



October 3, 2023 9:00 am

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember John Riggs
3. Public Comments (Agenda Item):
4. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 09-19-2023 Work Session Minutes
 - b) 09-19-2023 Council Minutes
 - c) 09-19-2023 Executive Session Minutes
5. Public Hearing and consideration of a motion to approve an application for an alcohol license in accordance with the City of Statesboro Alcohol Ordinance Sec. 6-13(a):

Reliance (Convenience Store)
17412 US Hwy 301 North
Statesboro, Ga 30458
License Type: Package Sales – (Beer and Wine only) and Sunday Sales
6. Public Hearing and First Reading of **Ordinance 2023-16**: An Ordinance amending Chapter 38, Article VII Blight Tax of the Statesboro Code of Ordinances.
7. Consideration of a motion to approve **Resolution 2023-44**: A resolution approving application for funding from the Georgia Environmental Finance Authority to conduct a lead water service line study.
8. Consideration of a motion for award of contract to Vickery Farms Sodscapes, LLC in the not to exceed amount of \$61,200.00 for supplemental maintenance of the Eastside Cemetery.
9. Consideration of a motion for award of contract to S.A. Brown Enterprises in the amount of \$128,140.00 for the “Bulloch Street Sidewalk Project”. Project will be funded from the 2018 TSPLOST Fund.
10. Consideration of a motion for award of contract to S.A. Brown Enterprises in the amount of \$100,250.00 for the “Sidewalk Improvements Project”. Project will be funded from the 2018 TSPLOST Fund.

11. Consideration of a motion authorizing the Mayor to execute a purchase agreement and related documents for right-of-way and easement acquisition at 323 West Main Street for the West Main Street Sidewalk Project. Funding is provided from 2018 TSPLOST.
12. Consideration of a motion to amend the West Main Street Drainage Improvements Project contract with McLendon Enterprises in the amount of \$119,947.44. This work will be paid by fund balance in the 2018 TSPLOST Fund.
13. Other Business from City Council
14. City Managers Comments
15. Public Comments (General)
16. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b)
17. Consideration of a Motion to Adjourn



CITY OF STATESBORO
WORK SESSION MINUTES
SEPTEMBER 19, 2023

Mayor & Council Work Session

50 East Main Street

4:00 PM

A Work Session of the Statesboro City Council was held on September 19, 2023 at 4:00 p.m. in the Council Chambers at City Hall, 50 East Main Street. Present was Mayor Jonathan McCollar; Council Members: Phil Boyum, Paulette Chavers, 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 and Public Information Officer Layne Phillips. Absent was Councilmember Venus Mack.

1. Special Event Permit

City Attorney Cain Smith presented the requirements for Temporary Special Event permits as written in the Statesboro Code of Ordinances Chapter 6, Alcohol. At the time the ordinance was written the Georgia Department of Revenue did not allow alcohol sales at a catered event, however current guidance from the Department of Revenue allows alcohol sales at a catered event. In Sect. 321(d) of the proposed event center ordinance has a requirement for temporary special event or catered event permit for any type of alcohol being served at an event. Options we can do are 1) no alcohol at all at event centers or we can say only catered event permits for alcohol, or keep it the way it is with the suggestion of changing with everyone there having to have valid certification at the time of application. Council gave direction to remove special event permits from the proposed event center ordinance.

2. Alcohol License for Convenience Stores

Assistant to the City Manager Olympia Gaines began the presentation with the approval processes of several other communities including Milledgeville, Kennesaw, Tybee Island, Macon-Bibb, Valdosta, and Athens. Olympia went over the approval process. They require the fingerprints to be submitted for the initial application and if there was a change in the registered agent or change in ownership. In some cases if there were multiple locations the jurisdiction would use the same fingerprints and criminal background if the agents were the same, they would also do criminal background checks initially and on the annual basis. In the event that the building had a rebuild or renovation, if the rebuild had the same address they would not be required to submit a new application. In the event that the rebuild or renovation took place outside the licensing year that business would have to submit a new application. City Attorney Cain Smith went over the current ordinance. Recommended ordinance changes to 6-5(f) stating application may be brought before Mayor and Council for consideration prior to acquiring a certificate of occupancy, but no license allowing sales shall be granted until such times as the certificate of occupancy is granted for location. In addition to the amendment adding 6-5(r) stating licensees currently holding package-beer and wine licenses for two or more locations in the City of Statesboro shall be exempted from fingerprinting and background check requirements contained in section 6-5 (b). Council gave direction to find out what the cost would be to have annual background checks done on alcohol licensees. This information will be presented at the next work session in October.

3. Blight Tax

City Attorney Cain Smith stated that blight tax is allowed under Georgia Code and is effectively a multiplier of real property tax designed to discourage the maintenance of an incentivize the remediation of blighted properties. The multiplier used is at the discretion of the local jurisdiction. The GMA model ordinance has a multiplier of 7.0. The standard for the blight tax to be imposed would be for reasons such as, uninhabited property, inadequate provisions for ventilation light or air sanitation have imminent harm to life, illegal activity on the property and/or maintained below City standard for a year. After council discussion direction was given to increase the multiplier to 7 and remove single – family residential and bring forward for first reading at the next meeting.

4. Scooters Discussion

Caleb Racicot with TSW stated that Georgia has a Personal Device Law that applies to devices with engines greater than 50 cc. They are legal to own and drive without a license, without insurance, and registration is not required. A person must be at least 15 years old and wear a helmet. These devices are allowed on streets with a max speed limit of 35 mph, bike paths and lanes, and they must follow all traffic rules. Shareable mobility devices were covered with the Option allow everywhere with standards, standards including permit and license requirements, insurance, annual fee, Numeric Limit, Operation standards, Storage/parking standards, reporting standards and termination standards, and potential code based on Brookhaven Ga. Direction was given for staff to continue working with Caleb to draft an ordinance regulating “scooters” in Statesboro.

5. Elks Lodge Discussion

City Attorney Cain Smith presented the alcohol licensing history of the Elks Lodge located on James Street and that the grandfathering for non-conforming use has expired. Currently the issuance of a license would require resolutions as to zoning and proximity for both the initial application as well as for the issuance of a license would be in contradictory of our own ordinance. After some discussion council requested to hear from the neighbors and nearby church with their thoughts of the Elks Lodge having an alcohol license. City Manager Charles Penny stated staff will reach out to Mr. Taylor asking him to reach out to his neighbors and the church for their input and staff will report back before moving forward any further.

The meeting was adjourned at 5:08 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk



CITY OF STATESBORO
COUNCIL MINUTES
September 19, 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

Councilmember Paulette Chavers gave the Invocation and led the Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Absent	
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: None

4. Public Comments (Agenda Item): None

5. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 09-05-2023 Council Minutes

b) 09-05-2023 Executive Session Minutes

c) 09-12-2023 Public Hearing Minutes 12:00 pm

d) 09-12-2023 Public Hearing Minutes 6:00 pm

B) Consideration of a motion to approve the due date of December 20, 2023 for the City of Statesboro property tax bills.

A motion was made to approve the consent agenda.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember John Riggs

SECONDER:

Councilmember Paulette Chavers

AYES:

Boyum, Chavers, Riggs, Barr

ABSENT

Councilmember Venus Mack

6. Public Hearing and consideration of a motion to approve Resolution 2023-43: A Resolution setting the millage rate for Ad Valorem (Property) Taxes for the 2023 calendar year for the City of Statesboro, Georgia.

A Motion was made to open the public hearing.

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

City Manager Charles Penny reviewed the Fiscal Year 2024 budget for the City of Statesboro and the recommended increase will cover personnel costs and prepare the city to fund a new pay plan next July. The increase would also replace the fund balance used for last year's budget.

Cassandra Mikell spoke against the millage rate increase.

Lawton Sack a spoke against the millage rate increase and asked council to vote no.

Sam Jones stated his main concern is for the low income citizens and asked council to consider some kind protection for them as well as renters who may be affected by increase rent if there is a tax increase.

Melissa Dixon stated that times are getting tough for people and with all this growth then we the citizens are going to pay for it. We just got to find ways to figure it out without always going to the people for money.

A Motion was made to close the public hearing.

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

Councilmember John Riggs stated he is in favor of the staff recommended millage rate increase. He stated it will increase the standard of living here in town, it will put more roads in, more sewer, police, fire and all City employees. If we don't do something to help them we are going to lose hundreds of years of experience.

Councilmember Paulette Chavers stated she understands no one likes a raise in taxes but she has a concern with public safety. And as a representative of District 2 there are a lot of safety concerns within the district. More police officers patrolling the streets. She stated that she does not want to raise taxes but is in favor of the staff recommend increase to keep from having to raise taxes year after year.

Mayor Pro Tem Shari Barr voiced her concern about the effect of the increase on the citizens as they are being hit by inflation. She stated conservative practice is to have 25% in the City's General Fund to cover emergencies and to help pay the bills before other revenues are collected. The city is currently sitting on a higher reserve than 25% and so instead of such a large increase to balance the budget for the city to use some of the reserve in order to help Statesboro citizens.

Councilmember Phil Boyum stated the excess reserve fund is for times like this. The standard practice is to not roll the rate back but to keep it what it was the previous year. Councilmember Boyum stated he agrees with Mayor Pro Tem Barr especially since the city raised fees on water, sewer, trash, and stormwater by 10% and home valuations have increased by 25%. Councilmember Boyum stated city employees are important but we have some money in the bank and this is a rainy day and recommend the rate remain as it was the previous year.

Mayor Jonathan McCollier stated the city of Statesboro prides itself on taking care of its citizens. When the city received the CARES and ARPA money, \$17 million was used to fund a new food bank facility, begin a house rehabilitation program, and extend sewers into neighborhood not previously connected. In addition the city helped provide 500,000 meals to feed families in Bulloch County. The fund balance allows us to put ourselves back together when immediate help is not available.

There was council discussion about the use of fund balance and lessening the rate increase.

After further Council discussion a motion was made to approve **Resolution 2023-43**: A Resolution setting the millage rate for Ad Valorem (Property) Taxes for the 2023 calendar year for the City of Statesboro, Georgia at 8.125.

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

7. Public Hearing and Consideration of a Motion to Approve: APPLICATION CUV 23-08-01: Brenda O'Quinn requests a Conditional Use Variance to allow for the operation of a treatment residence in the R-20 (Single-Family Residential) zoning district at 401 West Parrish Street.

A motion was made to open the public hearing.

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

June DiPolito spoke in favor of the request.

Mary Blunt spoke against the request.

A motion was made to close the public hearing.

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

A motion was made to approve **APPLICATION CUV 23-08-01**: Brenda O'Quinn requests a Conditional Use Variance to allow for the operation of a treatment residence in the R-20 (Single-Family Residential) zoning district at 401 West Parrish Street.

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

8. Public Hearing and Consideration of a Motion to Approve:

(A): APPLICATION SUB 23-08-02: David Pearce & Mitchell Ball requests preliminary subdivision approval of approximately 0.64 acres of property to establish a single-family attached subdivision at 224 East Main Street.

(B): APPLICATION SUB 23-08-03: David Pearce & Mitchell Ball requests preliminary subdivision approval of approximately 3.06 acres of property to establish a single-family attached subdivision at 17 Gordon Street.

A motion was made to open the public hearing.

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

Hayden Rollins with Hussey Gay Bell representing the applicant spoke in favor of the request.

No one spoke against the request.

A motion was made to close the public hearing.

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

A motion was made to approve **APPLICATION SUB 23-08-02**: David Pearce & Mitchell Ball requests preliminary subdivision approval of approximately 0.64 acres of property to establish a single-family attached subdivision at 224 East Main Street and **APPLICATION SUB 23-08-03**: David Pearce & Mitchell Ball requests preliminary subdivision approval of approximately 3.06 acres of property to establish a single-family attached subdivision at 17 Gordon Street.

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

9. Public Hearing and Consideration of a Motion to Approve:

(A): **APPLICATION RZ 23-08-04**: KB Rentals LLC requests a Zoning Map Amendment from the HOC/R15 (Highway Oriented Commercial/Single-Family Residential) zoning districts to the R4 (High Density Residential) zoning district on approximately 15.46 acres in order to develop a single-family attached subdivision on Miller Street Extension.

(B): **APPLICATION RZ 23-08-05**: KB Rentals LLC requests a Zoning Map Amendment from the HOC(Highway Oriented Commercial) zoning districts to the R4 (High-Density Residential) zoning district on approximately 1 acre in order to develop a single-family attached subdivision on Miller Street Extension.

A motion was made to open the public hearing.

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

Hayden Rollins with Hussey Gay Bell representing the applicant spoke in favor of the request.
No one spoke against the request.

A motion was made to close the public hearing.

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

A motion was made to approve **APPLICATION RZ 23-08-04**: KB Rentals LLC requests a Zoning Map Amendment from the HOC/R15 (Highway Oriented Commercial/Single-Family Residential) zoning districts to the R4 (High Density Residential) zoning district on approximately 15.46 acres in order to develop a single-family attached subdivision on Miller Street Extension and **APPLICATION RZ 23-08-05**: KB Rentals LLC requests a Zoning Map Amendment from the HOC(Highway Oriented Commercial) zoning districts to the R4 (High-Density Residential) zoning district on approximately 1 acre in order to develop a single-family attached subdivision on Miller Street Extension.

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

10. Public Hearing and Consideration of a Motion to Approve: APPLICATION SUB 23-08-06: Tim Stone requests preliminary subdivision approval of approximately 54.06 acres of property to establish a 144 lot single-family detached subdivision at Cawana Road.

A motion was made to open the public hearing.

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

Hayden Rollins with Hussey Gay Bell representing the applicant spoke in favor of the request.
No one spoke against the request.

A motion was made to close the public hearing.

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

A motion was made to approve **APPLICATION SUB 23-08-06:** Tim Stone requests preliminary subdivision approval of approximately 54.06 acres of property to establish a 144 lot single-family detached subdivision at Cawana Road.

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

11. Second Reading and Consideration of a motion to approve Ordinance 2023-12: An Ordinance adopting the Statesboro Unified Development Code.

A motion was made to approve **Ordinance 2023-12**: An Ordinance adopting the Statesboro Unified Development Code.

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

12. Second Reading and Consideration of a motion to approve Ordinance 2023-13: An Ordinance amending Chapter 22: Cable Communications.

A motion was made to approve **Ordinance 2023-13**: An Ordinance amending Chapter 22: Cable Communications.

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

13. Second Reading and Consideration of a motion to approve Ordinance 2023-14: An Ordinance amending Chapter 26: Cemeteries.

A motion was made to approve **Ordinance 2023-14**: An Ordinance amending Chapter 26: Cemeteries.

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

14. Second Reading and Consideration of a motion to approve Ordinance 2023-15: An Ordinance amending Chapter 38: Environment.

A motion was made to approve Ordinance 2023-15: An Ordinance amending Chapter 38: Environment.

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

15. Second Reading and Consideration of a motion to approve Ordinance 2023-08: An Ordinance amending Chapter 18 Businesses of the Statesboro Code of Ordinances in order to implement Article XI creating licensing and operational requirements for event centers.

A motion was made to approve Ordinance 2023-08: An Ordinance amending Chapter 18 Businesses of the Statesboro Code of Ordinances in order to implement Article XI creating licensing and operational requirements for event centers.

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

16. Second Reading and Consideration of to approve Ordinance 2023-11: An Ordinance amending Chapter 18 Businesses of the Statesboro Code of Ordinances in order to implement Article XII creating a regulatory structure to allow for mobile public vending on City right of way.

A motion was made to approve Ordinance 2023-11: An Ordinance amending Chapter 18 Businesses of the Statesboro Code of Ordinances in order to implement Article XII creating a regulatory structure to allow for mobile public vending on City right of way.

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

17. Consideration of a motion authorizing the Mayor to execute a purchase agreement for right-of-way acquisition on Brannen Street for the Brannen Street Sidewalk Project. Funding is provided from 2018 TSPLOST.

A motion was made to approve authorizing the Mayor to execute a purchase agreement for right-of-way acquisition on Brannen Street for the Brannen Street Sidewalk Project. Funding is provided from 2018 TSPLOST.

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

18. Consideration of a motion to authorize the Mayor to sign two contracts with Flock Safety for the lease of Flock License Plate Reader Equipment.

A motion was made to approve authorizing the Mayor to sign two contracts with Flock Safety for the lease of Flock License Plate Reader Equipment.

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

19. Consideration of a motion to authorize the mayor to execute a contract with Quality Tire Recycling, LLC for extension of a used tire disposal contract.

A motion was made to approve authorizing the mayor to execute a contract with Quality Tire Recycling, LLC for extension of a used tire disposal contract.

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

20. Consideration of a motion to purchase one (1) 2023 Ford F-150 XL SuperCab 4X4 and one (1) 2023 Ford F-150 XL SuperCrew 4X4 for the Public Works and Engineering Department from Metter Ford for the total amount of \$89,989.64 based upon written quotes received. The funding source is Solid Waste Disposal Operating Income and the CIP is SWD-16-R.f

A motion was made to approve the purchase one (1) 2023 Ford F-150 XL SuperCab 4X4 and one (1) 2023 Ford F-150 XL SuperCrew 4X4 for the Public Works and Engineering Department from Metter Ford for the total amount of \$89,989.64 based upon written quotes received. The funding source is Solid Waste Disposal Operating Income and the CIP is SWD-16-R.f

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

21. Consideration of a motion to amend our contract with Utility Services Company Inc. to add the Bruce Yawn Industrial Park elevated storage tank to our annual maintenance contract, in the amount of \$40,740.00. To be paid for with funds included in the FY2024 Water and Sewer Operating Budget.

A motion was made to approve an amendment to our contract with Utility Services Company Inc. to add the Bruce Yawn Industrial Park elevated storage tank to our annual maintenance contract, in the amount of \$40,740.00. To be paid for with funds included in the FY2024 Water and Sewer Operating Budget.

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

22. Other Business from City Council:

Mayor Pro Tem Shari Barr shared that DSDA and Main Street invites anyone who wants to come down to innovation alley where they are having an expo until 8:00 this evening. Also a public hearing will be held on Monday from five to eight at the First United Methodist Church on South Main Street about the shared Bulloch County – City of Statesboro transportation plan. If you are unable to attend you can go to the City of Statesboro facebook page where there is a link to a survey where you can register your opinion.

23. City Managers Comments

City Manager Charles Penny stated that in the FYI packet there is a letter that was sent out to some of the apartment complexes about the Security incentive program to try and get them to utilize some of those grant funds. Georgia Southern had received a grant to conduct air quality study in city owned buildings. Lastly the election for District 3 and 5 has been cancelled due to lack of opposition. A notice of election cancellation will be run in the Statesboro Herald on Thursday.

24. Public Comments (General):

Pastor Arthur Lee Kelly, Sr. Pastor of Thomas Grove Baptist Church located at 500 E Olliff Street is having an issue with the ditch behind the sanctuary as it is eroding and is causing cracks in the fellowship hall. Pastor Kelly requested a culvert be placed on their side of the ditch to alleviate the problem.

Sue Palmer asked that the fee for leaving a garbage can out increase from \$10 to \$50.

Marcus Toole with Habitat for Humanity stated they received a grant to help promote the city bus service.

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

At 7:45 pm a motion was made to enter into executive session.

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

At 8:06 pm a motion was made to exit executive session.

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

Mayor Jonathan McCollar called the regular meeting back to order.

A motion was made to appoint Enola Mosley, Stacy Smallwood, Tracy Linderholm, Nandi Marshall, John Gamble, and Yolanda Tremble to the One Boro Commission.

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

26. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 8:07 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk

CITY OF STATESBORO

COUNCIL

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



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

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

To: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 9/27/2023

RE: Reliance- Package Sales & Sunday Sales

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.

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

Budget Impact: None

Council Person & District: Phil Boyum, District 1

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: Reliance
D/B/A Name

2. Applicant's Name: LUCKYRAJ INC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 17412 US Hwy 301 N, Statesboro GA 30458 USA

4. Business mailing address: 17412 US Hwy 301 N, Statesboro GA 30458 USA

5. Local business phone number: +1 912-314-5269

Corporate office phone number: _____

6. Name of Manager: RAJKUMAR M. PATEL
Person responsible for alcohol licensing issues

7. Phone number for manager: [REDACTED]

8. Email address for manager: [REDACTED]

9. Address of manager: [REDACTED]

10. Purpose of application is:

New Business _____ New Owner ☒

Previous owner's name: _____

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

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

11. Indicate where the business will be located:

____ Above ground

☒ Street or ground floor level

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

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

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

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

Full Legal Name: _____ **----N.A.----** Phone #: _____

Home Address: _____

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

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

Name & address of partnership, LLC, or LLP: _____ **----N.A.----**

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

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

15. Members of LLC and/or partners:

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

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

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

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

Name of Corporation: LUCKYRAJ INC

Home Office address: 17412 US Hwy 301 N, Statesboro GA 30458 USA

Mailing address (if different): SAME AS ABOVE

Date & Place of incorporation: 08/17/2023 AT ATLANTA, GA

Do you have a shareholders agreement?: _____

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

17. Officers:

Full Legal Name: RAJKUMAR M. PATEL Phone #: [REDACTED]

Home address: [REDACTED]

Percentage of stock owned: 100% Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

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

18. Stockholders: (if different than officer names)

Full Legal Name: ----N.A.---- 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:

Ambema Enterprise Inc. c/o Vaishali M. Patel

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

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

Ambema Enterprise Inc. c/o Vaishali M. Patel

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? _____

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, RAJKUMAR M. PATEL, 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.

RAJKUMAR M. PATEL

Print full name as signed below

<u>R.m. Patel</u>	Manager/Owner	08/25/23
Signature of applicant	Title	Date

Sworn and subscribed before me this 25th day of August, 2023.

<u>Leann Shurley</u>	<u>02/21/2027</u>
Notary Public	My commission expires



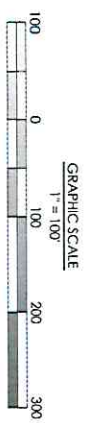
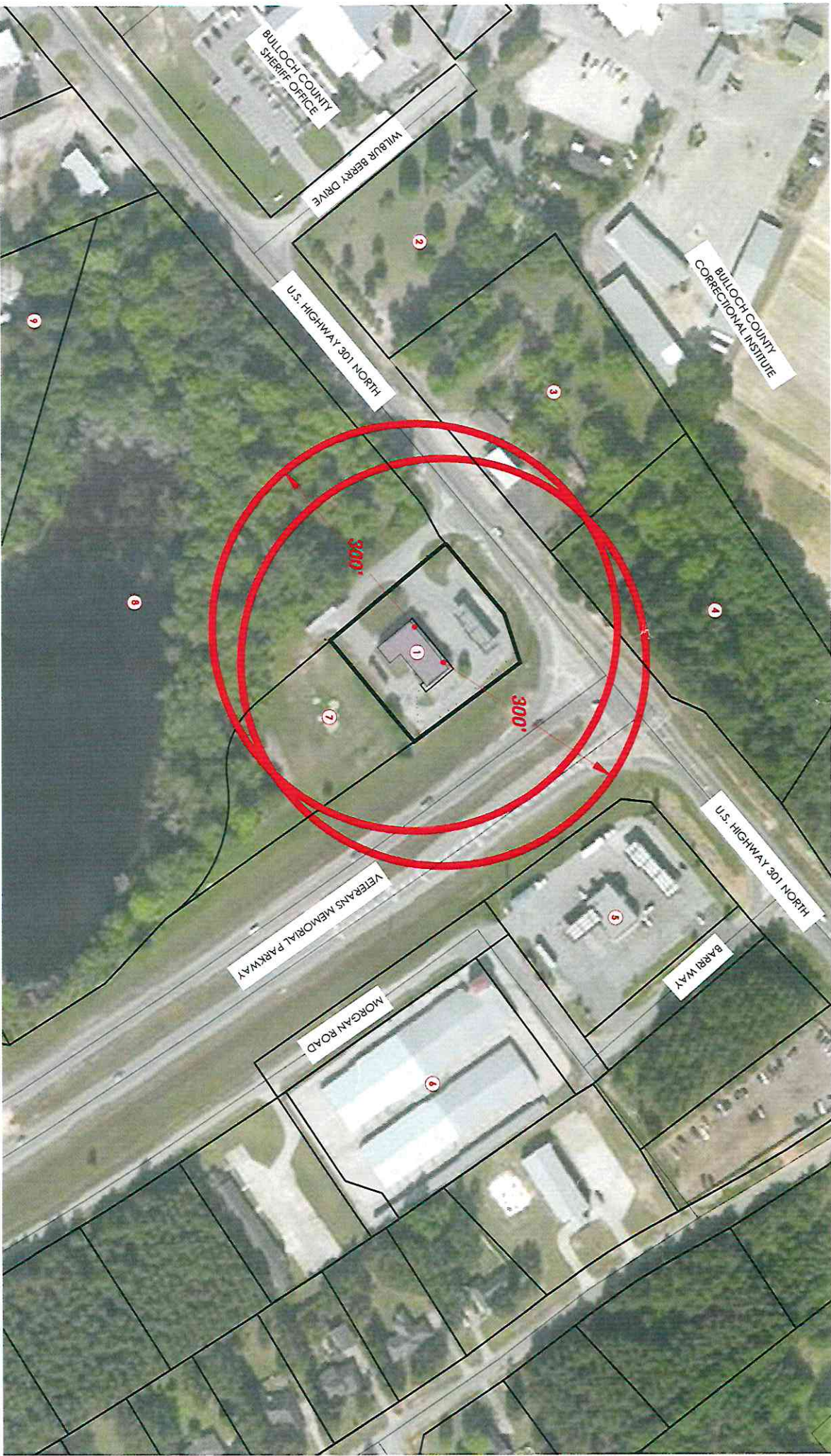
Leann Shurley
Notary Public
Houston County, Georgia
My Comm. Exp. 02/21/2027

Calculation of Basic License Fee

For Calendar Year: 2023

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

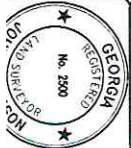
Total Due: \$ 2050



MAXWELL-REDDICK
& ASSOCIATES, L.L.C.
LAND SURVEYING
200 KENNEDY BLVD
STATESBORO, GA 30435
(912) 687-7112
(912) 687-7125 FAX

CERTIFICATE OF
AUTHORIZATION # 15H000953

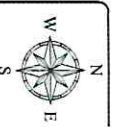
11005 JAYNES BRIDGE RD
SUITE #25



GENERAL NOTES:

- 1) SUBJECT PROPERTY IS TAX MAP# 680000001 000
- 2) PHYSICAL ADDRESS: 17412 HIGHWAY 301 NORTH
- 3) SUBJECT PROPERTY IS RECORDED IN PLAT BOOK 63 PAGE 113
- 4) PROPERTY LINES SHOWN WERE TAKEN FROM THE METRIC 1/11 PROPERTY TAX ASSESSMENT MAP

- 1 RMI PETROLEUM, LLC
- 2 BULLOCH COUNTY
- 3 BULLOCH COUNTY BOARD OF COMMISSIONERS
- 4 BRYANT CORP
- 5 THREE O ONE LLC
- 6 LASH HARTMAN LLC
- 7 BULLOCH COUNTY
- 8 ALEX BRIAN CARTER
- 9

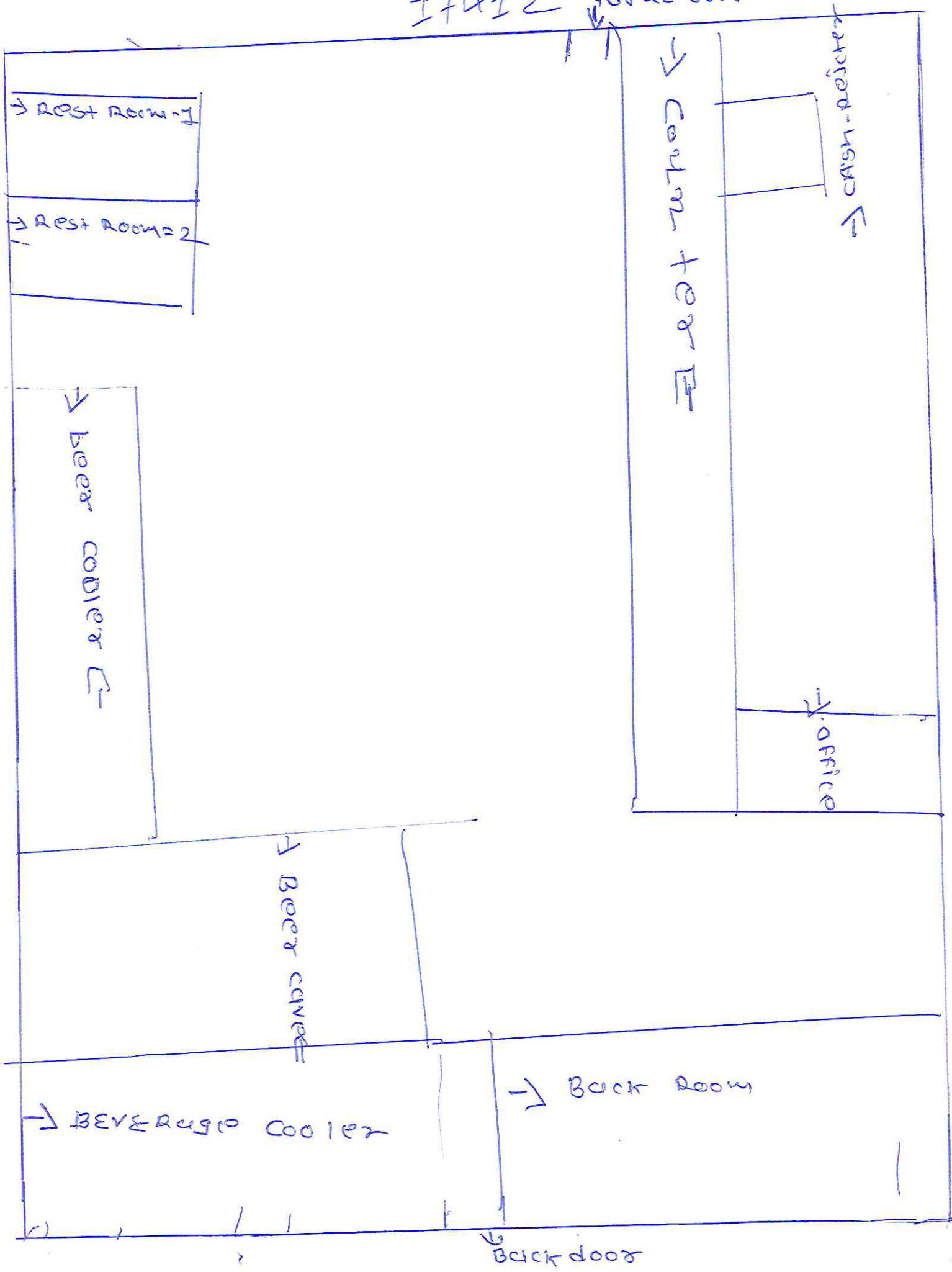


ALCOHOL PROXIMITY EXHIBIT

DRAWN BY: JJ
FIELD WORK: N/A
DATE: 11/20/2019
JOB NO.: 2019-245

FOR
CREATING 301 LLC
17412 HIGHWAY 301 NORTH
1209TH G.M.D., BULLOCH COUNTY,

17x12 front door



Reliance
17412 US Hwy 301 North
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department	Full Name	Recommendation	Comments
Planning & Development	Jermaine Foster	Approved	09-07-2323 This location is zoned Highway Oriented Commercial. HOC zoning is approved for Alcohol sales.
Fire Department	Andrew Cheney	Approved	
Police Department	Jared Akins	Approved	
Legal	Cain Smith	Approved	

CITY OF STATESBORO

COUNCIL

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



Jonathan M 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: September 26, 2023

RE: October 3, 2023 City Council Agenda Items

Policy Issue: First Reading of amendment to Chapter 38, Article VII Blight Tax

Recommendation: Approve

Background: On December 3, 2019 Chapter 38, Article VII establishing the Community Redevelopment Tax Incentive Program was passed by Council 5-0. Mayor McCollar disapproved and adjusted the item of appropriation in Sec 38-162 from an additional multiplication factor of 7.0 for all properties to zero for residential properties and 10.0 for commercial properties located within the South Main ("Blue Mile") TAD and DSDA district. Proposed amendment was brought forward at September 19, 2023 work session for presentation as first reading

Budget Impact: TBD

Council Person and District: All

Attachments: Redlined Chapter 38, Article VII

Ordinance 2023-16:

Statesboro, Georgia, Code of Ordinances – Community Redevelopment Tax Incentive Program

Chapter 38, Article VII. – COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM

Section 38-160 – Purpose.

Section 38-161 – Definitions.

Section 38-162 – Levy of increase ad valorem tax on blighted real property.

Section 38-163 – Official identification of property maintained in blighted condition.

Section 38-164 – Remediation or redevelopment to remove designation of blighted condition.

Section 38-165 – Decreased rate of taxation to be applied after successful remedial action or redevelopment of blighted property.

Section 38-166 – Duty of code official to provide notice to county tax commissioner.

Section 38-160 – Purpose.

The existence of real property which is maintained in a blighted condition increases the burden of the state and local government by increasing the need for government services, including but not limited to social services, public safety services, and code enforcement services. Rehabilitation of blighted property decreases this need for such government services.

In furtherance of its objective to eradicate conditions of slum and blight within the City, the Mayor and Council in exercise of the powers granted to municipal corporations at Chapter 61, Urban Redevelopment, of Title 36 of the Official Code of Georgia Annotated, has designated those areas of the City where conditions of slum and blight are found or are likely to spread.

In recognition of the need for enhanced governmental services and in order to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and as an incentive to encourage community redevelopment, a community redevelopment tax incentive program is hereby established as authorized by Article IX, Section II, Paragraph VII(d) of the 1983 Constitution of the State of Georgia.

Section 38-161 – Definitions.

Blighted property, blighted, or blight means any urbanized or developed property which:

(A) Presents two or more of the following conditions:

(1) Uninhabitable, unsafe, or abandoned structure;

- (2) Inadequate provisions for rain, ventilation, light, air, or sanitation;
- (3) An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
- (4) A site identified by the federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq., or having environmental contamination to an extent that requires remedial investigation or a feasibility study;
- (5) Repeated illegal activity on the individual property of which the property owner knew or should have known; or
- (6) The maintenance of the property is below state, county, or municipal codes for at least one year after written notice of the code violation to its owner; and

(B) Is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property. Property shall not be deemed blighted solely because of esthetic conditions.

'Building Inspector' means a certified inspector possessing the requisite qualifications to determine minimal code compliance.

'Code official' means the City Manager or such officer or employee of the City as designated by the City Manager to perform the duties and responsibilities hereafter set forth in this article.

'Community redevelopment' means any activity, project, or service necessary or incidental to achieving the redevelopment or revitalization of a redevelopment area or portion thereof designated for redevelopment through an urban redevelopment plan or thorough local ordinances relating to the repair, closing, and demolition of buildings and structures unfit for human habitation.

'Governing authority' means the Mayor and Council of the City of Statesboro, a Georgia municipal corporation.

'Millage' or 'millage rate' means the levy, in mills, which is established by the governing authority for purposes of financing, in whole or part, the levying jurisdiction's general fund expenses for the fiscal year.

'Person' means such individual(s), partnership, corporations, business entities and associations which return real property for ad valorem taxation or who are chargeable by law for the taxes on the property.

Section 38-162 – Levy of increase ad valorem tax on blighted real property.

There is hereby levied on all property within the City which has been officially identified as maintained in a blighted condition an increased ad valorem tax by adding a factor of **seven (7.0)** to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law; provided, however, Residential property on which there is situated a dwelling house which is being occupied as the primary residence of one or more persons shall not be subject to official identification as maintained in a blighted condition and shall not be subject to increased taxation. **Detached single family dwelling units, whether occupied or not, shall also not be subject to designation as blighted or be subjected to increased taxation.**

Such increased ad valorem tax shall be applied and reflected in the first tax bill rendered following official designation of a real property as blighted.

Revenues arising from the increased rate of ad valorem taxation shall, upon receipt, be segregated by the City Manager and used only for community redevelopment purposes, as identified in an approved urban redevelopment program, including defraying the cost of the City's program to close, repair, or demolish unfit buildings and structures.

Section 38-163 – Official identification of property maintained in blighted condition.

(A) In order for a parcel of real property to be officially designated as maintained in a blighted condition and subject to increased taxation, the following steps must be completed:

(1) An inspection must be performed on the parcel of property. In order for an inspection to be performed,

- a. A request may be made by the code official or by at least one resident of the City for inspection of a parcel of property, said inspection to be based on the criteria as delineated in ordinance, or
- b. The code official may cause a survey of existing housing conditions to be performed, or may refer to any such survey conducted or finalized within the previous five years, to locate or identify any parcels which may be in a blighted condition and for which a full inspection should be conducted to determine if that

parcel of property meets the criteria set out in this article for designation as being maintained in a blighted condition.

c. Any individual request or survey produced under this subsection shall be reviewed, amended as desired, and approved at open meeting by Mayor and Council before any further action is undertaken.

(2) A written inspection report of the findings for any parcel of property inspected pursuant to subsection (1) above shall be prepared and submitted to the code official. Where feasible, photographs of the conditions found to exist on the property on the date of inspection shall be made and supplement the inspection report. Where compliance with minimum construction, housing, occupancy, fire and life safety codes in effect within the City are in question, the inspection shall be conducted by an inspector possessing the requisite qualifications to determine minimal code compliance.

(3) Following completion of the inspection report, the code official shall make a determination, in writing, that a property is maintained in a blighted condition, as defined by this article, and is subject to increased taxation.

(4) The code official shall cause a written notice of his determination that the real property at issue is being maintained in a blighted condition to be served upon the person(s) shown on the most recent tax digest of Bulloch County as responsible for payment of ad valorem taxes assessed thereon; provided, however, where through the existence of reasonable diligence it becomes known to the code official that real property has been sold or conveyed since publication of the most recent tax digest, written notice shall be given to the person(s) known or reasonably believed to then own the property or be chargeable with the payment of ad valorem taxes thereon, at the best address available. Service in the manner set forth at O.C.G.A. § 41-2-12 shall constitute sufficient notice to the property's owner or person chargeable with the payment of ad valorem taxes for purpose of this section, except that posting of the notice on the property will not be required.

(B) The written notice given to the person(s) chargeable with the payment of ad valorem taxes shall notify such person of the code official's determination the real property is being maintained in a blighted condition and shall advise such person of the hours and location at which the person may inspect and copy the code official's determination and any supporting documentation. Persons notified that real property of which the person(s) is chargeable with the payment of ad valorem taxes shall have 30 days from the receipt of notice in which to request a hearing

before the Municipal Court. Written request for hearing shall be filed with the code official and shall be date stamped upon receipt. Upon receipt of a request for hearing, the code official shall notify the Municipal Court and the building inspector or person who performed the inspection and prepared the inspection report.

- (C) Within 30 days of receipt of a request for hearing, the Municipal Court Clerk shall set a date, time, and location for the hearing and shall give at least ten business days' notice to the person(s) requesting the hearing, the code official and the building inspector or person who performed the inspection and prepared the inspection report. Notice of scheduled hearings shall be published as a legal advertisement in the Statesboro Herald, or other designated legal organ in Bulloch County, at least five days prior to the hearing. Hearings may be continued by the Municipal Court judge upon request of any party, for good cause.
- (D) At the hearing, the code official shall have the burden of demonstrating by a preponderance of the evidence that the subject property is maintained in a blighted condition, as defined by this article. The Municipal Court judge shall cause a record of the evidence submitted at the hearing to be maintained. Upon hearing from the code official and/or their witnesses and the person(s) requesting the hearing and/or their witnesses, the Judge of Municipal Court shall make a determination either affirming or reversing the determination of the code official. The determination shall be in writing and copies thereof shall be served on the parties by certified mail or statutory overnight delivery. The determination by the court shall be deemed final. A copy of such determination shall also be served upon the Tax Commissioner of Bulloch County, who shall include the increased tax on the next regular tax bill rendered on behalf of the City.
- (E) Persons aggrieved by the determination of the court affirming the determination of the code official may petition the Superior Court of Bulloch County for a writ of certiorari within 30 days of issuance of the court's written determination.

Section 38-164 – Remediation or redevelopment to remove designation of blighted condition.

- (A) A property owner or person(s) who is chargeable with the payment of ad valorem taxes on real property which has been officially designated pursuant to this article as property maintained in a blighted condition may petition the code official to lift the designation, upon proof of compliance with the following:
 - (1) Completion of work required under a plan of remedial action or redevelopment approved by the City's Director of Planning and Development which

addresses the conditions of blight found to exist on or within the property, including compliance with all applicable minimum codes; or

(2) Completion of work required under a court order entered in a proceeding brought pursuant to Article II of this Chapter.

(B) Before action on a petition to lift the designation, the code official shall cause the property to be thoroughly inspected by a building inspector who, by written inspection report, shall certify that all requisite work has been performed to applicable code in a workmanlike manner, in accordance with the specifications of the plan of remedial action or redevelopment, or applicable court order. Upon finding required work to be satisfactorily performed, the code official shall issue a written determination that the real property is no longer maintained in a blighted condition. Copies of this determination shall be served upon the person(s) chargeable with the payment of ad valorem taxes, and upon the Tax Commissioner of Bulloch County.

(C) All plans for remedial action or redevelopment shall be in writing, signed by the person(s) chargeable with the payment of ad valorem taxes on the real property and the City's Director of Planning and Development, and contain the following:

1. The plan shall be consistent with the City's comprehensive plan and all laws and ordinances governing the subject property, and shall conform to any urban redevelopment plan adopted for the area within which the properties lies;
2. The plan shall set forth in reasonable detail the requirements for repair, closure, demolition, or restoration of existing structures, in accordance with minimal statewide codes; where structures are demolished, the plan shall include provisions for debris removal, stabilization, and landscaping of the property;
3. On parcels of five acres or greater, the plan shall address the relationship to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.
4. The plan shall contain verifiable funding sources which will be used to complete its requirements and show the feasibility thereof;
5. The plan shall contain a timetable for completion of required work; and

6. Any outstanding ad valorem taxes (state, school, county and city, including the increased tax pursuant to this article) and governmental liens due and payable on the property must be satisfied in full.

Section 38-165 – Decreased rate of taxation to be applied after successful remedial action or redevelopment of blighted property.

Property which has had its designation as being maintained in a blighted condition removed as provided in this section will become eligible for a decrease in the rate of city ad valorem taxation equivalent to 50 percent of the normal millage rate applied to the property, applied at the time of issuance of the subsequent tax bill, as provided by general law. This decreased rate is applied to three years tax bills.

Section 38-166 – Duty of code official to provide notice to county tax commissioner.

It shall be the duty of the building official to notify the Tax Commissioner of Bulloch County in writing as to designation or removal of designation of a specific property as maintained in a blighted condition. Such notice shall identify the specific property by street address and tax map, block and parcel number, as assigned by the Bulloch County Tax Assessor's Office. The code official shall cooperate with the tax commissioner to assure accurate tax billing of those properties subject to increased or reduced ad valorem taxation under this article.

CITY OF STATESBORO

COUNCIL

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



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

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

To: Jason Boyles
Assistant City Manager

From: Steve Hotchkiss
Public Utilities Director

Date: 9-27-2023

RE: GEFA Grant Application

Policy Issue: Council Approval

Recommendation: Consideration of a motion to approve Resolution 2023-44: A resolution approving application for funding from the Georgia Environmental Finance Authority to conduct a lead water service line study.

Background: The Environmental Protection Agency has mandated that all municipal water systems evaluate the presence of Lead Service lines within each system. To comply with this order each system will have to inventory and inspect every service line within the system. In order to help systems with the cost to perform this work the Georgia Environmental Finance Authority has initiated a Grant funding opportunity. The City of Statesboro has been included as an approved grant applicant for up to \$650,000.00 in funding to pay for field investigations and program administration. We have instructed our consultants at Hussey, Gay, Bell Engineering to proceed with the grant application in hopes that we can procure this funding source for our system.

Budget Impact: None – no local match required

Council Person and District: All Districts

Attachments: Resolution 2023-44

**RESOLUTION 2023 - 44: A RESOLUTION APPROVING APPLICATION FOR
FUNDING FROM THE GEORGIA ENVIRONMENTAL FINANCE AUTHORITY
LEAD SERVICE LINE REPLACEMENT PROGRAM**

THAT WHEREAS, the Mayor and City Council assert that the delivery of safe drinking water to the citizens of Statesboro is of fundamental importance to the operation of the Statesboro municipal water system; and,

WHEREAS, the US Environmental Protection Agency Lead and Copper Rule mandates all municipal water systems evaluate for the presence of lead service lines within their water distribution system; and,

WHEREAS, the Mayor and City Council have found that the Lead Service Line Replacement Program (LSLR) administered by the Georgia Environmental Finance Authority (GEFA) provides necessary financial assistance for lead service line inventory management programs; and,

WHEREAS, the Mayor and City Council seeks to conduct an assessment of any potential lead service lines connected to the Statesboro municipal water system to ensure the delivery of safe drinking water; and,

WHEREAS, the Mayor and City Council have found that the LSLR Program provides funding up to \$650,000 and is a desirable financing program to support an effective and efficient lead service line inventory study; and,

WHEREAS, no local match for said application is required; and,

WHEREAS, City staff, in coordination with the City's water and wastewater engineer of record, Hussey Gay Bell, will prepare application to the LSLR Program to conduct a lead service line inventory study; and,

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

- Section 1. That the Mayor and City Council hereby approve the submittal of application for funding from the Lead Service Line Replacement Program.
- Section 2. That the Mayor is hereby authorized to execute all documents related to the application of said Program.

Adopted this 3rd day of October, 2023.

STATESBORO, GEORGIA

By: Jonathan McCollar, Mayor

Attest: Leah Harden, City Clerk

CITY OF STATESBORO



COUNCIL

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

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

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

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

From: Marcos Trejo Jr., Assistant Director of Public Works

Date: September 26, 2023

RE: Cemetery Maintenance Contract for the Parks Division of Public Works & Engineering

Policy Issue: Purchasing

Recommendation:

Consideration of a Motion to Authorize the Mayor to execute funds in the amount of \$61,200.00 to Vickery Farms Sodscapes, LLC. for landscape maintenance services of the Eastside Cemetery.

Background:

The Eastside Cemetery requires routine maintenance during the growing season. Currently, the Public Works Parks Division is responsible for routine grounds maintenance of the Eastside Cemetery, McTell Trail, The Blue Mile, 12 passive parks, 20 + public parking lots, and multiple City facilities grounds. There are currently six groundskeepers positions in the parks division. Currently, there only 4-5 depending on vacancies and the variability of workers in the division. The Eastside Cemetery is approximately 40 acres in size. As a result, this work requires four groundskeepers 3-4 days every 3 weeks to mow grass, cut weeds, cleanup and leaf blowing around plots. Contracting a landscape company to perform the maintenance of the cemetery during the growing season (April-October) would allow the groundskeepers to effectively maintain and keep pace with all the other daily and weekly scheduled areas of maintenance duties in the City. With the growth in the City, new areas of maintenance are being added every year.

Since the growing season overlaps the City's fiscal year, this contract will only be valid from October 2023 to June 2024. The department will then re-bid the contract, and bring it before Council, for the next fiscal year to keep in continuance with the growing season and as funds are appropriated each fiscal year. Multiple quotes were solicited but only two were received.

Budget Impact:

This work is to be paid from the Parks Division Contract Labor budget as appropriated in the FY2024 budget.

Council Person and District: Phil Boyum, District 1

Attachments: Quotes



City of Statesboro
Public Works & Engineering Department

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

8/3/2023

As of July 31, 2023 bids have been submitted for the maintenance of Eastside Cemetery. The contracted maintenance is to include mowing, weedeating, blowing and trash pickup. Two bids were submitted with the low bid going to Vickery Farms Sodscapes, LLC in the amount of \$61,200. I would like to proceed with getting a contract for the scope of work as soon as possible. I have included the actual bid amounts as well as scope of work and all contractors who were contacted for the bid process. If anything further is needed please let me know.

Thanks,

Richard Smiley
Streets and Parks Superintendent



VICKERY FARMS SODSCAPES, LLC

2628 KENNEDY BRIDGE ROAD

REGISTER, GA 30452

(912) 682-3401

vickeryfarmssodscapesllc@gmail.com

Quote

Quote Date: 7/31/2023

Quote #: 196

Bill To:

City of Statesboro:

East Side Cemetery

Attn: Joey Bland

Description	Total
Mowing, Edging, Blowing, Line Trimming, Trimming of Azaleas, and any other cleanup needed (Total Quoted Price is for April - October: 15 Trips)	61,200.00
We look forward to working with you!	
Total	\$61,200.00



1435 Fred Chance Rd.
Perkins, GA 30442-8327
Cell (912) 682-2935
rrlandscape@gmail.com

12537

Customer: City of Statesboro Bill Date: July 30, 23

Address: Statesboro, GA. Bill Date: _____

EASTSIDE CEMETERY

LAWN CARE Bid

DATE	LABOR DESCRIPTION	AMOUNT
1-	mowing PER specifications	
		6,000. ⁰⁰

Total Labor: _____

Total Materials: _____

Tax on Materials: _____

Total Amount Due: _____

City of Statesboro East Side Cemetery

Specifications for Grounds Maintenance

MOWING: All turf will be mowed with in a 14 day cycle (April 1st through October 31). Mowing height will depend on the season. Typically, height will range from 1.5" to 2". Any area to wet for proper mowing will be mowed when the ground is dry enough to allow normal mowing. Mow crews must be courteous and cautious to funeral services and must not mow within a 2 block area of the funeral service. Mowing service will performed Monday –Wednesday. We will allow extra days due to rain outs.

LINE TRIMMING: All line trimming will be performed every time the turf is mowed.

FREQUENCY OF SERVICE: Landscape Maintenance crew will report to the job site **15** weeks per year.

CLEAN UP / BLOWING: Streets, Monuments/Headstones must be blown off in order to remove all debris. Lawn maintenance crew must remove all trash in the areas that are being maintained by the contractor and all yard debris must be removed. The city provides an area where yard debris can be placed **CONTRACTOR MUST PLACE ONLY YARD DEBRIS (NO TRASH) THAT WAS REMOVED FROM EAST SIDE CEMETERY IN THIS AREA.**

SPECIAL SERVICES: A foreman will be assigned to the project and report to the City of Statesboro Streets and Parks Assistant Superintendent who will sign off on inspection sheets after each time of service. Contractor must give the city an hourly labor rate based on man hours. This rate will be used if the city asked contractor to perform any other work outside of the specifications listed above. This rate must be given to the city in writing and will last for the duration of the contract and cannot be increased unless authorized by the City of Statesboro's authorized representative.

The Contractor is responsible for Any Damage to Monuments/Headstones and Water Lines and must be repaired at no cost to the City of Statesboro.

CITY OF STATESBORO

COUNCIL

Phil Boyum
Paulette Chavers
Venus Mack
John Riggs
Shari Barr



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

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

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

From: John Washington, Director – Public Works and Engineering
David Moyer, Assistant City Engineer

Date: September 25, 2023

RE: Recommendation of Bidder for Sidewalk Projects:
ENG – 122, Sidewalk Improvements
ENG – 122o, Bulloch Street Sidewalk

Policy Issue: Purchasing

Recommendation:

Staff recommends award of contract to S.A. Brown Enterprises in the amount of \$128,140.00 for the “Bulloch Street Sidewalk Project” and for the “Sidewalk Improvements Project” in the amount of \$100,250.00.

Background:

The Bulloch Street Sidewalk Project will construct sidewalk along Bulloch Street from South Main Street to South College Street. Additionally, this project includes installation of sidewalk along West Cherry Street from South Walnut Street to South College Street. The general “Sidewalk Improvements Project” will provide improved pedestrian connectivity between existing sidewalk segments on Tillman Road from East Kennedy Street to South Main Street and North College Street from Proctor Street to Northside Drive West.

To encourage participation the City of Statesboro issued requests for proposals for construction services for both projects concurrently. Only three bids were received and S.A. Brown Enterprises provided the lowest responsive bid. The bid received from S.A. Brown Enterprises meets the requirements of the bid package and an acceptable bid bond was submitted.

Budget Impact:

These projects are to be paid from the 2018 TSPLOST fund. The “Bulloch Street Sidewalk Project” is \$4,640 over budget; however, 2018 TSPLOST Fund balance is available to cover this amount. The “Sidewalk Improvements Project” is within budget estimate from 2018 TSPLOST Fund.

Council Person and District: District 2, Councilmember Chavers

Attachments: None

CITY OF STATESBORO



COUNCIL

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

Jonathan McCollar, Mayor
Charles Penny, City Manager
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50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

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

From: John Washington, Director – Public Works and Engineering
David Moyer, Assistant City Engineer

Date: August 29, 2023

RE: Approval to Execute Purchase Agreement for Right of Way Acquisition

Policy Issue: West Main Street Project Right-of-Way (ROW) acquisition

Recommendation:

Consideration of a motion to authorize Mayor to execute agreements for right-of-way acquisition. Staff recommends approval of the Purchase Agreement and related documents and payment as identified in the Agreement.

Background:

The West Main Street Sidewalk project is proposing to install sidewalk along the street from Ivory to Foss Street. Multiple Right-of-Way Acquisitions are needed to facilitate this work and to allow construction where an insufficient width of ROW currently exists for such improvements. The following parcel has a negotiated purchase agreement:

<u>West Main St. Sidewalk</u>	
Parcel 6, 323 W. Main St.	\$2,100.00

Budget Impact:

Right-of-Way and easement acquisition will be funded by 2018 TSPLOST funds.

Council Person and District:

District 2, Councilmember Paulette Chavers

Attachment:

Easements and Agreements

AGREEMENT TO PURCHASE REAL ESTATE

Project #: West Main Street Sidewalk Improvements
Parcel No.: 6

GEORGIA, BULLOCH COUNTY

For and in consideration of the sum of One Dollar (\$1.00), receipt whereof being acknowledged, the undersigned grants to the Mayor and City Council of the City of Statesboro an option to acquire the following described real estate:

Right of Way and/or easements through the tract or parcel of land located in the 1209th GMD of Bulloch County, Georgia, and being more particularly shown on the plat attached hereto and made a part hereof by reference.

For the sum of \$ 2,100.00, the undersigned agrees to execute and deliver to Mayor and City Council of the City of Statesboro a permanent easement to the lands owned by the undersigned as reflected on the attached Exhibit "A."

The following conditions are imposed upon the grant of this option:

- 1) This option shall extend for 60 days from this date.
- 2) The consideration recited is full payment for the rights conveyed.
 Square feet of Right of Way
 Linear Feet of Limited Access
1,194.01 Square Feet of Construction and Maintenance Easement (Permanent)
278.46 Square Feet of Construction Easement (Temporary)
- 3) All temporary Easements will terminate upon completion and acceptance of the project by the Mayor and City Council of the City of Statesboro.
- 4) The undersigned shall obtain all quit claim deeds or releases from any tenant now in possession and any other parties having a claim or interest in the property described above.
- 5) Special provisions, if any, are listed on Exhibit "B," which is attached hereto and incorporated herein by reference.

The undersigned executes this agreement with the understanding that no prior agreement for purchase of the real estate exists between the Mayor and City Council of the City of Statesboro and the undersigned.

Witness my hand and seal this 28 day of August, 2023.

Signed, Sealed and Delivered
In the presence of:

Aura Doug
Witness

Clayton Coward
BY:

Sherry Covington
Notary Public



Approved

Date

SETTLEMENT & DISBURSEMENT STATEMENT

OWNER(S) NAME: Clayton Cowart

ADDRESS or LOCATION OF PROPERTY 323 West Main Street, Statesboro, Ga. 30458

(1) GROSS PROCEEDS TO SELLER:	\$ <u>2,100.00</u>
(2) CURRENT COUNTY TAXES:	\$ _____
(3) CURRENT CITY TAXES:	\$ _____
(4) MORTGAGE PREPAYMENT PENALTY:	\$ _____
(5) RELEASE OF MORTGAGE FEE:	\$ _____
(6) RETENTION VALUE OF IMPROVEMENTS:	\$ _____
(7) PERFORMANCE BOND:	\$ _____
(8) PAYMENT(S) TO OTHER PARTIES:	
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____
d. _____	\$ _____

TOTAL (Line 8) \$ _____

(9) **TOTAL DISBURSEMENTS (LINES 2 THROUGH 8):** \$ _____

(10) **SUB-TOTAL (LINE 1 LESS LINE 9):** \$ _____

(11) **REIMBURSEABLE EXPENSES FOR TRANSFERRING TITLE:**

 a. PRO-RATA SHARE TAXES (LINES 2 & 3): \$ _____

 b. MORTGAGE PREPAYMENT/RELEASE FEE (LINES 4 & 5): \$ _____

 c. OTHER APPLICABLE EXPENSES (LINE 8): \$ _____

(12) **TOTAL REIMBURSABLE EXPENSES (LINES 11 a, b,& c):** \$ _____

(13) **NET PROCEEDS TO SELLER (LINE 10 PLUS LINE 12):** \$2,100.00

THE UNDERSIGNED SELLER(S) ACKNOWLEDGE(S) THAT ALL LEGAL SERVICES PERFORMED BY THE CLOSING ATTORNEY WERE ON BEHALF OF THE CITY OF STATESBORO, AND NOT ON BEHALF OF THE SELLER(S), AND THAT THE SELLER(S) (WAS) (WERE) NOT GIVEN ANY LEGAL ADVICE BY THE CLOSING ATTORNEY EXCEPT THAT SELLER(S) (WAS) (WERE) ADVISED TO SECURE INDEPENDENT LEGAL COUNSEL TO INSURE THAT THE LEGAL INTERESTS AND RIGHTS OF SELLER(S) ARE PROTECTED, AND FURTHER THAT THIS STATEMENT IS A DEFENSE TO ANY ACTION OR PROCEEDING AGAINST THE CLOSING ATTORNEY OR THE CITY OF STATESBORO, GEORGIA..

> _____ (SELLER) (DATE)	>	_____ (CLOSING OFFICIAL) (DATE)
> _____ (SELLER) (DATE)	>	_____ (TITLE)

PROJECT: West Main Street Sidewalk Project
PARCEL NO. 6

ROW-527

60-0001

CITY OF STATESBORO



COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
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50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

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

From: John Washington, Director – Public Works and Engineering
David Moyer, Assistant City Engineer

Date: Sept. 25, 2023

RE: Recommendation of Summary Change Order #2 to Construction Contract for the West Main Street Drainage Improvement Project.

Policy Issue: Purchasing

Recommendation:

Staff recommends approval of Change Order listed below to the contract with McLendon Enterprises, Inc. in the not to exceed amount of **\$119,947.44** and authorize the Mayor to execute contract document amendment for the West Main Street Drainage Project. This work will be paid by fund balance in the 2018 TSPLOST Fund.

Summary Change Order # 2
Labor, material, and equipment for Storm / Utility Changes.

• Increase	\$120880.43
• Deductions	<u>\$ 40,698.08</u>
Total Storm Changes:	\$80,182.35

Labor, material, and equipment for Roadway.

• Increase	\$39,756.09
• Deductions	<u>\$0.00</u>
Total Road Changes:	\$39,756.09

TOTAL: \$119,947.44

Background:

This project is located in a historical part of downtown and has high volumes of traffic due to residential, educational, and commercial sources of traffic. The records for the infrastructure constructed in this area over the years are incomplete. As a result several unknowns were encountered that were unforeseen during the design phase.

- Storm
 - I. The presence of terracotta clay pipe on this project dates the existing drainage conditions to before 1960 when these pipes fell out of the industry standard and were replaced by reinforced concrete pipe (RCP). The main goal of this project was the removal of this pipe and replacement with appropriately sized pipes that account for the growth in that area. Water and sewer utility lines that were different than expected increased the amount of the existing roadway that needed to be removed.
 - II. A layer of unsuitable organic soil was encountered at the depth excavated to place the new pipe. This layer was under the better material used to construct the road. When the excavation was deeper this resulted in some sloughing off of the walls of the trench cut. This resulting in undermining of the roadway asphalt and required additional quantities to repair the affected areas. Basically the width of roadway that had to be removed to lay the new pipe was wider than expected.
- Roadway
 - I. Additional quantities needed to be added in order to reestablish a true crowned cross section of the road. The wheel paths were badly rutted to the point the contractor had to increase the area of their milling to establish a suitable base to begin repaving from.
 - II. The additional area of base and pavement work created a domino effect requiring a new curb and gutter line and reconfiguration of the adjacent business driveways.

Budget Impact:

Change order will be paid by fund balance in 2018 TSPLOST Fund.

Council Person and District:

District 2, Councilmember Paulette Chavers

Attachment: McLendon Enterprises Summary Change Order #2

CONTRACT CHANGE ORDER

PROJECT	<u>WEST MAIN DRAINAGE IMPROVEMENTS</u>	CHANGE ORDER NO.:	<u>CO2</u>
PROJECT NO.	<u>MEI: 3472 / Contract No. 2022-617</u>	CHANGE ORDER DATE:	<u>9/5/2023</u>
CONTRACTOR	<u>McLendon Enterprises, Inc.</u>		

The following changes are hereby made to the Contract Documents:

ITEM #	Description	Quantity	Unit	Unit Price	Total Amount Added	Total Amount Deducted
CO2-3	Select Trench Backfill	-162	CY	\$ 37.00		\$ (5,994.00)
CO2-4	Foundation Backfill Material, Type II (Pipe Bedding)	-52	CY	\$ 115.00		\$ (5,980.00)
CO2-5	8" GABC	-41.8	SY	\$ 45.00		\$ (1,881.00)
CO2-6	1.5" Recycled Asph Conc wearing course, 12.5 MM Su	144.24	TN	\$ 150.00	\$ 21,636.00	
CO2-7	Recycled Ash Conc 19 MM Superpave, GP 1 or 2, Incl	99.89	TN	\$ 181.00	\$ 18,080.09	
CO2-8	Bituminous Tack Coat	10	GAL	\$ 4.00	\$ 40.00	
CO2-9	Mill Asphalt Pavement, Variable Depth	-989.63	SY	\$ 4.80		\$ (4,750.22)
CO2-10	4" Concrete Sidewalk	22	SY	\$ 91.00	\$ 2,002.00	
CO2-11	6" Concrete Sidewalk	-15.78	SY	\$ 151.00		\$ (2,382.78)
CO2-13	Concrete V-Gutter	-23	LF	\$ 73.50		\$ (1,690.50)
CO2-14	24" Curb & Gutter	-26	LF	\$ 50.00		\$ (1,300.00)
CO2-15	Sawcut Asphalt Roadway	910	LF	\$ 3.00	\$ 2,730.00	
CO2-16	Utility Cut & Patch - Storm System (w/ concrete - 8" C	296.16	SY	\$ 148.00	\$ 43,831.68	
CO2-19	15" RCP	-11	LF	\$ 95.50		\$ (1,050.50)
CO2-20	18" RCP	-4	LF	\$ 133.00		\$ (532.00)
CO2-21	36" RCP	-9	LF	\$ 220.00		\$ (1,980.00)
CO2-22	42" RCP	-5	LF	\$ 283.00		\$ (1,415.00)
CO2-24	Flowable Fill (18" RCP & Manholes)	-3.72	CY	\$ 194.00		\$ (721.68)
CO2-25	Remove Existing Asphalt Pavement	-66.8	SY	\$ 15.00		\$ (1,002.00)
CO2-26	Remove 12" RCP	-44	LF	\$ 58.00		\$ (2,552.00)
CO2-27	Remove 15" RCP	19	LF	\$ 102.00	\$ 1,938.00	
CO2-28	Remove 18" RCP	-12	LF	\$ 102.00		\$ (1,224.00)
CO2-29	Remove 24" RCP	530	LF	\$ 102.00	\$ 54,060.00	
CO2-30	Remove Water Main, 6"	10	LF	\$ 500.00	\$ 5,000.00	
CO2-31	Remove Water Main, 12"	4	LF	\$ 1,273.00	\$ 5,092.00	
CO2-32	Remove Concrete Sidewalk & Driveway Aprons	82	SY	\$ 15.00	\$ 1,230.00	
CO2-33	Remove Concrete Curb & Gutter	-414	LF	\$ 7.10		\$ (2,939.40)
CO2-37	Adjust Manhole Tops to Match New Asphalt Elevatio	-3	EA	\$ 465.00		\$ (1,395.00)
CO2-39	Thermoplastic Solid Traf Stripe, 5 IN, White	83	LF	\$ 2.00	\$ 166.00	
CO2-40	Thermoplastic Solid Traf Stripe, 5 IN, Yellow	199	LF	\$ 2.00	\$ 398.00	
CO2-41	Thermoplastic Solid Traf Stripe, 24 IN, White (Stop Ba	40	LF	\$ 15.00	\$ 600.00	
CO2-42	Thermoplastic Skip Traf Stripe, 5 IN, White	-76	LF	\$ 1.00		\$ (76.00)
CO2-43	Thermoplastic Skip Traf Stripe, 5 IN, Yellow	-173	LF	\$ 1.00		\$ (173.00)
CO2-44	Thermoplastic Traf Striping, White (Crosswalk)	24.75	SY	\$ 25.00	\$ 618.75	
CO2-45	4" PVC Lateral & Fittings	14	LF	\$ 125.00	\$ 1,750.00	
CO2-51	Water Main, 6", Including Fittings (Reroute under Stc	8	LF	\$ 183.00	\$ 1,464.00	
CO2-52	Water Main, 12" Including Fittings (Re-Route under S	-3	LF	\$ 550.00		\$ (1,650.00)
TOTAL ADDS / DEDUCTS					\$ 160,636.52	\$ (40,689.08)

NET CHANGE IN CONTRACT PRICE

\$ 119,947.44

CONTRACT PRICE PRIOR TO THIS CHANGE ORDER:	\$925,576.40
CONTRACT PRICE BY THIS CHANGE ORDER WILL BE DE/INCREASED BY:	\$119,947.44
NEW CONTRACT PRICE, INCLUDING THIS CHANGE ORDER WILL BE:	\$1,045,523.84
COMPLETION DATE PRIOR TO THIS CHANGE ORDER:	
NEW CONTRACT WILL BE INCREASED BY THE FOLLOWING DAYS:	0
NEW DATE FOR COMPLETION OF ALL WORK WILL BE:	

CONTRACTOR REPRESENTATIVE:

NAME	SIGNATURE	TITLE	DATE
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OWNER REPRESENTATIVE:

NAME	SIGNATURE	TITLE	DATE
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