municipal Revenue Administration Certificate to City Clerk Leah Harden.

**4. Public Comments (Agenda Item):**

Madeline Ryan Smith signed up to speak on agenda item 7. She stated that she is the chair of the Disability Caucus for the Democratic Party of Georgia. Ms. Smith read a statement she had written regarding disability rights and accessibility to facilities such as polling places amongst other public buildings.

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

**A) Approval of Minutes**

a) 05-02-2023 Council Minutes

b) 05-020-2023 Executive Session Minutes

**B) Consideration of a motion to set the date for a Public Hearing for the proposed City of Statesboro Fiscal Year 2024 Budget for June 06, 2023 during the regular scheduled Council Meeting.**

A motion was made to approve the consent agenda.

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

6. **Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 23-03-04: Long Company Limited requests a Zoning Map Amendment from the CR (Commercial Retail) zoning district to the R-3 (Medium-Density Residential) zoning district on approximately 2.65 acres of property in order to construct approximately 7 triplexes at 310 Myrtle Crossing Drive.**

Applicant withdrew this application.

7. **Consideration of a motion to approve Resolution 2023-18: A Resolution of the City of Statesboro Mayor and Council to permanently change the polling place for the Statesboro One voting precinct from William James Educational Complex to the Luetta Moore building.**

A motion was made to approve Resolution 2023-18: A Resolution of the City of Statesboro Mayor and Council to permanently change the polling place for the Statesboro One voting precinct from William James Educational Complex to the Luetta Moore building.

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

8. **Consideration of a motion to approve Resolution 2023-22: A Resolution to approve application for the 2023 NOAA Planet Steward Grant.**

A motion was made to approve Resolution 2023-22: A Resolution to approve application for the 2023 NOAA Planet Steward Grant.

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

**9. Consideration of a motion to approve Resolution 2023-23: A Resolution approving application for the 2023 Keep Georgia Beautiful Foundation Sandra Webb Legacy Grant.**

A motion was made to approve Resolution 2023-23: A Resolution approving application for the 2023 Keep Georgia Beautiful Foundation Sandra Webb Legacy Grant.

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

**10. Public Hearing and First Reading of Ordinance 2023-04: An Ordinance amending Sections 2-81 and 2-83 of the Statesboro Code of Ordinances in order to expand Youth Commission membership to twelve members and to incorporate the mission and scope of authority of the Healthy Boro mayoral ad hoc committee.**

Mayor McCollar stated he and Mayor Pro Tem Barr had a conversation with Healthy Boro and Stacy Smallwood, Chair of the One Boro Commission and based on grant opportunities concluded that Healthy Boro would be better under the umbrella of One Boro Commission instead of the Youth Commission.

A motion was made to open the public hearing.

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

No one spoke for or against the request.

A motion was made to close the public hearing.

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

There was discussion regarding membership of the One Boro commission. Councilmember Phil Boyum stated that too many members on a commission get very cumbersome and with an even number of members there is a danger of gridlock and does not recommend going to twelve members

After further discussion a motion was made to expand the One Boro Commission membership to 16 and to incorporate the mission and scope of authority of the Healthy Boro Mayoral Ad Hoc committee; with the first reading at the June 6th Council Meeting.

<b>RESULT:</b>	Approved 4-1
<b>MOVER:</b>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	
<b>NAYS:</b>	Councilmember Phil Boyum

**11. Consideration of a motion to authorize the Mayor to execute a Memorandum of Understanding (MOU) between the City of Statesboro and Bulloch County for the Statesboro-Bulloch County Long Range Transportation Plan.**

A motion was made to authorize the Mayor to execute a Memorandum of Understanding (MOU) between the City of Statesboro and Bulloch County for the Statesboro-Bulloch County Long Range Transportation Plan.

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

**12. Consideration of a motion to approve a Water/Sewer Agreement with North Point Real Estate, Inc. (Developer) in order to serve 350 acres at Hwy 301 and Rocky Road outside the City limits.**

A motion was made to approve a Water/Sewer Agreement with North Point Real Estate, Inc. (Developer) in order to serve 350 acres at Hwy 301 and Rocky Road outside the City limits.

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

**13. Consideration of a motion to execute a Professional Services Agreement with Hussey, Gay, Bell Engineering, Inc. in the amount not to exceed \$162,460.00 to provide design, bid, permit application and contract administration services for the construction of a new production well at the Bruce Yawn Commerce Park. To be paid for with 2013 SPLOST funds approved in CIP Project WWD #111.**

A motion was made to approve a Professional Services Agreement with Hussey, Gay, Bell Engineering, Inc. in the amount not to exceed \$162,460.00 to provide design, bid, permit application and contract administration services for the construction of a new production well at the Bruce Yawn Commerce Park. To be paid for with 2013 SPLOST funds approved in CIP Project WWD #111.

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

**14. Consideration of a motion to award a contract to Xylem Dewatering Solutions, Inc. in the amount of \$96,352.40 for two NC100S Dri-Prime Pump with funds approved in the 2023 CIP Budget item# WWD-37, using funds from operating revenues.**

A motion was made to approve award of contract to Xylem Dewatering Solutions, Inc. in the amount of \$96,352.40 for two NC100S Dri-Prime Pump with funds approved in the 2023 CIP Budget item# WWD-37, using funds from operating revenues.

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

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

Mayor Pro Tem Shari Barr reminded everyone about the Farmer’s Market every Saturday and this Saturday the Greener Boro Commission has worked it out to have a repair café with Mary Marwitz. Ms. Marwitz will offer advice and help with simple alteration repairs. On Thursday June 1<sup>st</sup> the City is having a downtown live concert with The Tams as the performing artist. Ms. Barr also announced the Borofest event taking place on Saturday June 3<sup>rd</sup> from 3pm -9pm on East Vine Street right behind City Hall. Lastly a meeting for the HiLo Trail will be held on Friday June 19<sup>th</sup> starting at 10 am here in the Council Chambers.

Councilmember Phil Boyum stated that the Municipal Training Board approved a regional training class. It is designed for regional collaboration so if there is a topic pertinent to your area a request can be made to GMA and they will come and teach the class. Councilmember Boyum stated he would like for Statesboro to host a regional training on Managing Growth.

A motion was made to direct staff to set up at training a session with GMA on Managing Growth.

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

**16. City Managers Comments**

City Manager Charles Penny announced the transit system will be operational beginning Monday June 22<sup>nd</sup> at 6 am. He also stated that the lettering for the Art Park has been ordered but the amount came in at \$55,000 rather than the original amount of \$40,000. DSDA is applying for TAD grant to help fund this project. Lastly Mr. Penny reviewed the process regarding salary increases for Mayor and Council and stated that the last increase took effect January 2006.

A motion was made to direct City Attorney Cain Smith to draft a report of the numbers discussed a couple of years back with Councilmember Venus Mack regarding salary increases for Mayor and Council.

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

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

Annie Bellinger addressed Mayor and Council regarding her concerns about what children are being taught today.

**18. 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).**

At 6:18 pm motion was made to enter into Executive Session to discuss Potential Litigation.

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

At 6:42 pm motion was made to exit Executive Session.

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

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

**19. Consideration of a Motion to Adjourn**

A motion was made to adjourn.

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

The meeting was adjourned at 6:42 pm.

\_\_\_\_\_  
Jonathan McCollar, Mayor

\_\_\_\_\_  
Leah Harden, City Clerk



Fiscal Year 2024  
Budget Assumptions

The following list highlights the budget assumptions for the FY 2023 budget:

- Assumes 10% Property Tax Digest growth. \$607,830
- Assumes 2 mill increase in Property Tax. \$1,829,000
- Assumes a 6% increase in Insurance Premium Taxes.
- Assumes Franchise Fees remain flat.
- Assumes an approximately 10% increase in sanitation rates.
- Assumes an approximately 10% increase in landfill rates.
- Assumes an approximately 10% increase in water and sewer rates.
- Assumes increases in base fees, new firm rates, and new generator standby/base fee in natural gas rates.
- Assumes no increase in stormwater rates.
- Assumes that business license renewals will remain close to present levels.
- Assumes Equity Transfers to the General Fund in the following amounts from:

Natural Gas	\$ 870,000
Waste Water	\$ 800,250
Solid Waste Disposal	\$ 374,000
Solid Waste Collection	\$ 1,100,000
Storm Water	\$ 25,000

- Assumes the Statesboro Fire Department will be funded by a Bulloch County levy of 3 mill tax levied in the Statesboro Fire District which is expected to provide about \$2,379,224 for funding the County portion of Fund. It is also assumed that \$2,000,000 from the General Fund, \$825,000 from a portion of the Governmental Water/Sewer Fees and \$275,000 from the Fire Line Access Fee will be needed to fund this operation. The funding arrangement is a part of the Intergovernmental Agreement with Bulloch County.
- Assumes the Statesboro Convention and Visitors Bureau (SCVB) will receive 50.0% of the Hotel/Motel Sales Tax for promotion and tourism development.
- Assumes Downtown Statesboro Development Authority (DSDA) and the Averitt Center for the Arts (ACA) will continue with their contracts with the City to provide services. The DSDA will receive 19.90% and the ACA will receive 25.10% of Hotel/Motel Sales Tax.
- Assumes transfers to the Health Insurance fund from other funds. \$200,000
- Assumes the implementation of a 5% adjustment to the Employee Pay Plan per Condrey & Associates. \$915,000
- Assumes the continuation of Pay for Performance for employees. \$540,000
- Assumes funding to perform a compensation plan study. \$55,000
- Assumes there will be 12 new Firefighter positions in the Fire Service Fund. \$702,980 (SAFER for 3 years)
- Assumes continuation of authorization for the Police Chief to over hire by four. \$175,000 plus benefits
- Assumes the addition of an Assistant Public Utilities Director in the Public Utilities Department of the Water – Sewer Fund. \$84,000 plus benefits
- Assumes continuation of the Employee Annual Bonus at \$500. \$196,300

**FY 2024 Budget in Brief**

<b>Fund</b>	<b>FY2023</b>	<b>FY2024</b>
General Fund	\$ 20,604,853	\$ 22,288,545
Confiscated Asset	\$ -	\$ 1,050
Opiod National Settlement	\$ -	\$ 52,700
CDBG	\$ -	\$ 30,000
US DOJ	\$ 30,000	\$ 30,000
ARPA	\$ 5,900,000	\$ 5,338,015
Multiple Grant	\$ -	\$ -
Fire	\$ 5,311,546	\$ 6,758,855
Capital from Loans/Grants	\$ -	\$ -
South Main	\$ -	\$ -
Old Register	\$ 104,025	\$ -
Hotel Motel	\$ 1,100,000	\$ 1,300,000
Tech Fee	\$ 20,000	\$ 20,000
2013 SPLOST	\$ 400,000	\$ 47,577
2018 TSPLOST	\$ 4,455,000	\$ 4,025,000
2019 SPLOST	\$ 4,980,000	\$ 6,807,370
2023 TSPLOST	\$ -	\$ 1,315,000
2019 CDBG	\$ -	\$ -
LMIG- Akins Blvd	\$ -	\$ -
CIP	\$ 321,500	\$ 120,000
WS	\$ 9,452,477	\$ 10,479,303
Capital from Revenues	\$ 3,880,000	\$ 4,587,000
Capital from Loans/Grants	\$ 4,100,000	\$ 4,660,000
Stormwater	\$ 854,932	\$ 800,845
Capital from Revenues	\$ 500,000	\$ 600,000
Capital from Loans/Grants	\$ -	\$ 10,870,000
Natural Gas	\$ 4,394,250	\$ 6,148,956
Capital from Revenues	\$ 2,330,000	\$ 1,585,000
Capital from Loans/Grants	\$ -	\$ -
Solid Waste Coll	\$ 4,313,395	\$ 4,584,055
Capital from Revenues	\$ 580,000	\$ 725,000
Capital from Loans/Grants	\$ -	\$ -
Solid Waste Disp	\$ 4,140,980	\$ 4,396,890
Capital from Revenues	\$ 1,600,000	\$ 90,000
Capital from Loans/Grants	\$ -	\$ -
Health Insurance	\$ 4,407,500	\$ 5,137,500
Fleet	\$ 737,588	\$ 827,615
Capital from Revenues	\$ -	\$ 50,000
Well Fund	\$ 70,500	\$ 71,290
Central Services	\$ 1,388,619	\$ 1,370,245
Capital from Revenues	\$ -	\$ 18,000
<b>Total Expenses All Funds</b>	<b><u>\$ 85,977,165</u></b>	<b><u>\$ 105,135,811</u></b>
Less Internal Funds Expenses	\$ 6,604,207	\$ 7,474,650
Less Transfers Between Funds	\$ 6,125,182	\$ 6,265,151
<b>Total Expenditures</b>	<b><u>\$ 73,247,776</u></b>	<b><u>\$ 91,396,010</u></b>
<b>Total Capital</b>	<b><u>\$ 29,046,500</u></b>	<b><u>\$ 40,837,962</u></b>
<b>Total Operating</b>	<b><u>\$ 44,201,276</u></b>	<b><u>\$ 50,558,048</u></b>

# 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:** 5/30/2023

**RE:**Clarke Beverages II

**Policy Issue:** Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

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.

**Background:** Clark Beverages II was issued a package license (beer, wine, & distilled spirits) located at 607 Brannen Street on June 7, 2022 and renewed for the 2023 year. The business has expanded its footprint and has moved into the old Peachtree Hams location. Section 6-7(h) of the Statesboro Code of Ordinances requires a new application if any changes are made to the footprint of the originally licensed premises.

**Recommendation:** Planning & Development, Fire Department, 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: Clarke Beverages, II

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., Suite 3  
Statesboro, GA 30458

4. Business mailing address: " "

5. Local business phone number: (912) 259-9775

Corporate office phone number: \_\_\_\_\_

6. Name of Manager: Stephen Bradley Clarke

Person responsible for alcohol licensing issues

7. Phone number for manager: \_\_\_\_\_

8. Email address for manager: \_\_\_\_\_

9. Address of manager: \_\_\_\_\_

10. Purpose of application is:

New Business \_\_\_\_\_ New Owner \_\_\_\_\_

Previous owner's name: Jackie Hinson

If the business name has changed, list previous name: Redtree Hams

If the business address has changed, list the previous address: 607 unit 2 + 3

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: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

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: B Clarke Beverage + Sons Ren Case LLC

\_\_\_\_\_

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? No

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

\_\_\_\_\_

15. Members of LLC and/or partners:

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

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? 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? \_\_\_\_\_  
\_\_\_\_\_

17. Officers:

Full Legal Name: Stephen Bradley Clarke Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Percentage of stock owned: 100 Office held: Owner - registered agent

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:

TNT Enterprises Inc. of Statesboro  
607 Brannen St. #6A

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:

TNT Enterprises Inc. of Statesboro

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

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.**

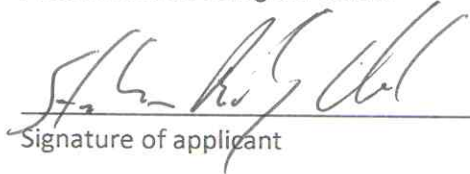
31. Will live nude performances or adult entertainment be a part of this business operation? NO

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

I, Stephen Bradley Clarke, 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.

Stephen Bradley Clarke

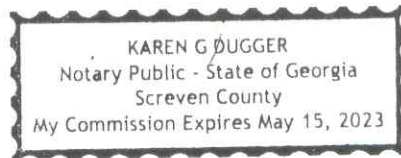
Print full name as signed below

      owner      5/5/23  
Signature of applicant      Title      Date

Sworn and subscribed before me this 5<sup>th</sup> day of May, 2023.

  
Notary Public

May 15, 2023  
My commission expires





**CALCULATION OF BASIC LICENSE FEE: Renewal Fees will be for January – December 2023.**

CLASSIFICATION:	(Mark All That Apply)	LICENSE FEE
1. A. Package Sales (Beer & Wine)	<u>    /    </u>	\$1750
B. Package Sales (Distilled Spirits)	<u>    /    </u>	\$5000
2. On Premise License Types:		
Please refer to the following pages for descriptions of each license type. This will help you determine which license to apply for. These can be found in sections 6-3 and 6-9 of the alcohol ordinance.		
A. Bar	<u>                    </u>	\$4300
B. Bar with Kitchen	<u>                    </u>	\$4300
C. Event Venue	<u>                    </u>	\$2500
D. Low Volume	<u>                    </u>	\$750
E. Pub	<u>                    </u>	\$5600
F. Restaurant	<u>                    </u>	\$2800
3. Caterer	<u>                    </u>	\$200
4. Brewer; manufacturer of malt beverages only	<u>                    </u>	\$1750
5. Broker	<u>                    </u>	\$1750
6. Importer	<u>                    </u>	\$1750
7. Manufacturer of wine only	<u>                    </u>	\$1750
8. Sunday Sales Permit	<u>                    </u>	\$300
9. In Room Service Permit	<u>                    </u>	\$150
Total Due \$		<u>                    </u>

**\*\*\*IMPORTANT DATES TO REMEMBER\*\*\***

- IF RECEIVED AFTER NOVEMBER 1, 2022 PENALTY FEE OF \$200
- IF RECEIVED AFTER NOVEMBER 16, 2022 PENALTY FEE OF \$300
- IF RECEIVED AFTER DECEMBER 1, 2022 PENALTY FEE OF 20% OF ANNUAL LICENSE FEE OR \$500, WHICHEVER IS GREATER



PROPOSED SITE  
407 BRANNEN STREET, SUITE 4

300'

600'

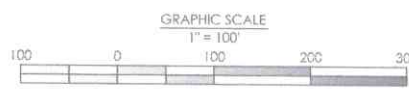
**CURRENT OWNER:**  
TRACY WATERS & TRACY HAM  
STREET ADDRESS:  
607 BRANNEN STREET, SUITE 4  
STATESBORO, GA  
TAX ID# 533 000061 000  
ZONING FROM BULLOCH COUNTY GIS MAP = CR

**GENERAL NOTES:**  
1) DISTANCES WERE OBTAINED FROM 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 & FIZA NEVAZ
- 8 JESSE FU
- 9 ARTHUR G. SPARKS
- 10 B. AVANT 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

**MAXWELL-REDDICK AND ASSOCIATES**  
ENGINEERING & LAND SURVEYING  
40 JOE KENNEDY BLVD  
STATESBORO, GA 30158  
(912) 489-7112 OFFICE  
(912) 489-7125 FAX  
NORTH WINDS III  
2500 NORTH WINDS Pkwy  
S316 380  
ALPHARETTA, GA 30009

CERTIFICATE OF AUTHORIZATION # LSF0009953  
**REGISTERED LAND SURVEYOR**  
No. 7500  
JOHN A. DOTSON



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 II**  
**607 Brannen St. Suite 1**  
**Statesboro, Ga 30458**

*Please enter your recommendations and comments with your full name.*

**Alcohol License Review**

<b>Department</b>	<b>Full Name</b>	<b>Recommendation</b>	<b>Comments</b>
<b>Planning &amp; Development</b>	Jermaine Foster	Approved	05/30/2023
<b>Fire Department</b>	Andrew Cheney	Approved	05/09/23
<b>Police Department</b>	Mike Broadhead	Approve	5-9-23
<b>Legal</b>	Cain Smith	Approve	

# 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:** May 30, 2023

**RE:** June 6, 2023 City Council Agenda Items

**Policy Issue:** *First Reading of Ordinance 2023-05 amending Sections 2-55 and 2-57 of the Statesboro Code of Ordinances in order to expand One Boro Commission membership to sixteen members and to incorporate the mission and scope of authority of the Healthy Boro mayoral ad hoc committee.*

**Recommendation:** Advance to Second Reading and Consideration

**Background:** One Boro Commission was established in November of 2020 as successor to the Commission on Diversity and Inclusion which was formed in 2018 to advise Mayor and Council on matters concerning diversity, equity, and inclusion. Mayor McCollar established the Healthy Boro ad hoc committee in 2022 to address health concerns and initiatives affecting all City residents.

**Budget Impact:** N/A

**Council Person and District:** N/A

**Attachments:** Proposed Ordinance

**Ordinance 2023-05:**

An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances

WHEREAS, the City has previously adopted ordinances creating certain the One Boro Commission; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend certain sections of Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Code of Ordinances, City of Statesboro, Georgia to amend the membership and scope of authority of the One Boro Commission

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

SECTION 1:

Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Code of Ordinances, City of Statesboro, Georgia is hereby amended to read as follows:

Sec. 2-55. - Establishment; appointment; terms; compensation; removal.

There is hereby created a board to be known as the One Boro Commission. The One Boro Commission shall consist of ~~16~~ ~~12~~ members who shall be residents of the county. The term of office of ~~six~~ ~~eight~~ members so designated and appointed by mayor and city council shall be two years with ~~six-eight~~ designated members serving a term of one year, and these terms shall begin on October 1, 2022 and end at the stroke of midnight on September 30 of the applicable year. Subsequent appointments shall be made by mayor and city council for a term of two years. Vacancies on the One 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 One Boro Commission by a majority vote for cause, on written charges, after a public hearing. The mayor and city council in consultation with the One Boro Commission may appoint nonvoting ex officio members to said commission to provide administrative support and/or subject matter expertise. All members shall serve without compensation.

Sec. 2-57 — Scope of Authority.

The One Boro Commission shall have the authority to prepare studies and reports, strategies, education efforts and programs for the purpose of informing the governing body on policy matters related to promoting diversity, inclusion, and equity among the citizens of Statesboro connected to issues of poverty and prosperity. **With incorporation of former members of the Healthy Boro mayoral ad hoc committee, One Boro Commission shall also have authority to prepare studies and reports relating to health initiatives and concerns.**

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.



SECTION 3: This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, this 20th day of June 2023 in Statesboro, Georgia.

First Reading and Consideration: June 6, 2023

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Jonathan J McCollar, in his capacity as  
Mayor of Statesboro, Georgia

ATTEST:

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Leah Harden, in her capacity as City  
Clerk of Statesboro, Georgia



# STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police *MB*

DATE: June 6, 2023

RE: Annual Wrecker Agreement

POLICY ISSUE: Adoption of Annual Wrecker Agreement

RECOMMENDATION: That Council approve the July 1, 2023-June 30, 2024 Wrecker Agreement.

BACKGROUND: The City maintains a Wrecker Agreement with local businesses that conduct motor vehicle tows. The Agreement provides companies with requirements in order to be used by the City to tow vehicles at the City's request. In order to be placed on the wrecker rotation, companies must agree to, and abide with, the Agreement. As an example, if the police respond to a motor vehicle crash and a driver requires a tow from the scene, and that driver does not have a personally preferred towing service, the City will contact the next wrecker available under the rotation. This Agreement has been adopted annually by City Council.

There are no proposed changes to last year's Agreement aside from the dates.

BUDGET IMPACT: There is no budget impact.

COUNCIL DISTRICT: All

ATTACHMENTS: Updated Wrecker Agreement.

## STATESBORO POLICE DEPARTMENT TOWING ROTATION AGREEMENT

July 03, 2023 to June 30, 2024

### DEFINITIONS

1. SPD: The Statesboro Police Department
2. Company: The towing company making application for Rotation
3. Owner: Person(s) that own and/or operate/manage a company
4. Operator: An approved tow truck driver/operator
5. Yard: A secured impoundment facility that meets the requirements of the Department of Public Safety's Rule 570-6-1-08
6. Normal Business Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays
7. Sanctions: A penalty, including but not limited to, warnings, suspensions, and/or termination

### DISCLAIMER

SPD is seeking to establish a Towing Rotation list to be used when a sworn officer requests the removal and towing of a motor vehicle. SPD reserves the right to make changes to the Agreement, with sufficient notice to the Companies.

Being on the SPD Towing Rotation List is a privilege and not a right. This does not create a contract between SPD and the Company. To be eligible for inclusion on the SPD Towing Rotation List towing Companies must submit, during the application period, their Towing Rotation Application. Companies must agree to comply with the rules and regulations as set forth in this Towing Rotation Agreement. Companies must also follow all Federal, State, and local laws and regulations related to towing companies. Failure to comply with the terms of this Agreement or applicable Federal, State, or local laws or regulations may lead to sanctions against the Company. These sanctions are described further by this Agreement.

The signature of the duly authorized representative on the Application and Agreement signifies that the company acknowledges the following:

- the entire document has been read
- the information provided by the Company is complete and accurate
- that the Company and all of its employees are bound by the provisions of the Agreement
- that the Company understands the requirements for inclusion on the Towing Rotation List
- that the Company accepts all conditions of the Agreement
- that the Company accepts responsibility for the actions of its owners and operators
- that the Company's inclusion on the SPD Towing Rotation List is a discretionary privilege and not a right

- that the Company's inclusion on the SPD Towing Rotation List does not guarantee an equal or specific number of calls while on the rotation
- that falsification of any portion of this Application or Agreement, including in any documentation provided in support of the Application, shall be cause for immediate removal from the Towing Rotation List
- that any such falsifications may later result in criminal prosecution

## **DESCRIPTION**

1. This rotation and agreement will be effective July 03, 2023 to June 30, 2024 unless terminated earlier at the discretion of SPD.
2. Renewals and enrollments for existing and/or new companies must be completed each year during the renewal/enrollment period specified by SPD.

## **APPLICATION REQUIREMENTS**

1. SPD will receive sealed packets until June 18, 2023 at 4:00 p.m. at 25 West Grady Street, Statesboro, Georgia. Packets delivered by this date and time will be processed in preparation for the July 03, 2023 implementation date.
2. Packets must be complete in order to be considered.
3. SPD reserves the right to reject all application, to waive any informality or technicality, and to accept applications deemed to be in the best interest of the Agency.
4. Packets which include trucks, drivers, yards, owners, operators, or managers not qualifying for participation per the terms of this Agreement will not be considered.

## **CONDITIONS APPLYING TO THE COMPANY**

1. The Company is responsible for submitting all information requested as part of this application
2. Managers who do not drive or operate tow trucks must submit original GCIC criminal histories not older than 30 days. Arrests that do not have dispositions listed will not be acceptable for the background check without a court document showing formal disposition of the charges.
3. Managers must be in compliance with the following criteria:
  - a. Must be legally authorized to work in the United States
  - b. Shall not have been convicted in Georgia of murder, rape, armed robbery, kidnapping, aggravated sodomy, aggravated sexual battery, aggravated child molestation, any felony crime involving an assault or battery against a law enforcement officer or government official, or any felony crime involving sexual conduct. For purposes of this definition, a conviction includes a guilty verdict, a guilty plea, or a plea of Nolo Contendere and includes anyone placed under a Court's supervision to avoid an adjudication of guilt under a First Offender sentence or Pre-Trial Diversion program. The date of conviction is the date on which any of these sentences was imposed by the Court.
  - c. Shall not have been convicted in any other state of a crime similar to the Georgia offenses listed above.

- d. Shall not have been declared incompetent by reason of mental defect or disease without a later adjudication restoring said competency by a Court.
  - e. Shall not be a Registered Sex Offender in Georgia or in any other state.
  - f. Shall not have any convictions in Georgia or any other state involving violence, moral turpitude, weapons, illegal use/possession of any substance, domestic violence, resisting arrest, obstructing justice, or theft within the past 5 years. This applies to misdemeanors and felonies. For purposes of this definition, moral turpitude means conduct which is done knowingly contrary to justice, honesty, or good morals; has an element of falsification or fraud, or contains an element of harm or injury directed to the person or property of another.
4. The Company must maintain at least one approved yard within 7 miles of the city limits.
  5. If the Company has only one approved Driver, and if that Driver is to be unavailable or out of service for any length of time, the Company shall not use an unauthorized driver during that time period.
  6. The Company must maintain general liability and property damage insurance equivalent to that required by the Georgia Department of Public Safety Rule 570-6-1-09 governing nonconsensual towing. The City of Statesboro shall be listed as an additional insured and the Company shall provide proof to SPD that the City of Statesboro is so listed.
  7. The Company shall provide evidence of Worker's Compensation Insurance and shall maintain said coverage throughout the rotation year as required per Georgia law.
  8. The Company will be available 24 hours a day, 7 days a week. The towing company called to tow a vehicle must be at the scene of the call within 20 minutes, except under extraordinary circumstances. The wrecker which arrives must bear the markings of the towing company which was contacted to respond. If the wrecker contacted does not arrive within 20 minutes then another towing service may be requested to respond and the first company sanctioned.
  9. The Company bears the responsibility for ensuring that it can respond to requests. SPD's Dispatch Center will attempt to contact Companies on the list by phone one time and then move on to the next towing service on the list. It is not Dispatch's responsibility to continue to call the towing service. If a Company cannot be reached and the next service is contacted, SPD's Dispatch will note this fact and forward the information to the Operations Bureau Captain.
  10. For all regular rotation calls, the Company agrees to bill for towing and storage at the exact same rate as provided in the "Nonconsensual Towing Maximum Rate Tariff" adopted and published annually by the Mayor and City Council of Statesboro. In cases of tows which are longer than one hour, an on-scene SPD supervisor may sign the tow receipt, noting the wrecker's arrival and departure from the scene, and thereby authorize billing at an additional \$15.00 per additional quarter hour. For purposes of this section, the tow begins when the SPD dispatcher or officer contacts the Company. It ends when the wrecker departs the scene with the vehicle in tow.
  11. If the Company initiates proceedings to perfect and enforce its lien rights against the vehicle as provided for in Chapter 3 of Title 40 of the Official Code of Georgia, the Company may assess the actual costs of postage for providing notice via certified mail or statutory overnight delivery to the owner.

12. Only those charges allowed per this agreement may be charged to a vehicle owner or insurance company. There will be no additional charges allowed for cleanup of any debris or spills at the scene. SPD may perform audits on Company billing receipts.
13. The Company will ensure that all operators, assistants, trainees, and any other employees have sufficient experience and/or training in currently recommended towing techniques. It will also ensure that they are capable of performing their duties in a lawful, safe, proper, and efficient manner.
14. The dispatch phone number shall be answered in the name of the Company making application.
15. The Company agrees not to use unapproved managers, drivers, operators, yards, or trucks. New managers, drivers, operators, yards, and trucks may be added by submitting the required information and supporting documentation. The Company must immediately notify SPD of any and all changes to Company information including the removal of any yard, truck, driver, or operator.
16. The Company shall state their regular business hours on the application and shall maintain those hours while serving on the Towing Rotation List.
17. Applications for inclusion on SPD's Towing Rotation List shall constitute agreement and consent by the person or entity making the application for inspections by SPD personnel. These inspections include, but are not limited to, entry onto the premises during normal business hours, inspection of records, inspection of the conditions on the yard, and inspection of equipment. These inspections are for purposes of determining compliance with the terms set forth in this agreement.
18. Only those Companies contacted by SPD's Dispatch from the Towing Rotation List may respond to an SPD tow request. Companies are prohibited from responding to calls based on surveillance, either in person or by overhearing radio traffic and responding. Further, the Company contacted by Dispatch from the Towing Rotation List must be the one which responds. Companies are not permitted to cover for one another without the List itself being changed at the direction of the Chief of Police or his/her designee.
19. The Company will maintain complete and accurate records of all SPD-requested tows and shall provide SPD with said records upon request. Failure to maintain such records will result in sanctions up to suspension or removal from the Towing Rotation List.
20. The Company agrees that all work will be performed using equipment declared on the Company's application and approved for use by SPD. No work on behalf of SPD will be performed by equipment, employees, or agents of the Company not declared on the Company's application. The only exceptions are when specialized equipment is needed for the towing of vehicles requiring special handling. In that case, a subcontractor may be utilized.
21. The Company will ensure that tow truck operators provide only those services that are necessary or requested and will, at the time of the tow, provide the owner or driver of the vehicle (if present on scene) with the following:
  - a. the location where the vehicle will be stored
  - b. a copy of the current rate schedule
  - c. the terms of the vehicle recovery
22. The Company shall make every effort to resolve legitimate claims for damage or theft that are obviously related to the towing and/or storage of the vehicle. This will be done in a timely

manner. Vehicles that are damaged as a result of the tow may result in the Company being sanctioned up to suspension or removal from rotation.

23. The Company shall provide SPD officers on scene any requested information regarding the Company, driver, truck, equipment, yard, or any other fact deemed pertinent.
24. The Company shall ensure that once the Operator is given control of the vehicle at the tow scene a notation is made on the invoice describing any property removed from the vehicle and the name of the person removing it.
25. Operators shall not leave the scene of a tow on a traffic collision until all debris, oils, and radiator fluids (including all absorbent material) have been properly removed unless permitted by the SPD officer.
26. The Company shall provide renewal copies of occupation tax certificates, local/state/federal licenses, insurance, registration, Motor Carrier Certification, and driver certificates to SPD at the time the item is renewed. As the Companies should reasonably know when these items are due, Companies will be suspended without notice until the renewed copies are provided or may be terminated if the renewal is not received within 30 days of the previous expiration. Notification by an insurance company or the State of Georgia that a required element of this Agreement has been revoked shall be cause for immediate suspension without notification by SPD.
27. The Company shall ensure that all owners, operators, office staff, and any other Company employees shall cooperate fully and honestly with SPD officers at the scene of traffic collisions. Dishonesty and/or failure to cooperate may result in sanctions up to termination from the Towing Rotation List.
28. The Company shall ensure that all owners, managers, and operators report to SPD at 25 West Grady Street no later than July 1 of each year to sign authorization forms for bi-annual criminal and driver's history checks to be conducted.
29. The Company must submit a Georgia E-Verify affidavit form or exemption affidavit along with its application packet.

#### **CONDITIONS APPLYING TO THE OPERATOR**

1. Operators shall comply with all Federal, State, and local laws and regulations when engaged in Rotation Towing.
2. Each Owner and Operator must submit original GCIC criminal histories not older than 30 days. Arrests that do not have dispositions listed will not be acceptable for the background check without a court document showing formal disposition of the charges.
3. An SPD identification card shall only be issued to Owners and Operators who meet the following criteria:
  - a. Must be legally authorized to work in the United States
  - b. Shall not have been convicted in Georgia of murder, rape, armed robbery, kidnapping, aggravated sodomy, aggravated sexual battery, aggravated child molestation, any felony crime involving an assault or battery against a law enforcement officer or government official, or any felony crime involving sexual conduct. For purposes of this definition, a conviction includes a guilty verdict, a guilty plea, or a plea of Nolo Contendere and includes anyone placed under a Court's supervision to avoid an adjudication of guilt

under a First Offender sentence or Pre-Trial Diversion program. The date of conviction is the date on which any of these sentences was imposed by the Court.

- c. Shall not have been convicted in any other state of a crime similar to the Georgia offenses listed above.
  - d. Shall not have been declared incompetent by reason of mental defect or disease without a later adjudication restoring said competency by a Court.
  - e. Shall not be a Registered Sex Offender in Georgia or in any other state.
  - f. Shall not have any convictions in Georgia or any other state involving violence, moral turpitude, weapons, illegal use/possession of any substance, domestic violence, resisting arrest, obstructing justice, or theft within the past 5 years. This applies to misdemeanors and felonies. For purposes of this definition, moral turpitude means conduct which is done knowingly contrary to justice, honesty, or good morals; has an element of falsification or fraud, or contains an element of harm or injury directed to the person or property of another.
4. Each Owner and Operator must submit his driving record, not older than 30 days, from the Georgia Department of Public Safety.
  5. Each Owner or Operator who responds to Rotation calls shall clearly display a valid SPD identification card which has been issued to that Owner or Operator for his/her specific Company. ID cards are non-transferable and shall be used for official, Rotation calls only. The use of ID cards to obtain credit, complete a financial transaction, or secure a gratuity is prohibited. The card remains the property of SPD and shall be surrendered to SPD upon termination. The Company is responsible for making sure that the ID card is returned to SPD and shall not destroy or dispose of said ID cards.
  6. Operator error that results in excess of \$1,000.00 in damage to a vehicle or which causes bodily injury may result in the Company being sanctioned and the Operator being permanently banned from participating in the Towing Rotation List.
  7. Using an unauthorized Operator on a Rotation call may result in a Company's immediate termination from the Towing Rotation List.

#### **CONDITIONS APPLYING TO THE TRUCKS AND EQUIPMENT**

1. Each tow truck shall comply with the equipment requirements as established by the Georgia Department of Public Safety's Rule 570-6-1-11.
2. Tow trucks must comply with all Federal, State, and local laws.

#### **CONDITIONS APPLYING TO THE STORAGE YARD/LOT**

1. Yards/lots shall be located within a 7 mile radius of the city limits of Statesboro and in compliance with the requirements of the Georgia Department of Public Safety's Rule 570-6-1-.08 governing non-consensual towing.
2. The Company shall provide owner access to vehicles towed subject to a Rotation call during the normal business hours on the Company's application. If the Company provides access to the vehicle outside of the normal business hours listed on the application, the Company may charge



the owner "after hours fees" as prescribed in the "Nonconsensual Towing Maximum Rate Tariff" adopted and published annually by the Mayor and City Council.

3. Companies, upon being contacted by the vehicle owner or authorized agent will comply with the following:
  - a. A representative of the Company will respond within 20 minutes and by appointment
  - b. The Company will not charge the vehicle owner or authorized agent an additional fee for responding to the yard during normal business hours for the purposes of any of the following activities:
    - i. Releasing a vehicle
    - ii. Releasing life essential personal property contained within the vehicle
    - iii. Inspecting the condition of the vehicle
4. Yards that experience frequent problems with theft from, or vandalism to, towed or stored vehicles may be prohibited from accepting vehicles towed under the Towing Rotation List.
5. All property removed from towed vehicles by the Company for "safekeeping" must be listed on the invoice received by the vehicle owner.
6. The Company shall ensure that the storage yard operator maintains a log of individuals who have been given access to vehicles for the purpose of removing personal property. Such a log shall show the name, vehicle, date, time, and receipt number.

#### **COMPLAINTS PROCEDURES**

1. The Company shall cooperate with SPD in any inquiry regarding a complaint alleging that any part of this agreement has been violated by the Company.
2. As a matter of practicality, the enforcement of certain articles in this Agreement occurs primarily as violations are reported to SPD.
3. SPD shall be the determining authority as to the severity of any violation. Complaints will be delivered to the Dispatch Supervisor, registered with the Operations Bureau Captain, and then assigned out for investigation. The Operations Bureau Captain will then make a recommendation to the Chief of Police or his/her designee as to the appropriate disposition of the complaint and any potential sanctions.

#### **PENALTIES FOR VIOLATION OF THE TERMS OF THIS AGREEMENT**

1. SPD has an obligation to the public regarding the safety of vehicles and their contents when towed and stored at SPD request and by a Company operating under the Towing Rotation List. When circumstances warrant, it may be necessary to immediately suspend a towing company from the Rotation and continue said suspension until the situation can be thoroughly investigated and a fair decision rendered.
2. Actions that may result in a Company's suspension or termination from the SPD Towing Rotation List include, but are not limited to:
  - a. requesting or demanding a vehicle owner sign any financial responsibility disclaimers
  - b. charging unauthorized fees
  - c. holding life-essential personal property "hostage" for payment to the company
  - d. expiration of liability or workers compensation insurance

- e. failure to maintain complete and accurate records of Rotation towed vehicles
  - f. threats
  - g. operating a tow truck or Company in violation of law
  - h. using unauthorized company operators, trucks, or yards on rotation calls
  - i. serious operator error
  - j. vehicle damage sustained during the towing process
  - k. operating unsafe tow trucks
  - l. moving a yard to another location without prior notification to SPD
  - m. operating a yard which does not have an office on site unless the yard and off-site storage location is approved by SPD
  - n. falsifying information on this application
  - o. revocation/suspension of driving or towing privileges by the State of Georgia
3. Following an investigation, the Company will be notified by email or U.S. mail of any sanctions deemed appropriate by SPD
  4. SPD will determine the length of any suspension. Suspension may result in a Company being denied participation for any length of time in the current Rotation, extended into a proceeding Rotation, permanently, or as determined by the Chief of Police or his designee.
  5. A company, yard, truck, or driver may be suspended or terminated from the Rotation for practices determined by SPD to be unlawful, unreasonable, or otherwise not in the best interests of the public and as outlined in this Application.
  6. A violation of any part of this Agreement may be the cause for sanctions.
  7. If SPD removes, suspends, or sanctions a Company on the Rotation the Company will be furnished with the reasons for said sanctions, in writing, within 5 days of imposition of said sanctions. The Company has the right to appeal this decision to the Mayor and City Council. in order to appeal such a decision, the Company shall file a written notice of appeal with the City Clerk within 30 days of receipt of the written decision by SPD. Upon receipt of a notice of appeal, the City Clerk shall place the appeal on the agenda for the next meeting of the Mayor and City Council for hearing.

**AFFIRMATION AND ACKNOWLEDGEMENT**

I hereby declare under criminal penalty of the State of Georgia that the information contained in the foregoing STATESBORO POLICE DEPARTMENT TOWING ROTATION AGREEMENT application is true and correct. I agree to be bound by all of the terms and conditions contained in the foregoing application and acknowledge that by signing below, I have read the application in its entirety. I agree to abide by the terms and conditions set forth in the application. I agree to accept responsibility for ensuring that all employees of the Company comply with the provisions of the application.

\_\_\_\_\_

Company Owner

Printed name: \_\_\_\_\_

Company name: \_\_\_\_\_

Date: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

# CITY OF STATESBORO

## COUNCIL

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



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

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

**To:** Charles Penny, City Manager

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

**Date:** June 1, 2023

**RE:** Request from the Bulloch County Historical Society for Placement of  
Historical Marker Recognizing

**Policy:** Easement for Historical Marker Placement on City of Statesboro Property

### **Recommendation:**

Consideration of a motion to approve an easement with the Bulloch County Historical Society to place a historical marker on City of Statesboro property adjacent to the Art Park.

### **Background:**

The Bulloch County Historical Society (BCHS) is requesting approval to install a historical marker recognizing the Dover & Statesboro (D&S) Railroad, the first railroad in Statesboro. The railroad provided a transportation connection between Statesboro and the Dover community to the north. Additional railroad lines traversing Statesboro would follow in later years.

BCHS would like to place this marker in the vicinity of the Art Park, where the original depot was located. It was recommended to BCHS to place the marker adjacent to East Main Street near Railroad Street. However, one of the BCHS board members would prefer to locate the marker within the Art Park, where the original depot was located. Staff will work with BCHS to determine a suitable location for both parties.

Attached is supporting documentation regarding the draft text to be placed on the marker and a draft easement (easement language is subject to change pending review by city attorney).

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

**Attachments:** Draft text for historical marker

Dover & Statesboro Railroad  
(D & S Railroad)

On February 28, 1889, it was announced that Statesboro would get its first railroad. The Dover and Statesboro was completed nine months later on November 16, 1889. Money was raised through stock and over 80 individuals contributed. Some of the larger contributors were: S.F. Olliff, B.E. Turner, T.H. Potter, W.W. Olliff, Blich Jones Co., Charles Pretorius, W.H. Blich, D.R. Groover and J.A. Brannen. The stops along the 10-mile route were: Rev. Jasper Wilson's Place, Cail's Place, Clito and Deal's Place.

Clito, Georgia, is a town between Statesboro and Dover created after the D & S Railway came in 1889. The McDougald-Outland naval stores' operations were located here. This included a general store, a turpentine distillery and a cotton gin. The company also owned some 1,185 acres of farmland just outside of Dover.

In 1894, Statesboro's first long distance telephone service was sent over open wires on cross arms and poles along the D & S Railroad right-of-way. When this service was converted to a dial system the open wires were removed and replaced with lead cables. When the Savannah and Statesboro Railroad was built, telephone long distance service was connected to Southern Bell in Savannah. (Continued on reverse side.)

(Supported by the Jack N. and Addie D. Averitt Foundation)

(Continued from reverse side.)

Mr. J.F. Fields set up a large, six-acre park at Mill Creek for parties and dancing. A round trip fare on the train from Statesboro to the park was ten cents. The opening picnic for Fields' Park was held on Saturday, June 20<sup>th</sup>, 1896 and included in the promotion were: "Music will be furnished by an Italian String Band of Savannah. There will be a bicycle race on an elevated track, a sack race, and rooting for dollars in a tub of flour. Beautiful croquet grounds about the park, swings hanging from trees and a 40 x 40 building for speaking." In a June 1897 an advertisement read as follows: "Big Social Picnic! at Field's Park. Enjoy the day in harmless sports including wheel barrow and blind fold races and climbing greased poles. Positively no dancing so the church people are invited to come. Bring your baskets for an old-fashioned picnic."

The D & S only existed for four years. On July 6, 1893, it faced financial trouble and was sold to Fred T. Lockhart, a representative of an Augusta syndicate. Citizens of Bulloch County enjoyed their train. By connecting with the Central of Georgia in Dover they could go to Savannah for a day of shopping or a business trip. The railroad offered excursions to Tybee for two dollars round trip. There were trips to the Ogeechee River at Dover for fishing parties and picnics.

Supported by the Jack N. and Addie D. Averitt Foundation.

Bulloch County Historical Society  
Supported by the Jack N. and Addie D. Averitt Foundation  
Historical Marker Property Owner Easement/Agreement

As the owner or lessee of the property on East Main Street at its intersection with the Norfolk Southern railroad, Statesboro Georgia:

I/We agree to allow the erection of said historical marker for/on this property.

I/We have been notified by the Bulloch County Historical Society as to the subject of/proposed site for said marker and agree that this is acceptable. It is understood that the marker will not be moved, removed, or altered in any way without prior consent from the Bulloch County Historical Society.

I/We understand that it is the responsibility of the Bulloch County Historical Society to maintain and repaint said marker. If the marker requires maintenance or in the event of damage, vandalism or loss I/We should contact the Bulloch County Historical Society at (912) 682-9003.

I/We understand that upon the sale or transfer of said property, this agreement shall also be transferred and honored as a binding easement for the said marker and that it is the seller's responsibility to inform the buyer of this easement.

Title of Marker: Dover & Statesboro Railroad

Name of Property Owner: City of Statesboro

Attn: Jason Boyles, Assistant City Manager

Mailing Address: P O Box 348 Statesboro, Georgia 30459

Telephone: 912-764-0683 Email: jason.boyles@statesboroga.gov

Signature of Property Owner: \_\_\_\_\_

Mayor, Jonathan McCollar