



October 17, 2023 5:30 pm

1. Call to Order by Mayor Jonathan McColiar
2. Invocation and Pledge of Allegiance by Mayor Pro Tem Shari Barr
3. Recognitions/Public Presentations:
 - A) Presentation of the Medal of Valor to Sergeant Nathaniel Janney and Officer Logan Gay
 - B) Presentation of a Meritorious Service Award to Captain Jared Akins, Corporal Jessica Collins, APO Joey DeLoach, Officer Damien Truesdale and Communications Officer Sydney Johns.
 - C) Presentation of the Medal of Valor to Officer Jonathan Treloar.
 - D) Presentation of a Proclamation to Safe Haven recognizing October 2023 as Domestic Violence Awareness month.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 10-03-2023 Council Minutes
 - b) 10-03-2023 Executive Session Minutes
6. Public Hearing and Consideration of a Motion to Approve:
 - A) **APPLICATION AN 23-08-07**: S&K Investments LLC requests Annexation of 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development.
 - B) **APPLICATION RZ 23-08-08**: S&K Investments LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the MX (Mixed Use) zoning district on 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development.
7. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 23-09-01**: Nellie Meeks request a Zoning Map Amendment from the R-15 (Single-Family Residential) to the MX (Mixed Use) zoning district in order to reuse a property as office space at 26 Lindberg Street.
8. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 23-09-02**: Hillpointe, LLC requests a Zoning Map Amendment from the CR/PUD (Commercial Retail/Planned Unit Development) zoning districts to the MX (Mixed Use) zoning district in order to develop a commercial multi-family residential development on 18.56 acres located on Lovett Road.

9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION SUB 23-09-03**: Tim Stone requests Preliminary Subdivision PLAT approval on approximately 11.54 acres of property in order to develop a townhouse subdivision of approximately 93 units on Westside Road.
10. Public Hearing and Consideration of a Motion to Approve **APPLICATION SUB 23-09-04**: Mitchell Ball requests Preliminary Subdivision PLAT approval on approximately 32.6 acres of property in order to develop a single-family detached subdivision of approximately 90 units on Timber Road & Stockyard Road.
11. 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):

Family Dollar #30436
20 Veterans Memorial Plaza
Statesboro, Ga 30458
License Type: Package Sales – (Beer and Wine)
12. Second Reading and Consideration of a motion to approve **Ordinance 2023-16**: An Ordinance amending Chapter 38, Article VII Blight Tax of the Statesboro Code of Ordinances.
13. Consideration of motion to approve an amendment to the Service Delivery Strategy to create wastewater service area for the City of Brooklet.
14. Consideration of a motion to authorize the Mayor to execute a Memorandum of Understanding (MOU) between the City of Statesboro and Pineland Behavioral Health and Developmental Disabilities for transit vouchers.
15. Consideration of a motion to award a contract for professional right-of-way services of the East Main Street Sidewalk Improvements project to Tennille Valuation & Consulting Services, LLC in the amount of \$32,000.00. The project work will be paid from 2018 TSPLOST Funds.
16. Consideration of a motion to approve a Water/Sewer Agreement with Ecoplastics America Corp. for 78.40 acres located at 4800 US HWY 301 S. Register, 30452 GA, Property Tax Number 049 000022 000.
17. Other Business from City Council
18. City Managers Comments
19. Public Comments (General)
20. 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)
21. Consideration of a Motion to Adjourn

STATESBORO POLICE DEPARTMENT

presents this

Medal of Valor



for

On September 23, 2023 at approximately 0300 hours, officers were dispatched to the area of Johnson Street and Spruce Street for reported "shots fired." Upon arrival, officers observed dozens of people fleeing in cars, and many more fleeing the area on foot. Gunshots were audible as officers arrived and officers could observe muzzle flashes in multiple directions. It was later determined that at least 5 different shooters fired more than 100 rounds during a street party.

As Sergeant Janney arrived on scene, he could hear the gunshots and also saw muzzle flashes from more than one location in the immediate area. He observed one specific male holding an AR style firearm and saw the subject discharge the rifle. The offender then saw the officer and began to flee the area on foot, still holding the rifle. Sergeant Janney initially pursued the suspect in his car until the person entered a wooded area. Sergeant Janney then left the cover of his patrol car and proceeded to engage in a foot pursuit over rough and uneven ground.

Advanced Patrol Officer Gay arrived and heard Sergeant Janney call out the pursuit over the police radio. He then observed the foot pursuit between Sergeant Janney and the armed male. Advanced Patrol Officer Gay maneuvered his patrol car in an effort to "cut off" the escaping subject, and encountered him approximately one block away. He exited his patrol car and ordered the suspect to halt at gunpoint. The subject ultimately surrendered and Advanced Patrol Officer Gay was able to get the subject to lay down as Sergeant Janney arrived to handcuff the individual.

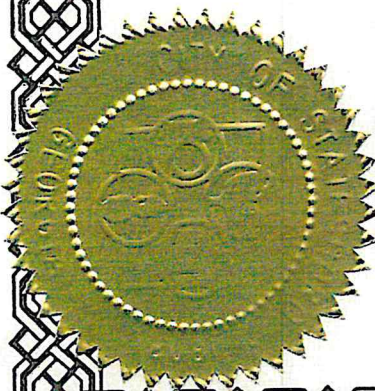
These officers were confronted with an active shooting and a chaotic scene. They engaged in a pursuit with an armed subject who was seen discharging a rifle in a crowd, and then actively attempted to evade capture. These two officers remained composed while dealing with a dangerous and armed subject.

to

ADVANCED PATROL OFFICER LOGAN GAY

A handwritten signature in black ink, appearing to read "Mike Broadhead".

Charles "Mike" Broadhead,
Chief of Police



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presents this

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Officer Gay arrived and heard Sergeant Janney call out the pursuit over the police radio. He then observed the foot pursuit between Sergeant Janney and the armed male. Officer Gay maneuvered his patrol car in an effort to "cut off" the escaping subject, and encountered him approximately one block away. He exited his patrol car and ordered the suspect to halt at gunpoint. The subject ultimately surrendered and Officer Gay was able to get the subject to lay down as Sergeant Janney arrived to handcuff the individual.

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to

SERGEANT NATHANIEL JANNEY

A handwritten signature in black ink, appearing to read "Mike Broadhead".

Charles "Mike" Broadhead,
Chief of Police



STATESBORO POLICE DEPARTMENT

presents this

Medal of Valor



for

On Friday, May 5th, 2023, Officer Jonathan Treloar responded to the area of Morris Heights apartments on a report of a juvenile with a firearm. There had been a number of recent shooting incidents in this specific neighborhood in the days previous to this call. Upon arrival, Officer Treloar observed a subject matching the clothing description as reported by the unidentified caller. When the subject saw the officer, he immediately fled on foot, and Officer Treloar engaged in a foot pursuit. At one point, the male subject stumbled, and in so doing, a pistol fell out of the pocket of his hoodie. He immediately retrieved the pistol and pointed it in the officer's direction. Officer Treloar took immediate evasive action. The subject, rather than shooting at the officer, chose to turn and run, while still maintaining the pistol in his hand. Officer Treloar reengaged in the pursuit, continuously giving the subject verbal commands to surrender. When the subject realized he was not going to be able to escape, he ultimately threw the pistol down and surrendered. Officer Treloar was able to take the suspect into custody and retrieved the discarded pistol.

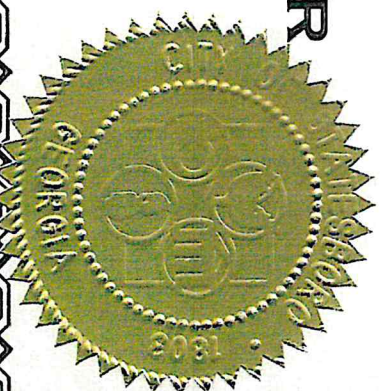
Jonathan Treloar's display of professionalism and restraint is to be commended. This situation was tense and rapidly evolving, and the officer was able to maintain his composure throughout the incident. Officer Treloar's actions on May 5th, 2023 displayed conspicuous valor at the risk of his own life.

to

OFFICER JONATHAN TRELOAR

A handwritten signature in black ink, appearing to read "Mike Broadhead".

Charles "Mike" Broadhead,
Chief of Police



STATESBORO POLICE DEPARTMENT

presents this

Meritorious Service Award



for

At approximately 3am, on September 23, 2023, the police department received calls of a shooting in progress in the area of Johnson Street and Spruce Street. Upon arrival, officers were confronted with a chaotic scene involving a huge crowd, with multiple shots still being fired as the officers arrived. It was later determined that there were at least five different firearms, including two rifles, being discharged from different areas in that immediate vicinity. Two of the responding officers engaged in a successful foot pursuit with an armed subject and took the subject into custody.

Captain Jared Akins, Corporal Jessica Collins, Advanced Patrol Officer Joey Deloach and Officer Damien Truesdale attempted to instill some sense of order. Within minutes, multiple victims began appearing at the hospital, all transported privately, creating another crime scene with more witnesses and victims to be secured. APO Deloach was directed by some witnesses to a female screaming in the nearby woodland. Without hesitation, APO Deloach approached the woman to determine if she had been shot. The female had broken her leg while attempting to flee the scene, and APO Deloach calmed her and summoned an ambulance.

Communications Officer Sydney Johns was in the Dispatch Center, working alone, when the call came out. She was able to effectively communicate with the multiple phone lines as well as the multiple officers dealing with a tense and unfolding scene. She then had the additional calls from the hospital and found a way to coordinate a response. In addition, other, unrelated calls for service continued to come into the Dispatch Center, and CO Johns handled it professionally.

These members of the Statesboro Police Department were confronted with a dangerous, chaotic scene and were able to restore order in a short period of time, and then secure multiple crime scenes. They are to be commended for their professional, meritorious service to the community.

to

CAPTAIN JARED AKINS

Charles "Mike" Broadhead,
Chief of Police



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presents this

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to

CORPORAL JESSICA COLLINS

Charles "Mike" Broadhead,
Chief of Police



STATESBORO POLICE DEPARTMENT

presents this

Meritorious Service Award



for
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to

ADVANCED PATROL OFFICER JOEY DELOACH

Charles "Mike" Broadhead,
Chief of Police



STATESBORO POLICE DEPARTMENT

presents this

Meritorious Service Award



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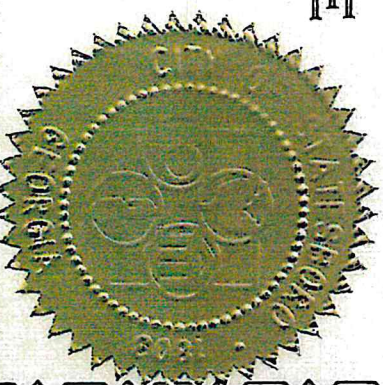
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to

OFFICER DAMIEN TRUESDALE

A handwritten signature in black ink, appearing to read "Mike RY", written over a horizontal line.

Charles "Mike" Broadhead,
Chief of Police



STATESBORO POLICE DEPARTMENT

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Meritorious Service Award



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to

COMMUNICATIONS OFFICER SYDNEY JOHNS

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Charles "Mike" Broadhead,
Chief of Police



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

HONORING OCTOBER 2023 AS DOMESTIC VIOLENCE AWARENESS MONTH

- WHEREAS:** the crime of domestic violence violates an individual's privacy, dignity, security and humanity due to the systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and
- WHEREAS:** domestic violence leaves an imprint of fear and hostility; and
- WHEREAS:** the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, affectional preference, and social barriers, thereby affecting society as a whole; and
- WHEREAS:** in the City of Statesboro, adults and children are victims of violence each year, and
- WHEREAS:** Statesboro City Council is committed to restoring the right to freedom from fear in our homes, and
- WHEREAS:** Statesboro City Council is committed to restoring the right to freedom from fear in our communities; and
- WHEREAS:** in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence and their children who often suffer grave financial physical, and psychological losses, and

NOW, THEREFORE BE IT RESOLVED, that in recognition of the important work done by domestic violence programs, in cooperation with Safe Haven, I, Jonathan McCollar, Mayor of the City of Statesboro on behalf of the entire City Council, does hereby proclaim the month of October 2023 as

DOMESTIC VIOLENCE AWARENESS MONTH.

We urge all citizens, agencies, and businesses to work together as a team in our community through prevention, intervention and education programs, to eliminate domestic violence and become a violence free community

PASSED AND ADOPTED by the City of Statesboro this 17th day of October, 2023.

Jonathan McCollar, Mayor



CITY OF STATESBORO
COUNCIL MINUTES
OCTOBER 3, 2023

Regular Meeting

50 E. Main St. City Hall Council Chambers

9:00 AM

1. Call to Order

Mayor Jonathan McCollar called the meeting to order

2. Invocation and Pledge

Councilmember John Riggs called on Allen Muldrew to give the Invocation and he led the Pledge of Allegiance.

ATTENDANCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present Via Zoom	
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, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

3. Public Comments (Agenda Item): None

4. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

- a) 09-19-2023 Work Session Minutes
- b) 09-19-2023 Council Minutes
- c) 09-19-2023 Executive Session Minutes

A motion was made to approve the consent agenda.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember Venus Mack

SECONDER:

Councilmember Paulette Chavers

AYES:

Boyum, Chavers, Mack, Riggs, Barr

ABSENT

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

A Motion was made to open the public hearing.

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

No one spoke for or against the request.

A motion was made to close the public hearing.

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

A motion was made to approve an application for an alcohol license in accordance with the City of Statesboro Alcohol Ordinance Sec. 6-13(a): issued to Reliance (Convenience Store) located at 17412 US Hwy 301 North Statesboro, Ga 30458 for License Type: Package Sales – (Beer and Wine only) and Sunday Sales.

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

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.

A motion was made to open the public hearing.

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

City Attorney Cain Smith explained the amendment is to increase the multiplier of the property tax rate to 7 for any properties identified in blighted condition. It also allows that any property removed from blighted condition would receive a reduction in property taxes for three years.

No one spoke for or against the request.

A motion was made to close the public hearing.

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

Councilmember Phil Boyum stated the multiplier number should be removed from the ordinance and placed in the City's Schedule of Rates, Fees, and Fines.

After some council discussion a motion was made to remove the multiplier from the ordinance and place it in the Schedule of Rates, Fees, and Fines and to approve the first reading of Ordinance 2023-16.

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

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.

A motion was made 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.

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

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.

A motion was made to approve an 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.

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

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.

A motion was made to approve an 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.

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

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.

A motion was made to approve an 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.

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

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.

A motion was made to approve 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.

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

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.

A motion was made to approve an amendment to 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.

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

13. Other Business from City Council:

Mayor Pro Tem Shari Barr shared that its' First Friday time and October is Ag Night out from 5:30 pm to 8:00 pm in downtown.

14. City Managers Comments

City Manager Charles Penny reviewed a few things from the FYI packet about the transit ridership increase. In addition Habitat with Humanity received a grant in the amount of \$9000 to be used to help promote the transit program. Mr. Penny stated back in 2020 during COVID the city approved the use of funds through Action Pact to help people with water, sewer, and gas bills. The agreement with Action Pact has remained in place but there has been very little activity. Of the \$62,000 about \$10,000 has been used. The current agreement requires the use of these funds to be because of COVID related issues. The question is would you like to continue using those funds to help citizens in need. If so we would need to revise the agreement with Action Pact and would have it for consideration at the next council meeting. Councilmember Paulette Chavers stated there has been a lot rhetoric throughout the community regarding certain ordinances and commended the Mayor for stepping up and addressing and answering questions people had in the community. She also stated since the last council meeting it has been on her mind about the city being down 17 police officers, we need to do some sort of push to fill these vacancies so police can do adequate patrol throughout the community.

Mr. Penny stated he and Police Chief Mike Broadhead are working on some recruitment incentives and some pay incentives for those who sign on with the Statesboro Police Department. We will push as hard as we can to get these spots filled.

Mayor McCollar stated he, Councilmember Paulette Chavers, and several members throughout the community are doing a walk to take back our neighborhoods and invites all members of the community to come out on October 15th at 3:00 pm to be a part of this. The march will begin at Kent Street Park on West Grady Street and end at Louetta Moore Park where there will be an open town hall addressing issues on the mind of citizens.

Mayor Pro Tem Shari Barr shared other activities going on this coming weekend, the Statesboro Fire Department will be doing a fire alarm blitz on Saturday October 14th beginning at 9am with their concentration on the mobile home parks in the area. Also on Saturday there will be a Community Resource Family Funding Day, hosted by Statesboro Village Builders, held at Luetta Moore Park from 10 am to 3 pm and prior to that event DSDA will be hosting Scare on the Square from 9am to 1 pm in downtown Statesboro.

Councilmember Phil Boyum stated the city needs to put together a coordinated campaign for recruiting police officers, similar to the one we did for the fire department as well as put together a six month plan for hiring police.

15. Public Comments (General): None

**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).**

At 9:40 am a motion was made to enter into executive session for “Personnel Matters” and “Potential Litigation”.

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

At 10:09 a motion was made to exit executive session.

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

Mayor Jonathan McCollar called the regular meeting back to order

A motion was made to appoint Alyson Prude to the Greener Boro Commission and to appoint Len Fatica to the Statesboro Planning Commission.

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

17. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 10:09 am.

Jonathan McCollar, Mayor

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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Annexation*

Recommendation: Staff Recommends Approval of the Annexation Ordinance

Background: S&K Investments LLC requests Annexation of 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development.

Budget Impact: None

Council Person and District: Mack (District 3)

Attachments: Annexation General Update & Annexation Ordinance

CITY OF STATESBORO



COUNCIL

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

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

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

To: Charles Penny, City Manager
From: Justin Williams, Planning & Housing Administrator
Date: October 6, 2023
RE: 3101 Old Register Road: AN 23-08-07

Below is the information regarding this annexation for City Council:

3101 Old Register Road (Parcels A&B)

Analysis of the possible development has brought forth the following information. These estimates are based off of the non-binding sketch provided by the developer. The calculations prepared in this document utilize the number of buildings which will require services. At this time, it is unlikely that the property will see substantial changes based on the proposed zoning and existing buildings on the site.

This area is located in the Emerging Business character area of the Statesboro Comprehensive Plan, and is in the existing Old Register Tax Allocation District. This area does specifically call for Mixed Use Retail/Office/Residential Buildings, Small and Mid-size retail and Entertainment space.

This analysis is broken into specific areas related to the following: Utility & Infrastructure Cost, Tax Implications and Economic Impact.

Utility & Infrastructure Revenue

Calculations for the extension of utilities into the area completed by the Water/Sewer Division determined that the extension of utilities onto the site would be incurred by the developer. These extensions would be maintained by the City. The applicant would be required to pay for both the water and sewer extensions, the taps into the system per building, as well as the aid to construction fee for each. The Aid to Construction fee is a specific fee associated with the impact that a development would have on the City Wastewater Treatment Plant, and is used exclusively to assist in maintaining this plant.

The installation of gas to the area has not been determined as a desired request, therefore no analysis has been conducted for this item. If natural gas is requested, these cost would be incurred by the City to extend into the area. As the business type has not been

determined for the proposed building, the Aid to construction fee will be determined at that time. This number can vary substantially depending on the number and type of businesses that eventually locate in the area. Due to this, it is unknown what the actual impact may be. An estimate provided below shows fees associated with the installation of one 2" water line, and one 4" sewer line on the property, which is a common request for multi-tenant commercial development.

Infrastructure Revenue to the City			
	Water Tap	Sewer Tap	Aid to Construction
Per Unit Revenue	\$3800	\$600	N/A

Tax Implications

As of October 1, 2023, the City of Statesboro has a millage rate of 8.125 mills. The land value of the property without infrastructure is currently listed by the Bulloch Tax Assessor at \$469,700. Considering that value, the 40% assessed amount will be approximately \$187,880. Within the first year, the general tax rate of the land would be \$1526.52. The construction of the proposed building would add to the overall value of the property, but at this time there is no estimated cost for the new building construction.

A map showing the initial proposal for this development may be found below. Due to specific environmental and code restraints, this plan is subject to change. It should be noted that this property was initially slated for annexation in March of this year.

Economic Impacts

In regards to the general impact to the economic base of the City, there are two factors to consider. The first is the general amount of financial impact directly to the City upon annexation, and the second is the financial impact to the City post construction. This does not include any impacts to the overall traffic analysis of the proposed development, nor does it include the overall cost of services in terms of fire nor police (this area is already covered by the 5-mile fire district, so there is no change in this service cost).

Please note that this area is directly served by the improvements to Old Register Road that were completed as a result of the Publix/Stadium development. At the current level of traffic, it is unlikely that there will be a significant change in the overall road service level in the area. Care should be taken if the projects are split into smaller units, which would increase traffic flows, but it is not likely to cause lowered service.

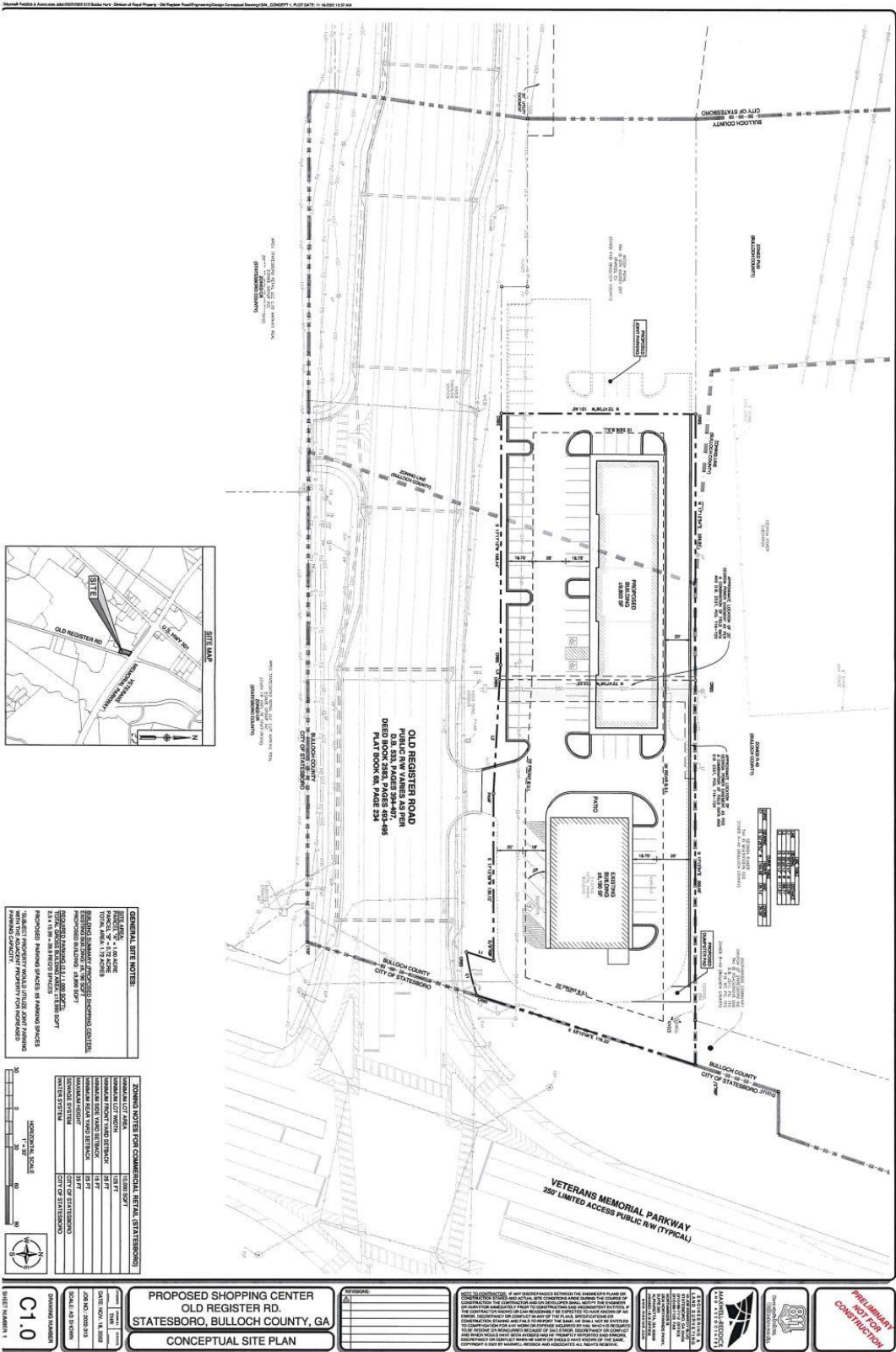
A brief chart shows project revenue at the current level, without respect to the possible change to the design of the project.

Total Project Revenue		
	Without Annexation	Annexation
Land Value	\$469,700	\$469,700
Water/Sewer Improvement	\$0	\$4,400
Property Tax Value (Yearly)	\$0	\$1526.52

Subject Property



Proposed Development



ORDINANCE # 2023- __:
AN ORDINANCE TO ANNEX PROPERTY
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from S&K Investments of GA LLC, the owner of 100 percent of the property to be annexed; and

WHEREAS, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated, in order to annex property, to provide an effective date, and other provisions, the Mayor and City Council must approve an ordinance for annexation;

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. The area contiguous to the City of Statesboro as described in the Unified Development Code, which is attached to and incorporated as part of this ordinance, is hereby annexed into the City of Statesboro and is made a part of said city. Said property also being known as Bulloch County tax map parcel # 076 000001 001 and further described under Appendix A:

Section 2. This ordinance shall become effective on November 1, 2023.

Section 3. The Director of Planning & Development of the City of Statesboro is instructed to send a report that includes certified copies of this ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to the Census maps during the next survey and stating that the survey map will be completed and returned to the United States Census Bureau, Georgia Department of Community Affairs, and to the governing authority of Bulloch County, Georgia within thirty (30) days after the effective date of the annexation as set forth in Section 2.

Section 4. On the effective date of the annexation, this property shall be placed in Council District 3 of the City of Statesboro.

Section 5. This property shall be zoned MX (Mixed-Use) and located within the Emerging Business character area on the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council held on October 17, 2023, subsequent to a public hearing regarding the zoning of said property.

Section 6. All ordinances and parts of ordinances in conflict with this ordinance are repealed.
APPROVED this 17th day of October, 2023 by the Mayor and Council of the City of Statesboro.

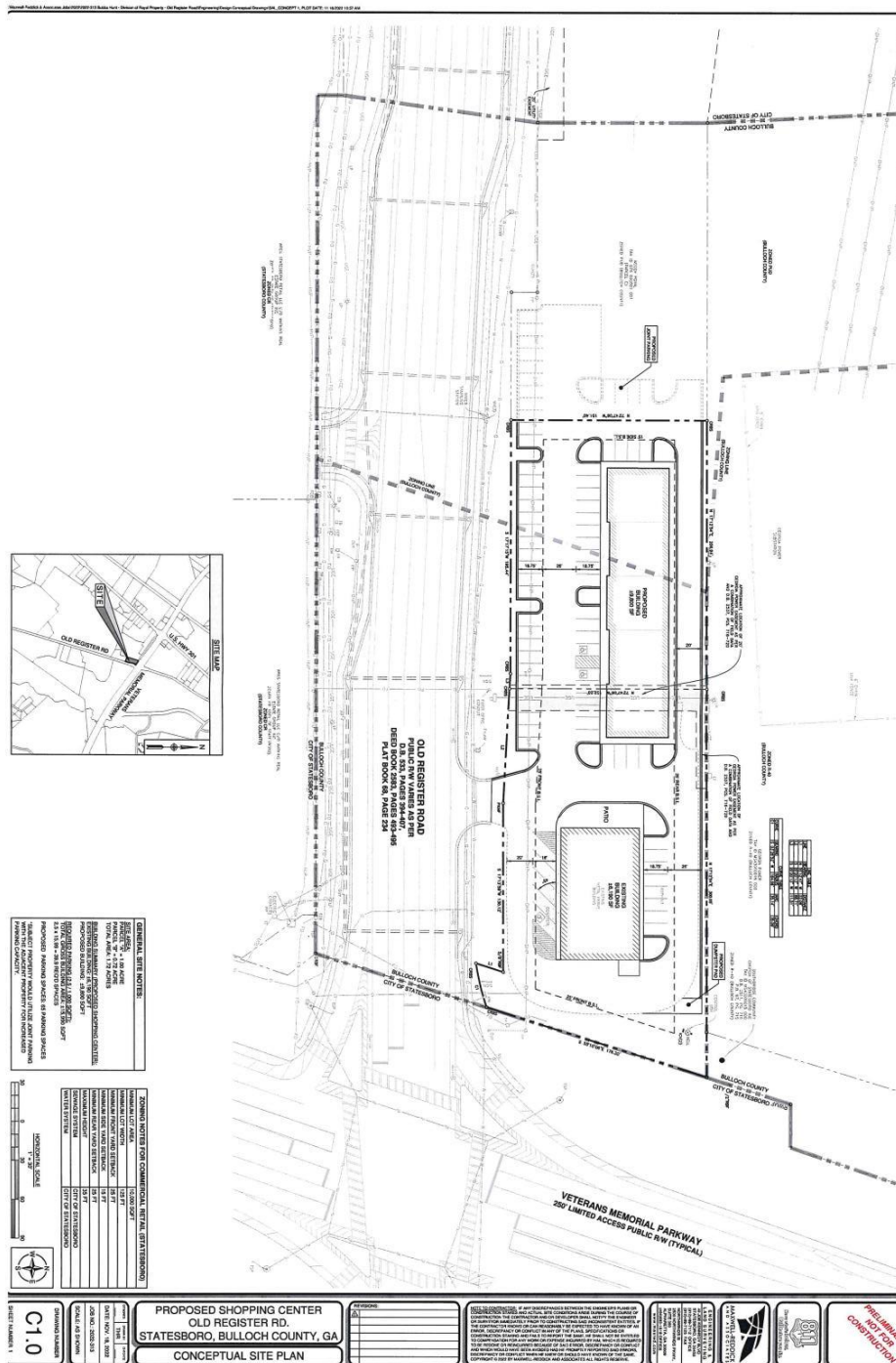
ATTEST:

Jonathan M. McCollar, Mayor

Leah Harden, City Clerk

Appendix A

Property to be annexed on the surveys below and further described as approximately 2.72 +/- acres of land and adjacent to the auto shop located on Old Register Road (Tax Parcels # 076 000001 001).



CITY OF STATESBORO

COUNCIL

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



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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

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

Recommendation: Planning Commission recommends the Approval of the Zoning Map Amendment.

Background: S&K Investments LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the MX (Mixed Use) zoning district on 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development.

Budget Impact: None

Council Person and District: Mack (District 3)


Attachments: Development Services Report RZ 23-08-08



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

RZ 23-08-08 ZONING MAP AMENDMENT REQUEST 3101 OLD REGISTER ROAD PARCEL C&D		
LOCATION:	3101 Old Register Road (Parcel C&D)	
EXISTING ZONING:	HC/PUD(Highway Commercial/Planned Unit Development – County)	
ACRES:	2.27 acres	
PARCEL TAX MAP #:	076 000001 001	
COUNCIL DISTRICT:	District 3 (Mack)	
EXISTING USE:	Vacant Lot	
PROPOSED USE:	Commercial Development	

PETITIONER S&K Investments LLC
ADDRESS 129 Woodbridge Way; Statesboro GA, 30458

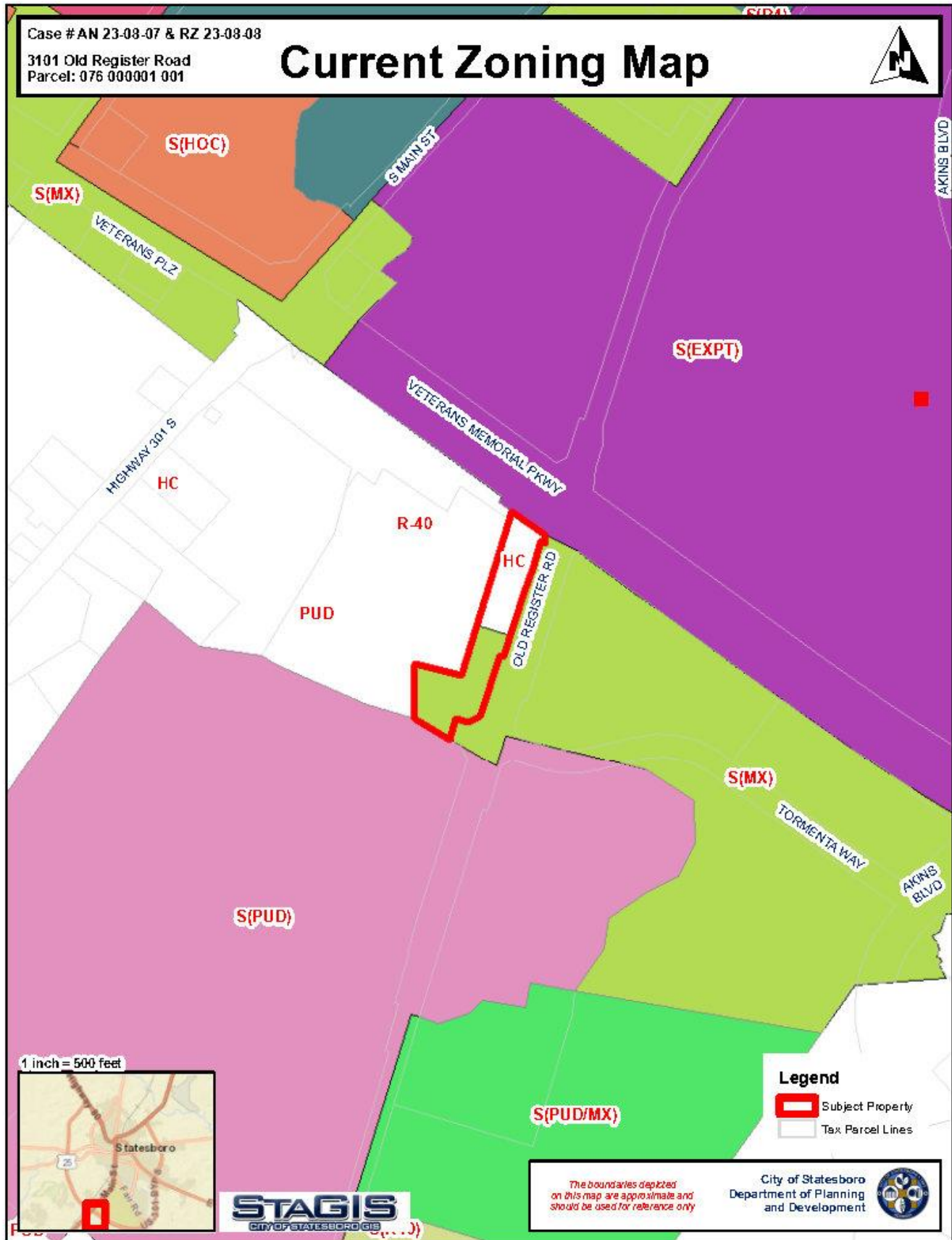
REPRESENTATIVE John Dotson
ADDRESS 40 Joe Kennedy Blvd; Statesboro GA, 30458

PROPOSAL
The applicant is requesting an Annexation and subsequent Zoning Map Amendment for 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development.
PLANNING COMMISSION RECOMMENDATION
<u>RZ 23-08-08 CONDITIONAL APPROVAL</u>

Case # AN 23-08 -07 & RZ 23-08-08
Old Register Rd
Parcel: 076 000001 012

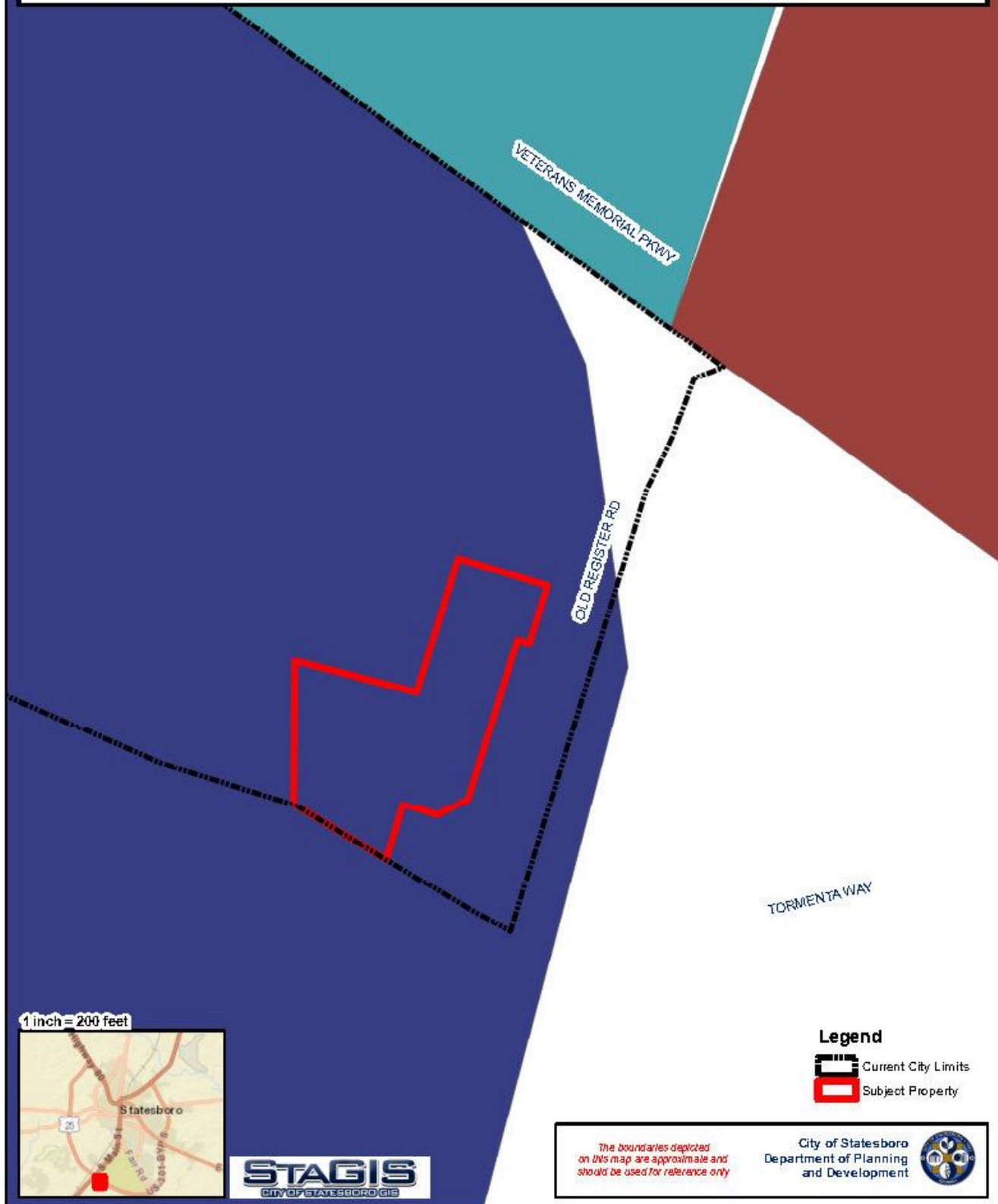
Location Map

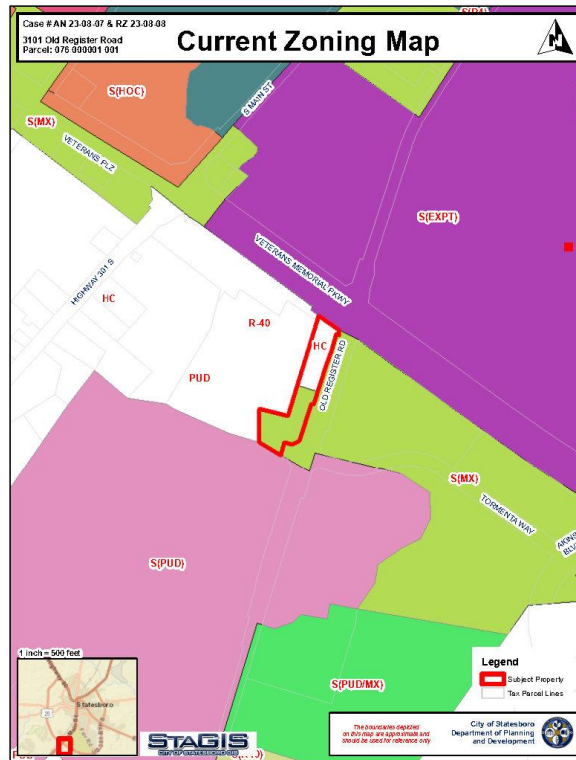




Case # AN 23-08 - 07 & RZ 23-08-08
Old Register Rd
Parcel: 076 000001 012

Future Landuse Map

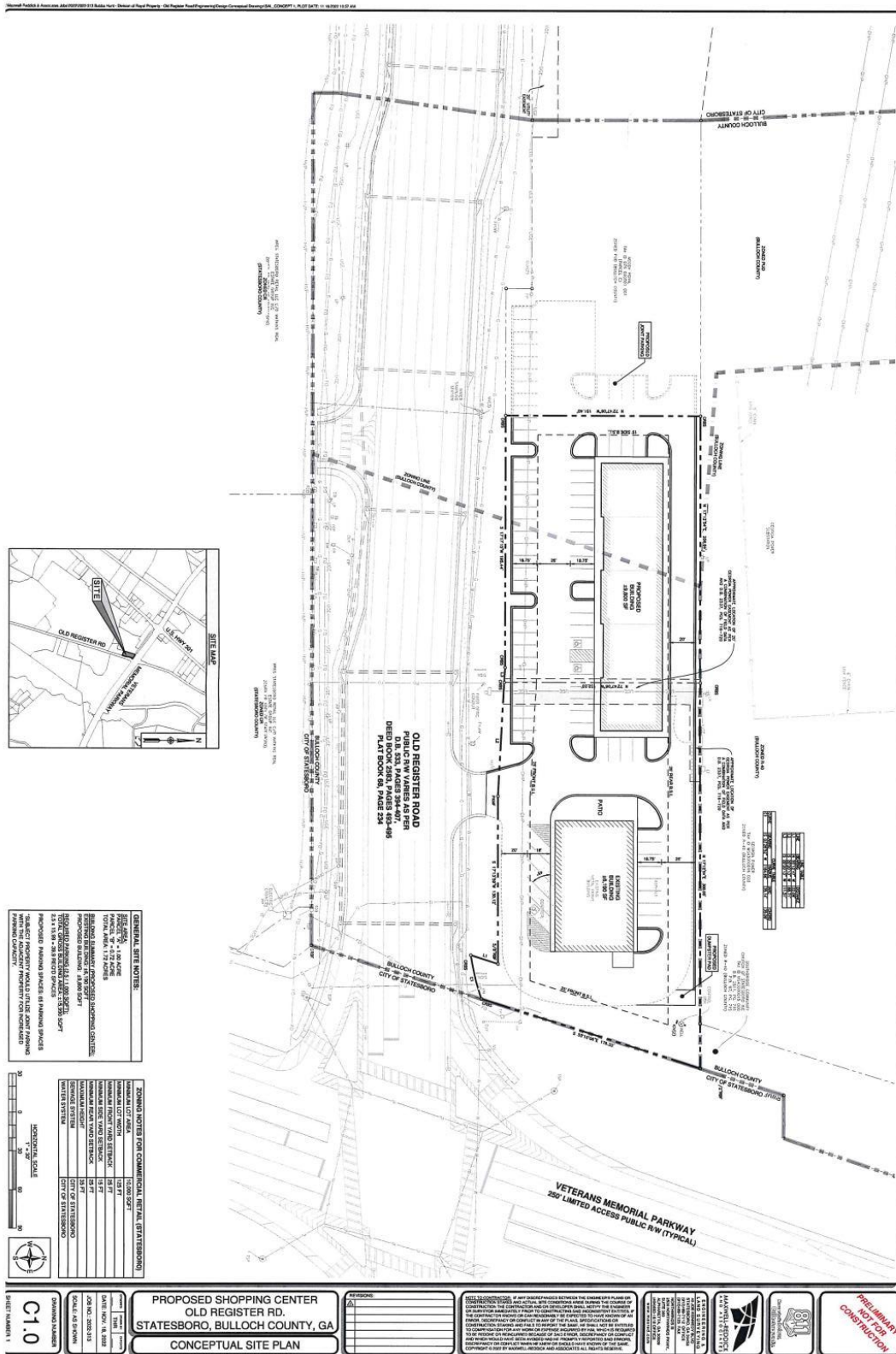




SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: HC (Highway Commercial – County)	Tire Shop
Northeast	Location Area #2: EXPT (Exempt)	Georgia Southern University
Northwest	Location Area #3: EXPT (Exempt)	Georgia Southern University
East	Location Area #4: CR (Commercial Retail)	Publix Shopping Center
West	Location Area #5: R-40 (Single-Family Residential)	GA Power Station
Southwest	Location Area #6: PUD (Planned Unit Development)	Vacant (Future Tormenta Development)
Southeast	Location Area #7: PUD (Planned Unit Development)	Tormenta Stadium
South	Location Area #8: PUD (Planned Unit Development)	Vacant

PROPOSED SITE



SUBJECT SITE

The subject site is a vacant 2.27 acre lot located on Old Register Road. The property is directly adjacent to both the Publix shopping center and the existing GA Power substation. There is no historical development on this lot. This property is currently under consideration for Annexation with Case AN 23-08-07.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* shows this area in the “Emerging Business” character area, which calls for small and midsize regional retail and commercial development, as well as mixed use retail and multi-family housing.

ENVIRONMENTAL SITE ANALYSIS

The subject property listed for annexation does not contain wetlands or FEMA listed flood plains.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but water and sewer both serve the adjacent “Publix” property.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
 - The surrounding area is made up of a mix of Commercial properties and vacant land as a part of Tax Allocation District #2. It is likely that this property will grow in a mostly commercial and high-density residential manner.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
 - This would not cause significant pressure to the existing area, although at the time, tenants have not been decided for the potential building.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**
 - This is currently a part of a larger piece of property that requested annexation in 2023. The property is currently zoned in a manner that will not allow for development with connection to City Utilities.
- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**

- This road was recently expanded to support a significant increase in traffic. The request will not detrimentally impact the level of service on this road. As a commercial property, this will not impact school facilities.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
- This is a currently developing area, which is projected to grow in both the amount residential and commercial development. This would be a beneficial use of the property.
- 6. Does the zoning proposal conform with the Long Range Land Use Plan of the Municipality.**
- The overall use is consistent with the “Emerging Business” character area in the 2019-2029 Statesboro Comprehensive Plan.

Subject Property



Southeastern Property



Northeastern Property



Southern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval AN 23-08-07 & RZ 23-08-08**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.

At the regularly scheduled meeting of the Planning Commission on October 3, 2023, the Commission recommended approval of the Zoning Map Amendment and staff recommendations with a 3-0 vote.

CITY OF STATESBORO

COUNCIL

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



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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

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

Recommendation: Planning Commission recommends the Approval of the Zoning Map Amendment

Background: Nellie Meeks request a Zoning Map Amendment from the R-15 (Single-Family Residential) to the MX (Mixed Use) zoning district in order to reuse a property as office space at 26 Lindberg Street.

Budget Impact: None

Council Person and District: Boyum (District 1)

Attachments: Development Services Report RZ 23-09-01



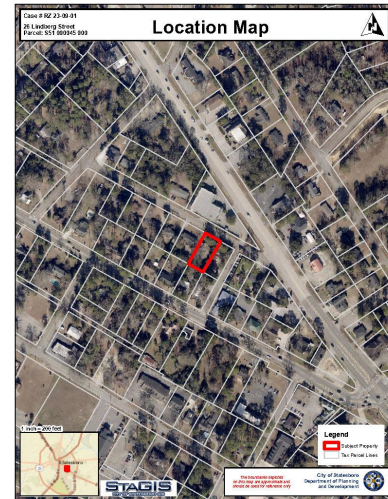
ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

RZ 23-09-01
ZONING MAP AMENDMENT
26 LINDBERG STREET

LOCATION:	26 Lindberg Street
EXISTING ZONING:	R-15 (Single-Family Residential)
ACRES:	0.26 Acres
PARCEL TAX MAP #:	S51 000045 000
COUNCIL DISTRICT:	District 1 (Boyum)
EXISTING USE:	Single-Family Home
PROPOSED USE:	Office Space



PETITIONER Nellie H Meeks
ADDRESS 1908 Chattworth Court; Statesboro, GA 30458

REPRESENTATIVE Sue Palmer
ADDRESS 8 Carmel Drive

PROPOSAL

The applicant requests a zoning map amendment from the R-15 (Single-Family Residential) zoning district to the MX (Mixed-Use) zoning district, in order to utilize the property as an office space.

STAFF/PLANNING COMMISSION RECOMMENDATION

RZ 23-09-01 CONDITIONAL APPROVAL

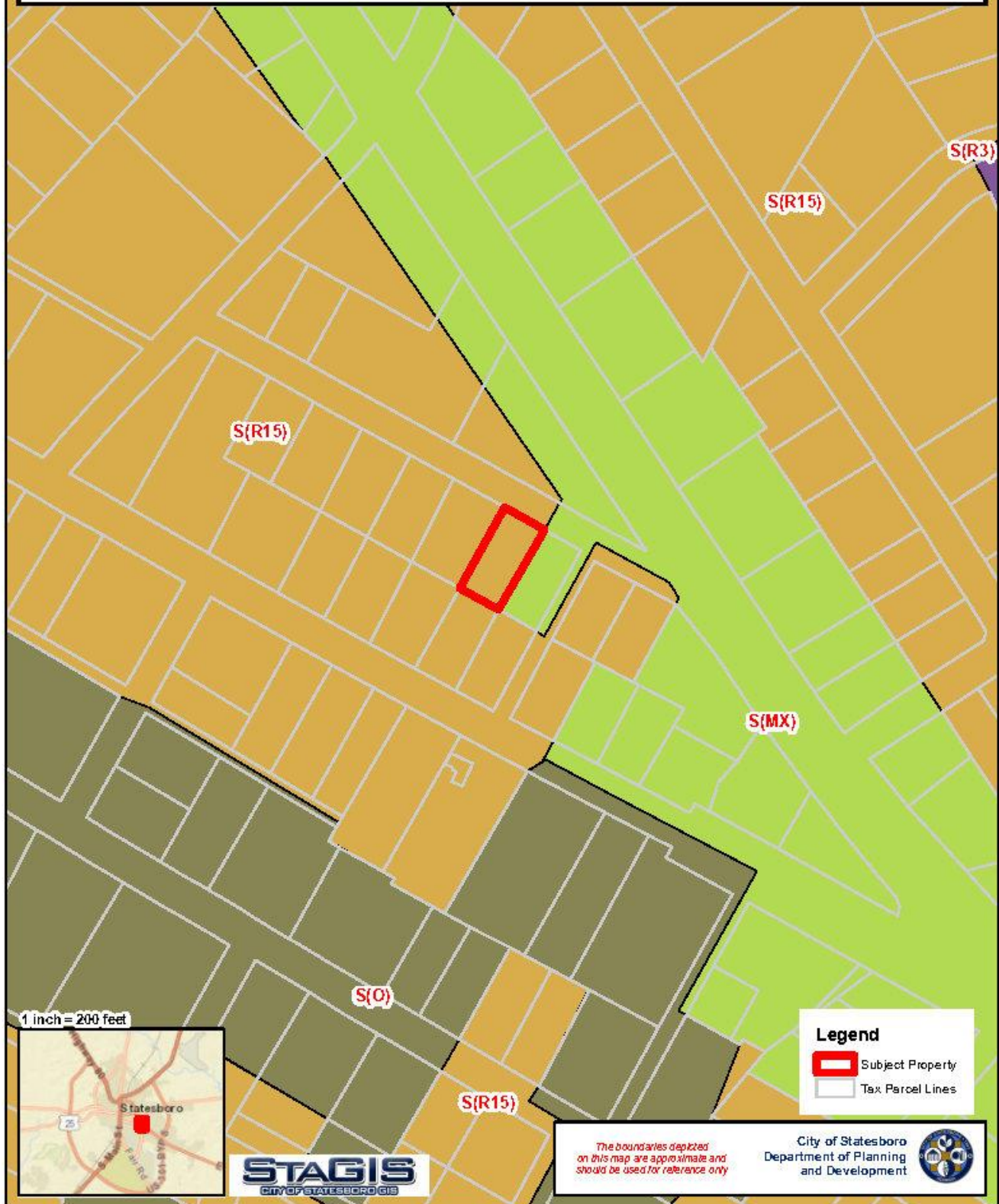
Case # RZ 23-09-01
26 Lindberg Street
Parcel: S51 000045 000

Location Map



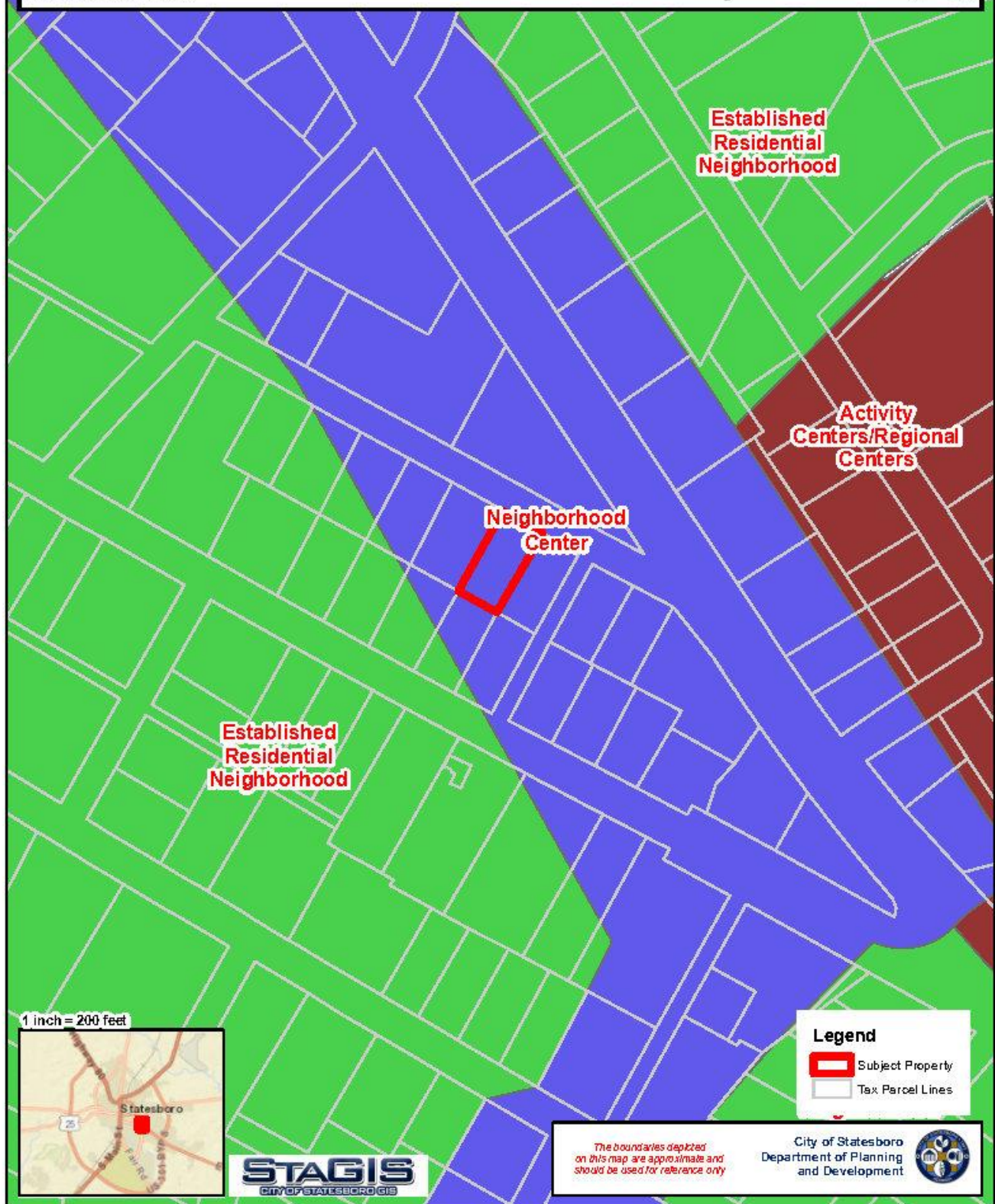
Case # RZ 23-09-01
26 Lindberg Street
Parcel: S51 000045 000

Current Zoning Map



Case # RZ 23-09-01
26 Lindberg Street
Parcel: S51 000045 000

Future Landuse Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1 MX/R-15 (Mixed-Use/Single-Family Residential)	Multi-Tenant Office
Northeast	Location Area #2: MX/R-15 (Mixed-Use/Single-Family Residential)	Multi-Tenant Office
East	Location Area #3: R-15 (Single-Family Residential)	Kid's World Learning Center
North West	Location Area #4: MX/R-15 (Mixed-Use/Single-Family Residential)	Multi-Tenant Office
Southeast	Location Area #5: R-15 (Single-Family Residential)	Kid's World Learning Center
South	Location Area #7: R-15 (Single-Family Residential)	Single Family Dwelling
Southwest	Location Area #8: R-15 (Single-Family Residential)	Single Family Dwelling
West	Location Area #9: R-15 (Single-Family Residential)	Single-Family Dwelling

SUBJECT SITE

The subject site consists of approximately 0.26 acres, and currently has a single-family residence on the site.

The intent of the applicant is to reuse the location as a potential office space, but desires the flexibility to redevelop the location if necessary.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Neighborhood Center” character area, which is generally intended for lower to medium intensity residential as well as neighborhood scale office and personal services.

ENVIRONMENTAL SITE ANALYSIS

The property does appear to contain wetlands as this area has historically been developed and currently has housing already on it.

COMMUNITY FACILITIES AND TRANSPORTATION

This site has access to City of Statesboro utilities, and if the intent is to retain the existing building, the already supplied utilities should be sufficient for the site.

ZONING MAP AMENDMENT STANDARDS OF REVIEW

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
 - The surrounding area is made up of a mix of residential houses and commercial businesses, due to the proximity to Northside Drive East. Some existing zoned property has been utilized in a commercial manner due to existing special exceptions, grandfathered uses and variances.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
 - Although an appraisal has not been conducted, it is staff’s belief that property values would not be negatively impacted by this change of use.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**
 - The property would still retain the ability to be used as a residential home if needed by the applicant, but the change in zoning would allow for new uses and the newly approved live-work unit as outlined in the Unified Development Code. Overall, the property is reasonably zoned as a home.

- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**
 - As it has not been determined what the final use of the property will be, the general size of the lot and existing building would lead to a low intensity use by nature of the physical restrictions on the property.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
 - The proposed change does not conflict with the existing development of the area to the North or East. This would be in conflict with properties to the West, although land uses do permit by right some extremely light commercial uses in the area.
- 6. Does the zoning proposal conform with the Long Range Land Use Plan of the Municipality?**
 - The proposed use is consistent with the subject site's character area ("Neighborhood Center") as stated in the *2019 – 2029 Comprehensive Master Plan*.

Subject Property



Northern Property



Western Property



Northern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 23-09-01**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant the right to develop on the site without approval. All construction must be approved by the City.

At the regularly scheduled meeting of the Planning Commission on October 3, 2023, the Commission recommended approval of the Zoning Map Amendment and staff recommendations with a 3-0 vote.

CITY OF STATESBORO

COUNCIL

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



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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

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

Recommendation: Planning Commission recommends the Approval of the Zoning Map Amendment

Background: Hillpointe, LLC requests a Zoning Map Amendment from the MX/PUD (Commercial Retail/Planned Unit Development) zoning districts to the MX (Mixed Use) zoning district in order to develop a commercial multi-family residential development on 18.56 acres located on Lovett Road.

Budget Impact: None

Council Person and District: Barr (District 5)

Attachments: Development Services Report RZ 23-09-02



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

RZ 23-09-02 ZONING MAP AMENDMENT LOVETT ROAD

LOCATION:	Lovett Road
EXISTING ZONING:	MX/PUD (Mixed-Use/Planned Unit Development)
ACRES:	18.56 Acres
PARCEL TAX MAP #:	MS72000004 000
COUNCIL DISTRICT:	District 5 (Barr)
EXISTING USE:	Vacant Wooded Lot
PROPOSED USE:	Multi-Family Complex



PETITIONER Hillpiointe LLC
ADDRESS 8830 Macon Highway, Building 300: Athens GA, 30606

REPRESENTATIVE Marcus Wiedower
ADDRESS Same As Above

PROPOSAL

The applicant requests a zoning map amendment from the MX/PUD (Mixed-Use/Planned Unit Development) zoning districts to the MX (Mixed-Use) zoning district in order to develop a Multi-Building Apartment Complex.

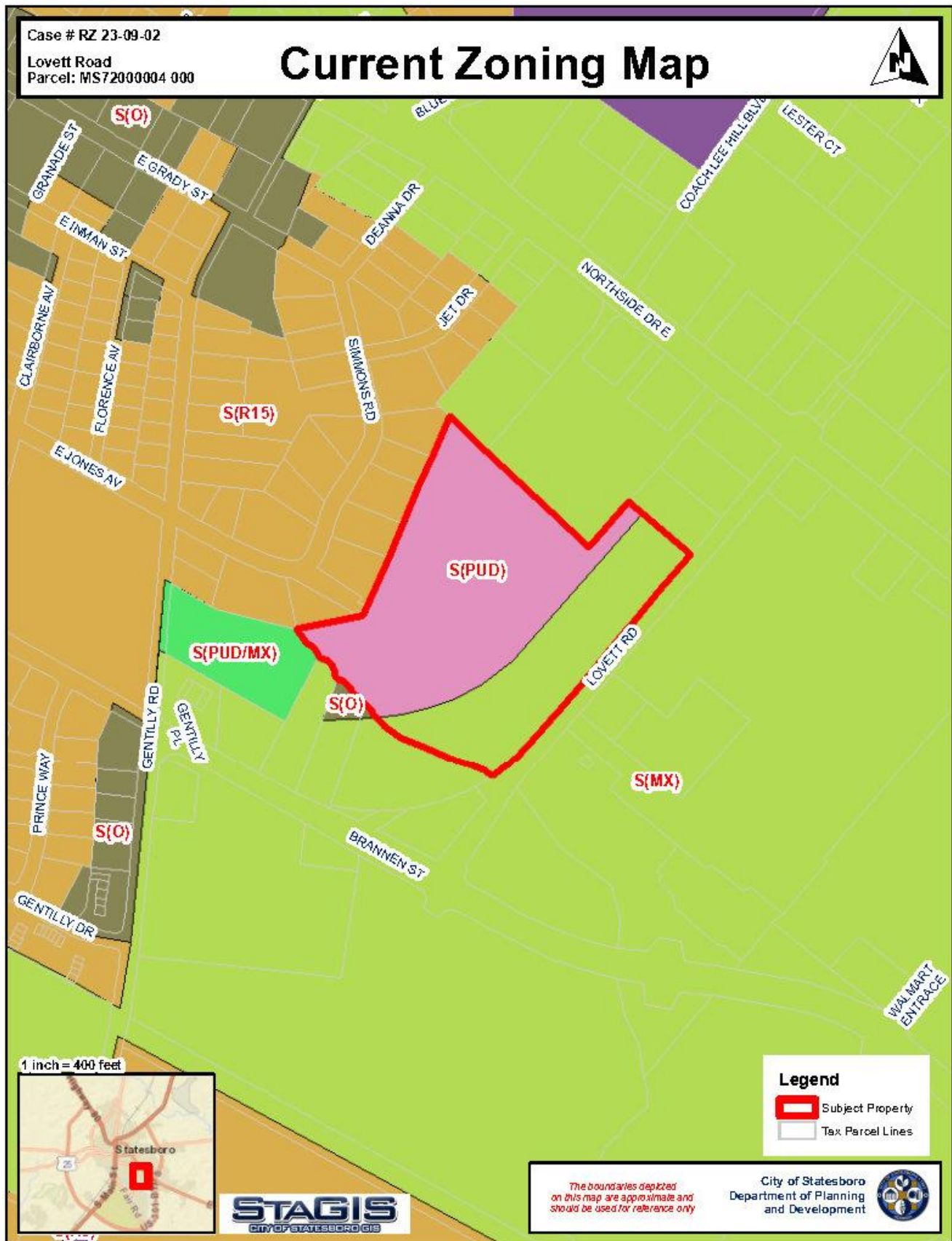
STAFF/PLANNING COMMISSION RECOMMENDATION

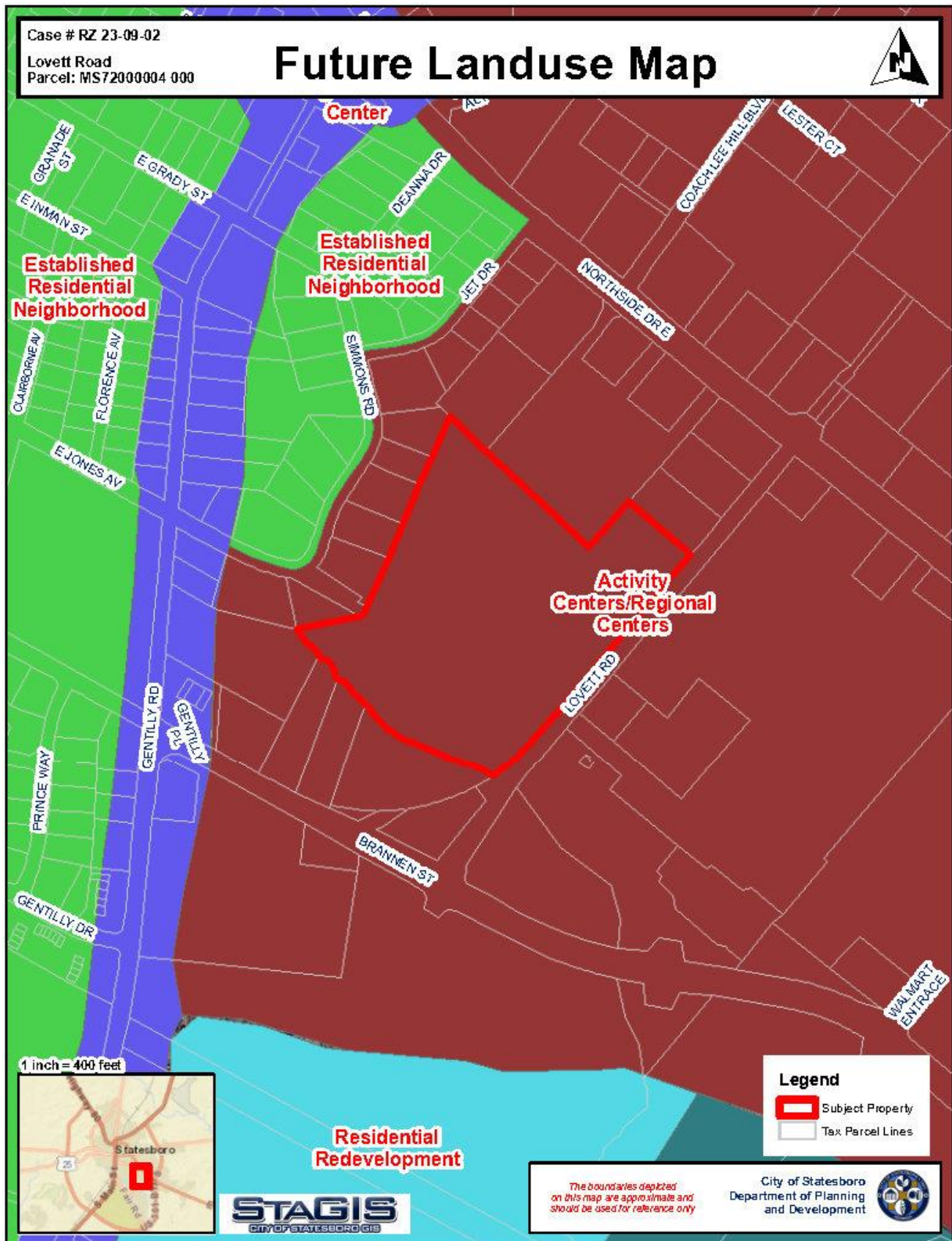
RZ 23-09-02 - CONDITIONAL APPROVAL

Case # RZ 23-09-02
Lovett Road
Parcel: MS72000004 000

Current Zoning Map









SURROUNDING LAND USES/ZONING		
Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1 MX (Mixed-Use)	Shopping Complex
Northeast	Location Area #2: MX (Mixed-Use)	Statesboro Mall
East	Location Area #3: MX (Mixed-Use)	Statesboro Mall
North West	Location Area #4: R-15 (Single-Family Residential)	Single Family Dwelling
Southeast	Location Area #5: MX (Mixed-Use)	Statesboro Mall
South	Location Area #6 MX (Mixed-Use)	Shopping Complex
Southwest	Location Area #7: PUD/MX (Planned Unit Development/Mixed-Use)	Vacant Lot
West	Location Area #8: R-15 (Single-Family Residential)	Single Family Dwelling

SUBJECT SITE

The subject site consists of approximately 18.56 acres, and currently is a wooded area with some noted wetlands, adjacent to the commercial uses to the South.

The intent of the applicant is to develop a 216 unit multi-family residential complex. The applicant intends to provide appropriate buffering to the property in alignment with the associated Unified Development Code.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Activity/Regional Center” character area, which is generally intended for pedestrian-oriented shopping, office, and entertainment areas that accommodate High-Density Residential Development.

ENVIRONMENTAL SITE ANALYSIS

The property does appear to contain wetlands to the south, which is not being impacted for development. The property does not contain floodplains, but will need to ensure significant care is taken to develop due to the amount of trees necessary for removal.

COMMUNITY FACILITIES AND TRANSPORTATION

This site has access to City of Statesboro utilities and is currently facing a public street for both proposed entrances.

ZONING MAP AMENDMENT STANDARDS OF REVIEW

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
 - The surrounding area is made up of a mix of residential houses and highly trafficked commercial buildings. This property has remained unsold for a number of years, and would be buffered from the single-family residential found on Gentilly. It would also feed into the existing commercial already in the area.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
 - Although an appraisal has not been conducted, it is staff’s belief that property values would not be negatively impacted by this change of use.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**

- The property was granted a PUD prior to the Great Recession, and at this time would not be able to be utilized for anything beyond the listed commercial complex that was proposed. Due to the overlay associated with the property, this rezoning would be necessary to build this product.
- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**
- The number of units would significantly increase traffic on the adjacent Lovett Road, but it will be necessary to provide a traffic study. As the makeup of the units has not yet been determined, it is unknown how this will impact the schools in the associated district, but it can be assumed that this will increase the general number of students in the County School system.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
- The proposed change does not conflict with the existing development of the area, as the roads are highly trafficked due to the adjacent mall, Movie Theater, and numerous restaurants on Northside Drive.
- 6. Consistency Does the zoning proposal conform with the Long Range Land Use Plan of the Municipality?**
- The proposed use is consistent with the subject site's character area ("Activity/Regional Center") as stated in the *2019 – 2029 Comprehensive Master Plan*.

Subject Property



Northern Property



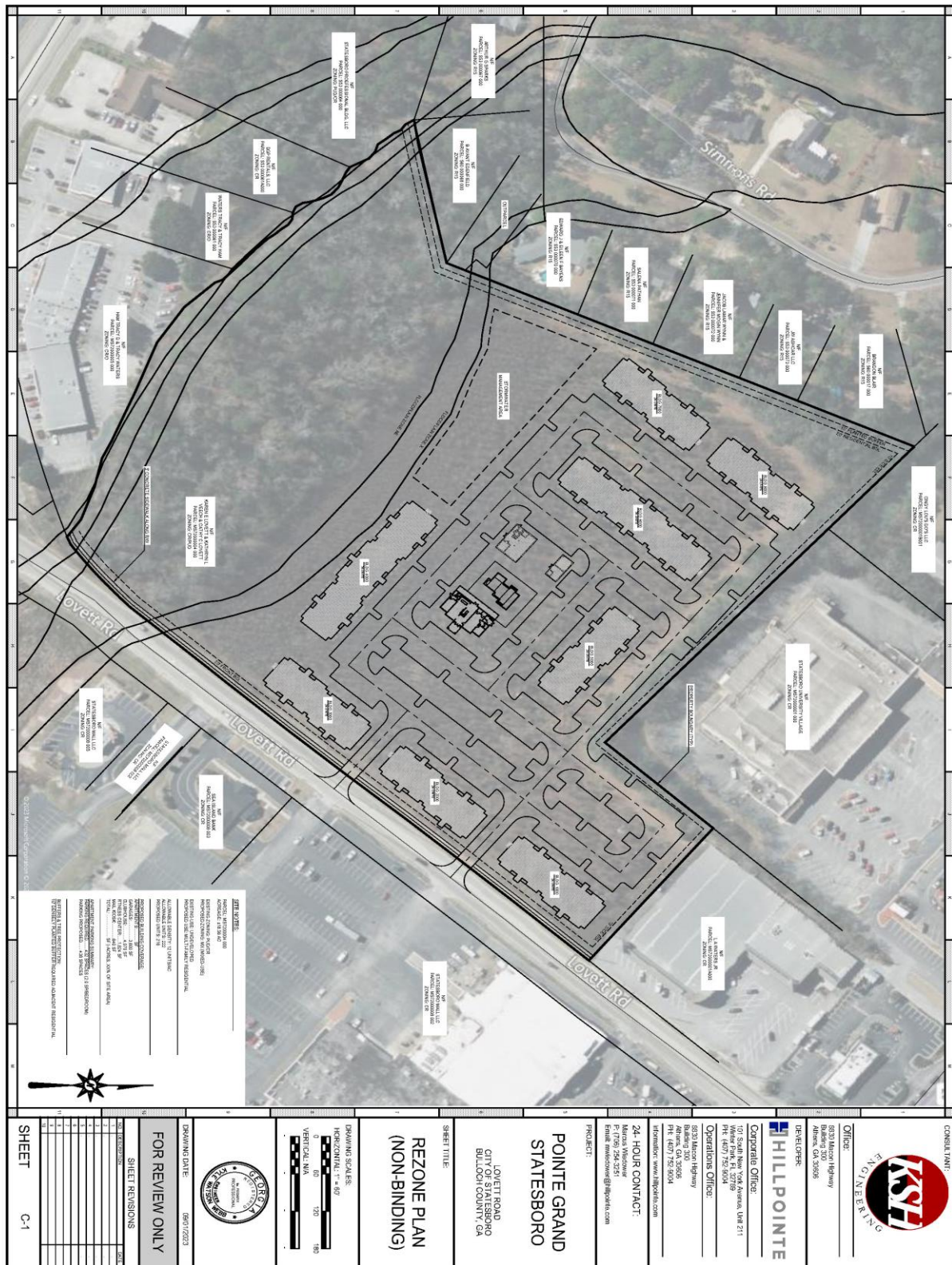
Southern/Subject Property



Eastern Property



Concept Plan



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 23-09-02**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant the right to develop on the site without approval. All construction must be approved by the City.
- (2) Due to the proposed density, the applicant must provide a traffic impact analysis for the project prior to the issuance of the land disturbance permit.
- (3) Additional buffering may be required on the Northwest boundary so as to minimize the impact on the Single-Family homes on this boundary.

At the regularly scheduled meeting of the Planning Commission on October 3, 2023, the Commission recommended approval of the Zoning Map Amendment and staff recommendations with a 3-0 vote.

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CITY OF STATESBORO

COUNCIL

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



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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance:* Preliminary Subdivision PLAT

Recommendation: Planning Commission recommends the Preliminary Subdivision PLAT.

Background: Tim Stone requests Preliminary Subdivision PLAT approval on approximately 11.54 acres of property in order to develop a townhouse subdivision of approximately 93 units on Westside Road.

Budget Impact: None

Council Person and District: Chavers (District 2)

Attachments: Development Services Report SUB 23-09-03



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SUB 23-09-03 PRELIMINARY SUBDIVISION REQUEST WESTSIDE ROAD

LOCATION:	Westside Road
EXISTING ZONING:	R-2 (Townhouse Residential)
ACRES:	11.54 acres
PARCEL TAX MAP #:	MS30000025 002
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Vacant Lot
PROPOSED USE:	Townhouse Subdivision



PETITIONER Tim Stone – DR Horton
ADDRESS 30 Silver Lake Road; Bluffton SC, 29909

REPRESENTATIVE Nathan Brown – Hussey Gay Bell
ADDRESS 1100 Brampton Ave, #1; Statesboro GA, 30458

PROPOSAL

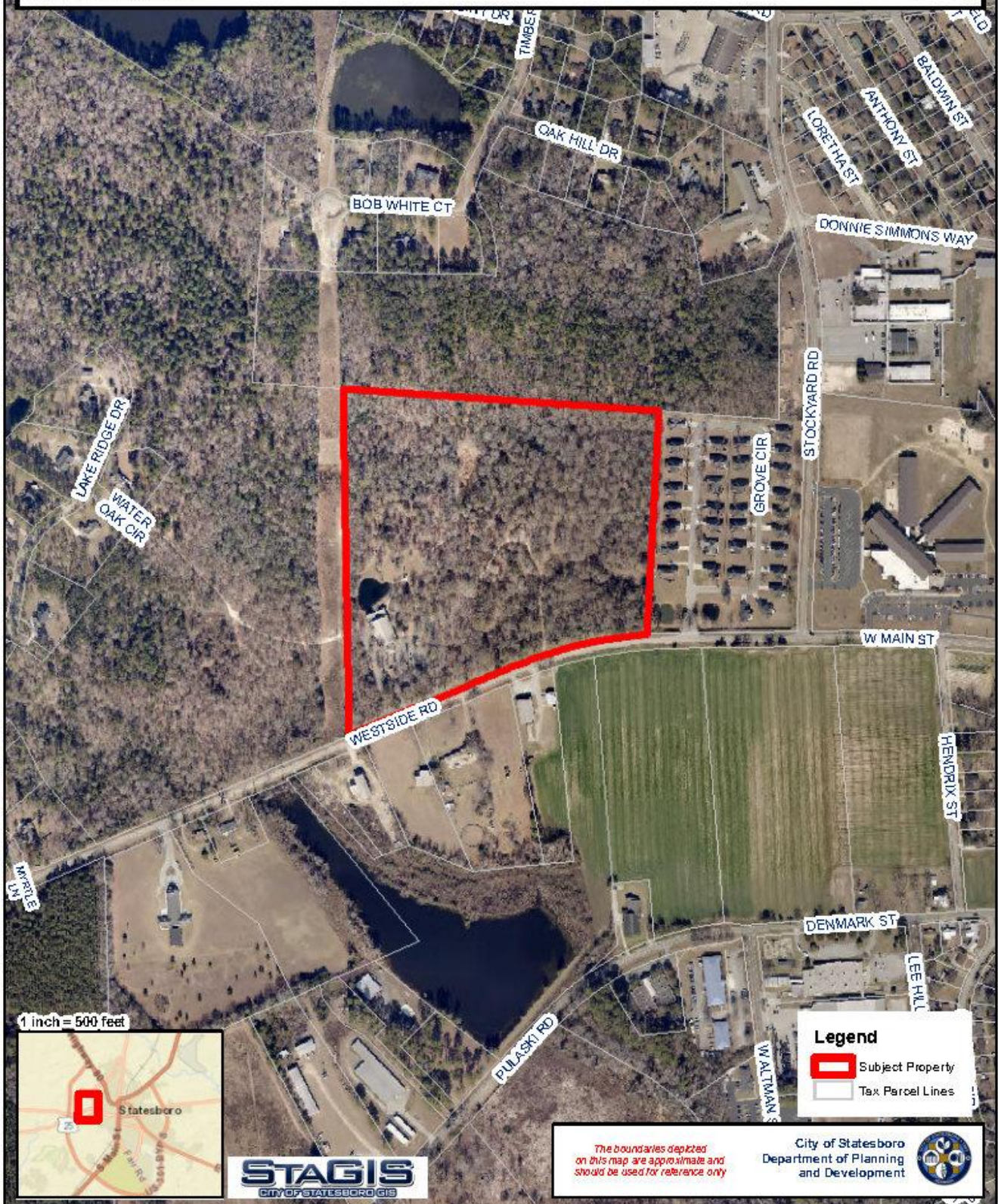
The applicant is requesting Preliminary Subdivision Approval on approximately 11.54 acres of property on Westside Road in order to develop a fee simple Townhome Subdivision.

STAFF/PLANNING COMMISSION RECOMMENDATION

SUB 23-09-03 – CONDITIONAL APPROVAL

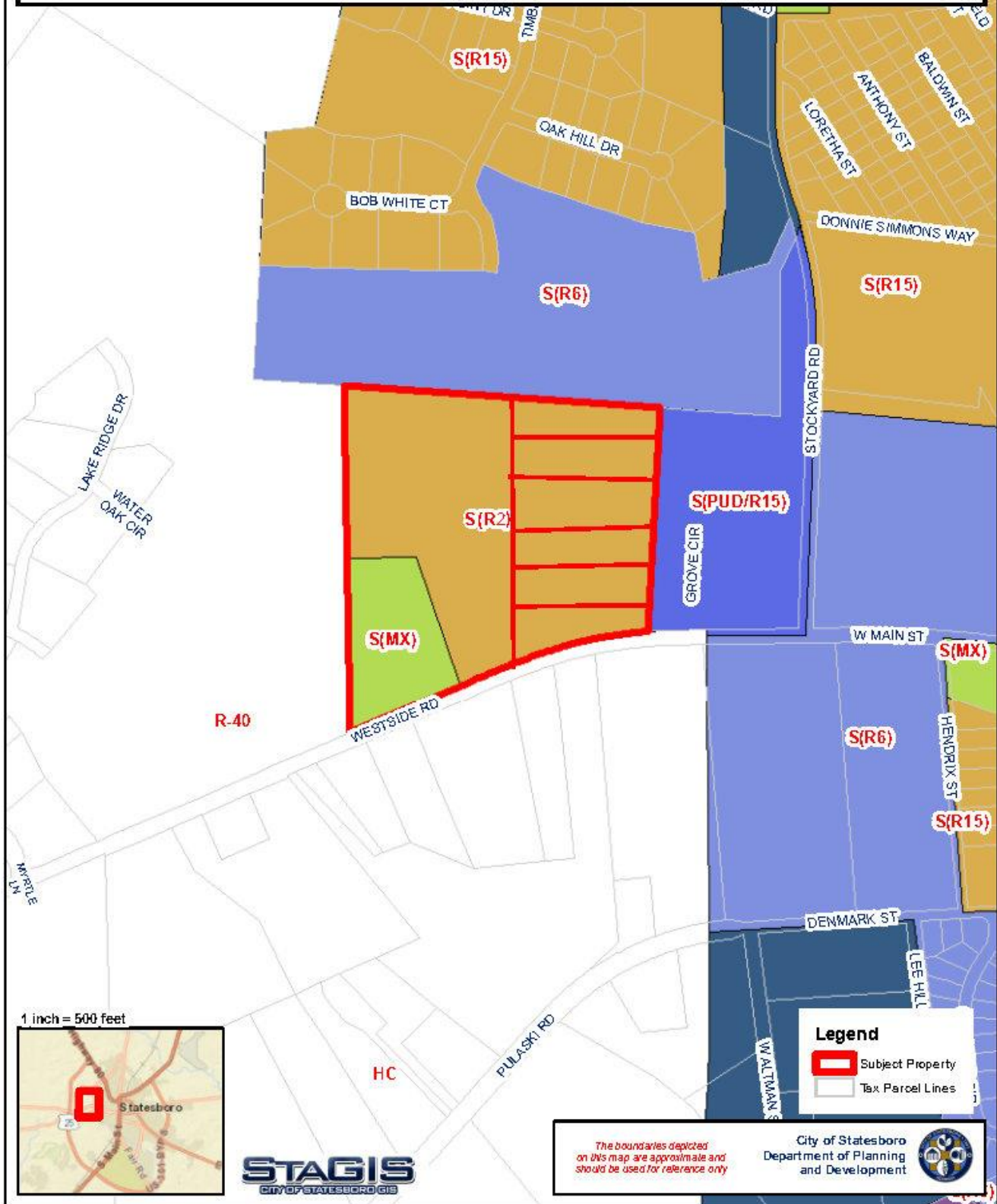
Case # SUB 23-09-03
Westside Road
Parcel: MS30000025 002

Location Map



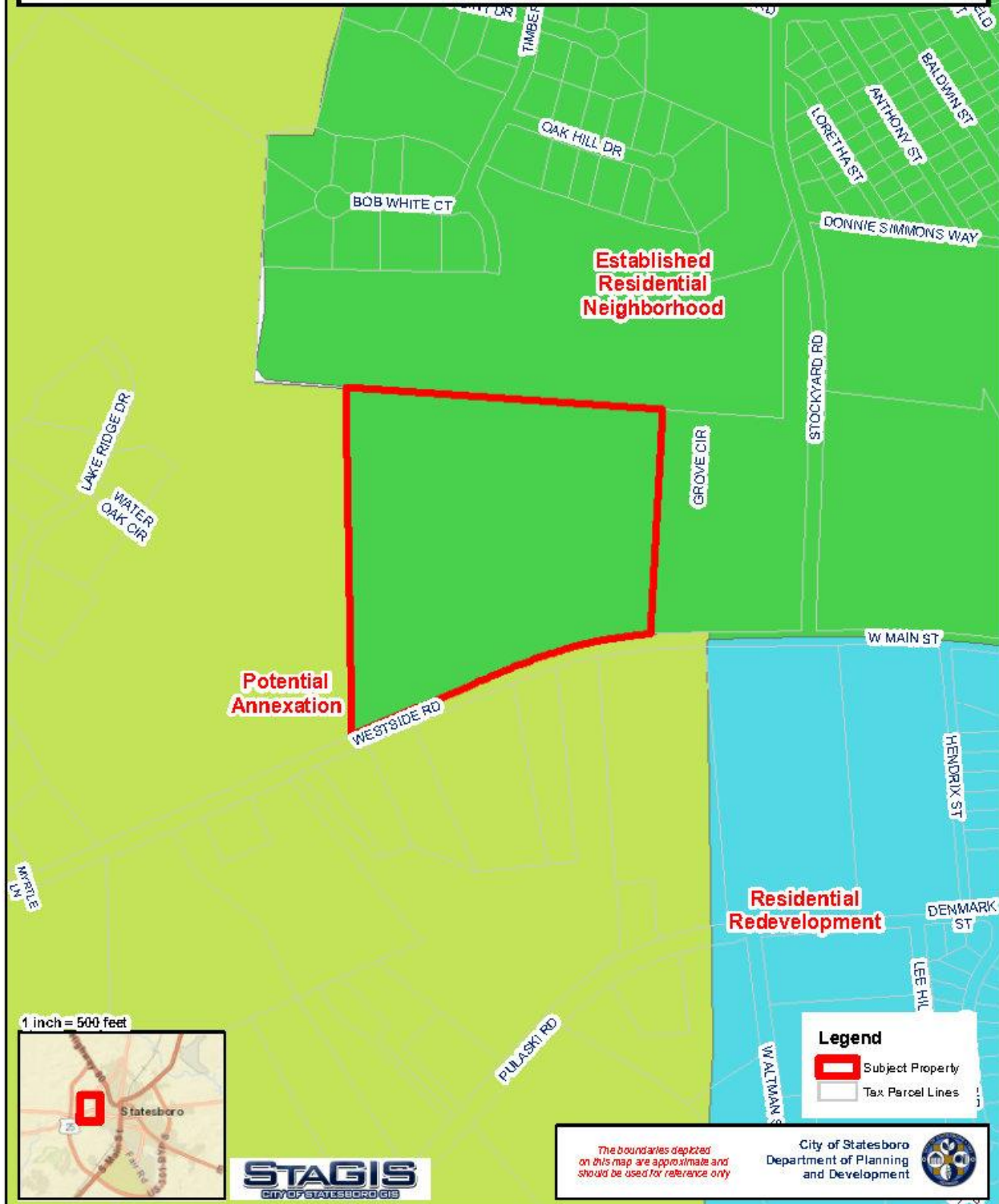
Case # SUB 23-09-03
Westside Road
Parcel: MS30000025 002

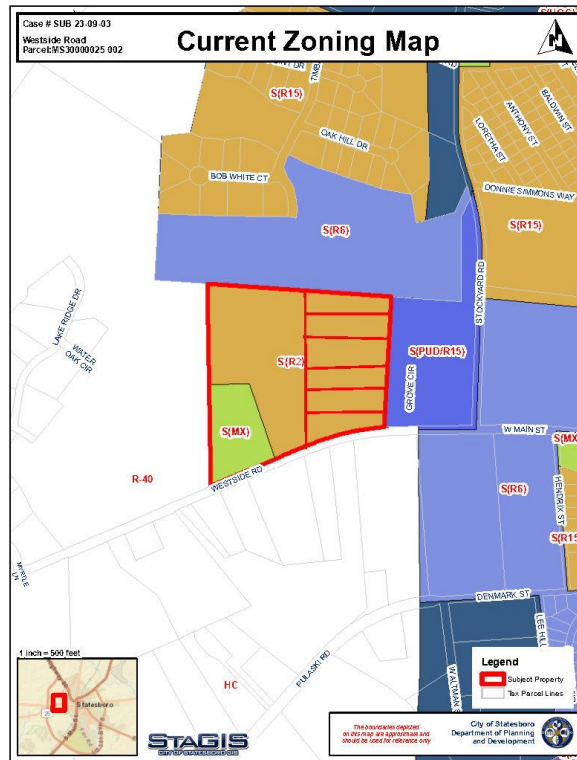
Current Zoning Map



Case # SUB 23-09-03
Westside Road
Parcel: MS30000025 002

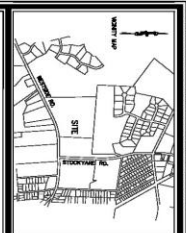
Future Landuse Map





SURROUNDING LAND USES/ZONING		
Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R-6 (Single-Family Residential)	Rural/Open Land
Northeast	Location Area #2: R-6 (Single-Family Residential)	Rural/Open Land
Northwest	Location Area #3: R-6 (Single-Family Residential)	Rural/Open Land
East	Location Area #4: PUD (Planned Unit Development)	Single-Family Residential Dwelling
West	Location Area #5: R-40 (Single-Family Residential-County)	Rural/Open Land
Southwest	Location Area #6: HC (Highway Commercial)	Iron Works Facility
Southeast	Location Area #7: HC (Highway Commercial)	Rural/Open Land
South	Location Area #8: HC (Highway Commercial)	Single-Family Residential Dwelling

d:\Daurneya\STATESBORO\BALL\Stockyard\WESTSIDE.dwg



090 NORTH - GA. EAST ZONE - NAD 83

MS30000025 002
W. WARREN BALL
DB 2783, PG. 752
PG 69, PG. 391

LEGEND

METLANDS

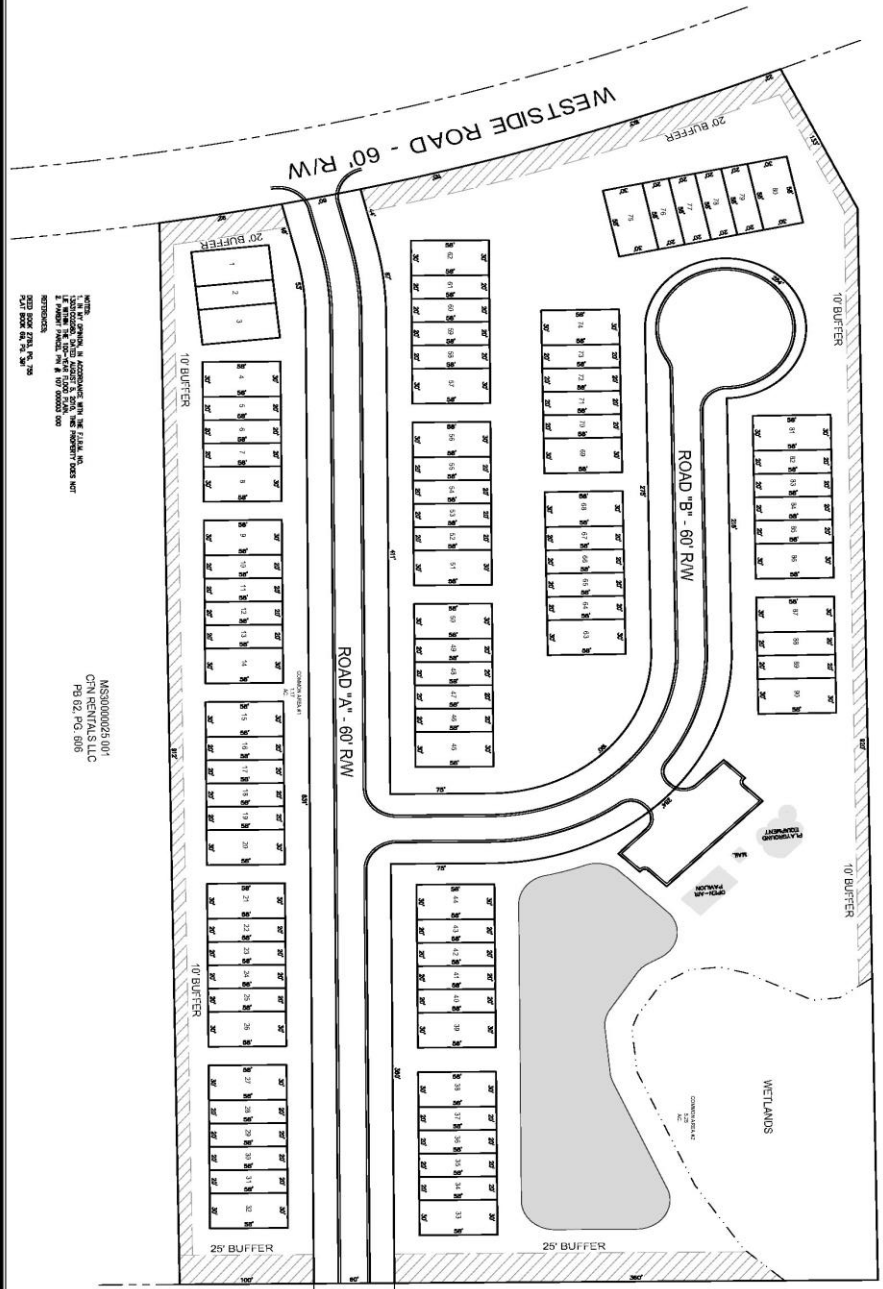
Prestel Index		Prestel Index	
LOT	ADDRESS S.F.	LOT	ADDRESS S.F.
1	0.04 1744.00	47	0.03 1883.00
2	0.01 487.00	48	0.03 1883.00
3	0.04 1744.00	49	0.03 1883.00
4	0.04 1744.00	50	0.04 1744.00
5	0.04 1744.00	51	0.04 1744.00
6	0.03 1883.00	52	0.03 1883.00
7	0.03 1883.00	53	0.03 1883.00
8	0.04 1744.00	54	0.03 1883.00
9	0.04 1744.00	55	0.03 1883.00
10	0.03 1883.00	56	0.04 1744.00
11	0.03 1883.00	57	0.04 1744.00
12	0.03 1883.00	58	0.03 1883.00
13	0.03 1883.00	59	0.03 1883.00
14	0.04 1744.00	60	0.03 1883.00
15	0.04 1744.00	61	0.03 1883.00
16	0.03 1883.00	62	0.04 1744.00
17	0.03 1883.00	63	0.04 1744.00
18	0.03 1883.00	64	0.03 1883.00
19	0.03 1883.00	65	0.03 1883.00
20	0.04 1744.00	66	0.03 1883.00
21	0.04 1744.00	67	0.03 1883.00
22	0.03 1883.00	68	0.04 1744.00
23	0.03 1883.00	69	0.04 1744.00
24	0.03 1883.00	70	0.04 1744.00
25	0.04 1744.00	71	0.03 1883.00
26	0.04 1744.00	72	0.03 1883.00
27	0.04 1744.00	73	0.03 1883.00
28	0.03 1883.00	74	0.04 1744.00
29	0.03 1883.00	75	0.04 1744.00
30	0.03 1883.00	76	0.04 1744.00
31	0.03 1883.00	77	0.03 1883.00
32	0.04 1744.00	78	0.03 1883.00
33	0.04 1744.00	79	0.04 1744.00
34	0.04 1744.00	80	0.04 1744.00
35	0.03 1883.00	81	0.04 1744.00
36	0.03 1883.00	82	0.03 1883.00
37	0.04 1744.00	83	0.03 1883.00
38	0.04 1744.00	84	0.03 1883.00
39	0.04 1744.00	85	0.03 1883.00
40	0.04 1744.00	86	0.04 1744.00
41	0.03 1883.00	87	0.04 1744.00
42	0.03 1883.00	88	0.03 1883.00
43	0.04 1744.00	89	0.03 1883.00
44	0.04 1744.00	90	0.04 1744.00
45	0.04 1744.00		
46	0.04 1744.00		

UNITS TOTAL: 90
AREA TOTAL = 11.54 ACRES
RW = 2.29 ACRES
0.3 MILES (TOTAL NEW ROAD LENGTH)

NOTES:
1. IN MY OPINION, IN ACCORDANCE WITH THE FLEET NO.
12401020203, DATED AUGUST 4, 2014, THIS PROPERTY DOES NOT
NEED THE "NO PARKING" SIGN.
2. PARKING PERMITS: PER 10/000000 000

REFERENCE:
DEED BOOK 27/14, PG. 750
PLAT BOOK 64, PG. 347

MS30000025 001
CFN RENTALS LLC
PB 62, PG. 606



POSSIBLE ROAD
CONNECTION
TO ADJACENT
TRACT

PRELIMINARY SUBDIVISION PLAT
WESTSIDE TOWNHOME TRACT
LANDS OF G. MITCHELL BALL, STATESBORO, BULLOCH COUNTY, GA
FOR: G. MITCHELL BALL

PLATE DATE: SEPTEMBER 4, 2013
FILE DATE: SEPTEMBER 2013
RECORD DATE: SEPTEMBER 27, 2013
DATE: 09/27/2013
TIME: 11:00
SCALE: 1" = 40'

2	47	85	123	168
CLARKSON WITH TONY STONE				

HUSSEY GAY BELL
Established 1958
329 COMMERCIAL DRIVE, SAVANNAH, GA 31406/77912334.4606

HUSSEY, GAY, BELL &
DEYOUNG, INC.
CERTIFICATE OF
AUTHORIZATION:LSF300

SUBJECT SITE

The subject site is a vacant lot with of approximately 11.54 acres with a proposed new public road connecting to the parcel to the North. The number of proposed units do not exceed the number of units allotted based on the general zoning of the property.

The applicant intends to develop a new Townhouse Subdivision of approximately 93 units adjacent to the existing “In the Grove” subdivision. The applicant will be developing the road to connect to the Northern Parcel to provide for additional connection flowing through the entirety of the area.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* shows this as a part of the “Established Residential Neighborhood” character area, small-lot single-family residential developments as well as neighborhood services and neighborhood scaled retail and commercial. As noted in the rezoning of this property, the Comprehensive Plan was not drafted to originally include townhomes, but as these lots are fee simple, this would be an acceptable development type.

ENVIRONMENTAL SITE ANALYSIS

The subject property does contain some wetlands to the northern areas of the property, but a large portion of the property will remain undeveloped due to the nature of townhomes.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but the property can be served by both City Water and Sewer with minimal extension. Additionally, the topography of the property will require the use of a lift station, which will be built at cost to the developer.

Subject Property



Eastern Property



Western Property



Southern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SUB 23-09-03**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Preliminary Subdivision Plat does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) The applicant must adhere to all recommended zoning determinations as provided by the original Zoning Map Amendment of the property.
- (3) The proposed stub road must be constructed in accordance with the submitted subdivision plat, and meet all requirements for street dedication upon completion of the street network.

At the regularly scheduled meeting of the Planning Commission on October 3, 2023, the Commission recommended approval of the Preliminary PLAT and staff recommendations with a 3-0 vote.

CITY OF STATESBORO

COUNCIL

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



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

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

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

From: Justin Williams, Planning & Housing Administrator

Date: October 6, 2023

RE: October 17, 2023 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance:* Preliminary Subdivision PLAT

Recommendation: Planning Commission recommends the Approval of the Preliminary Subdivision PLAT.

Background: Mitchell Ball requests Preliminary Subdivision PLAT approval on approximately 32.6 acres of property in order to develop a single-family detached subdivision of approximately 90 units on Timber Road & Stockyard Road.

Budget Impact: None

Council Person and District: Chavers (District 2)

Attachments: Development Services Report SUB 23-09-04



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SUB 23-09-04 PRELIMINARY SUBDIVISION REQUEST STOCKYARD ROAD

LOCATION:	Stockyard Road
EXISTING ZONING:	R-6 (Single-Family Residential)
ACRES:	32.16 acres
PARCEL TAX MAP #:	MS38000068 001
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Vacant Lot
PROPOSED USE:	Single-Family Subdivision



PETITIONER Mitchell Ball
ADDRESS 1007 Monarch Circle; Statesboro GA 30458

REPRESENTATIVE SAME AS ABOVE
ADDRESS SAME AS ABOVE

PROPOSAL

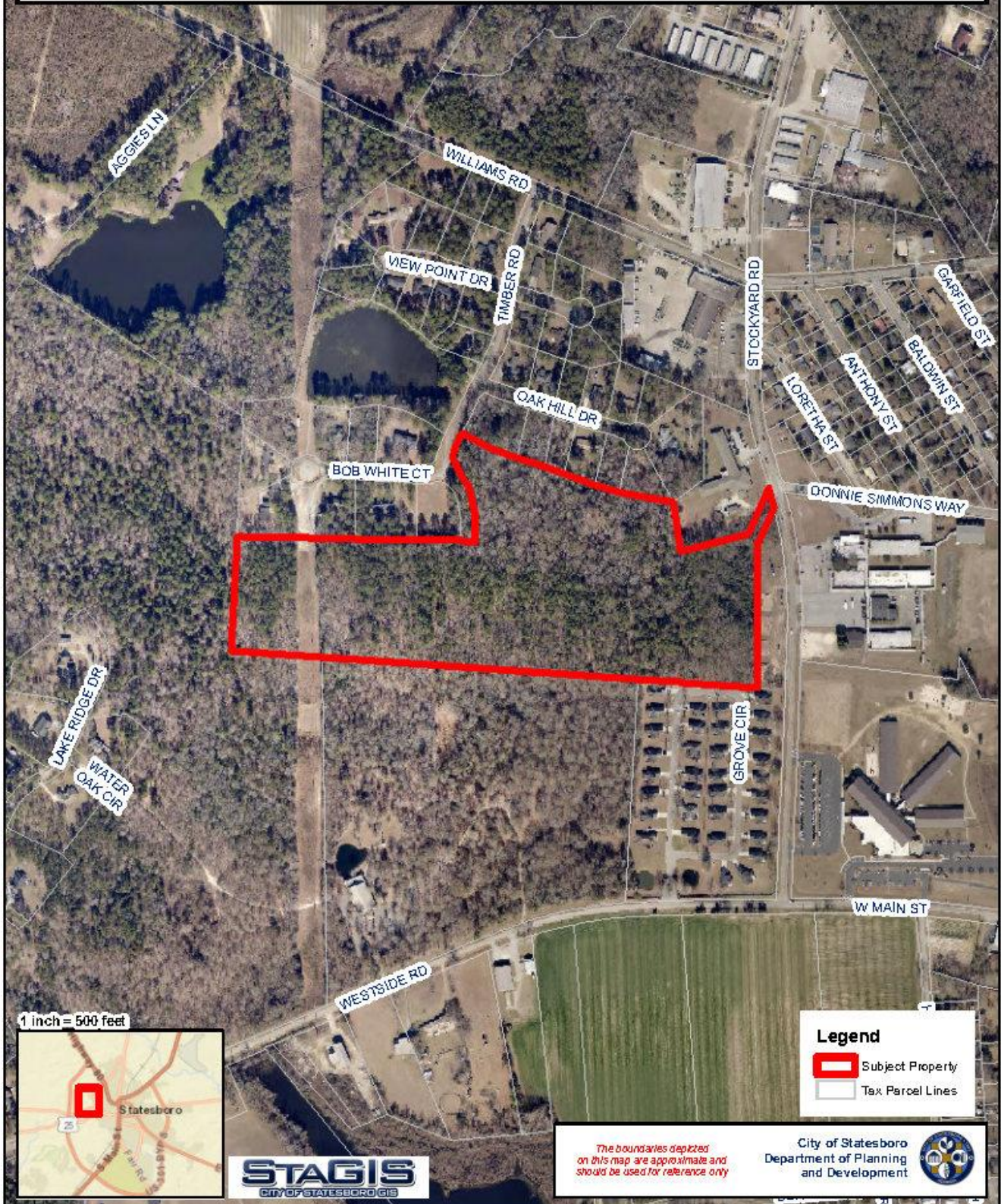
The applicant is requesting Preliminary Subdivision Approval on approximately 32.16 acres of property on Stockyard & Timber Road in order to develop a single-family detached residential subdivision.

STAFF/PLANNING COMMISSION RECOMMENDATION

SUB 23-09-04 – CONDITIONAL APPROVAL

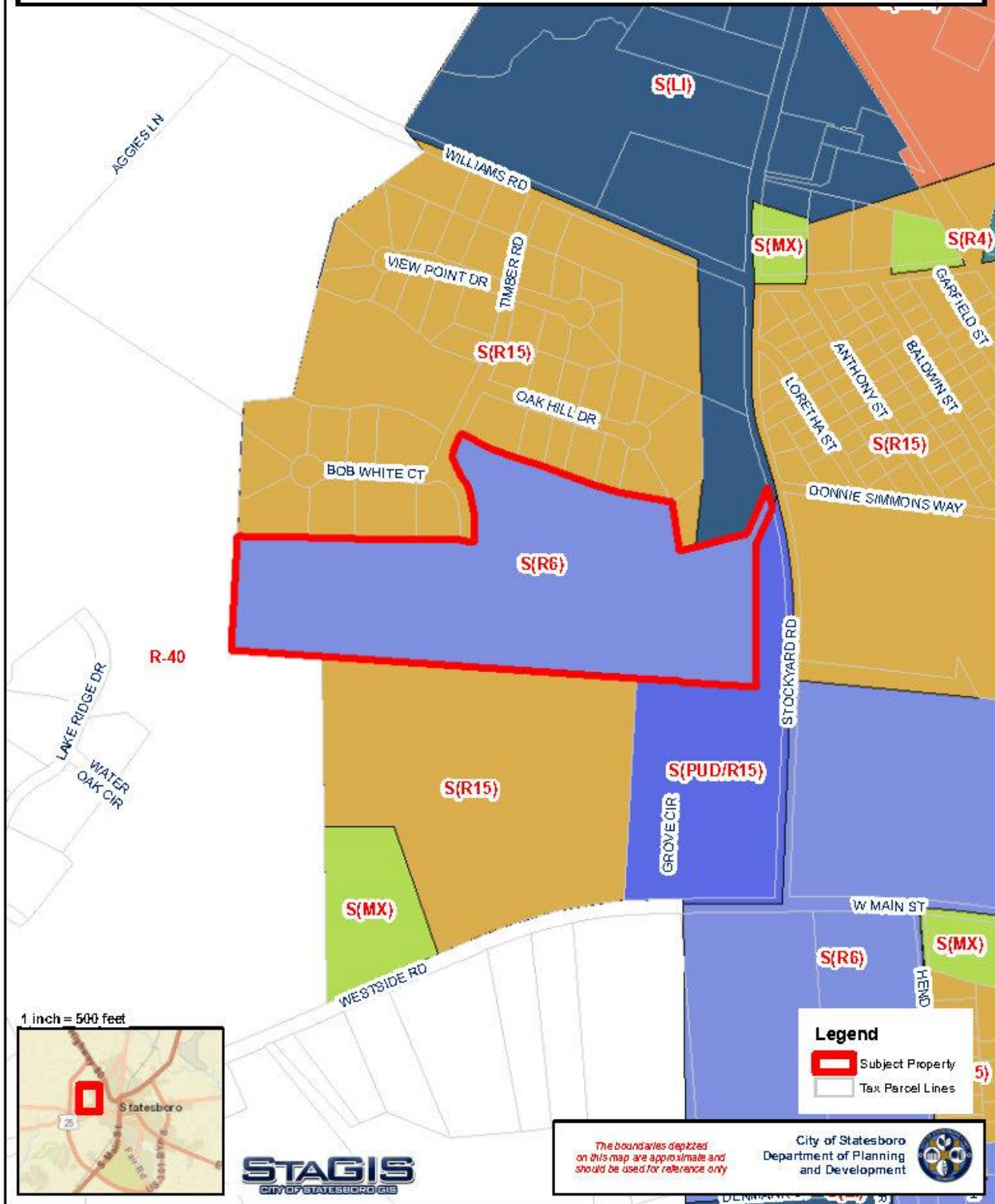
Case # SUB 23-09-04
Stockyard Road
Parcel: MS38000068 001

Location Map



Case # SUB 23-09-04
Stockyard Road
Parcel: MS38000068 001

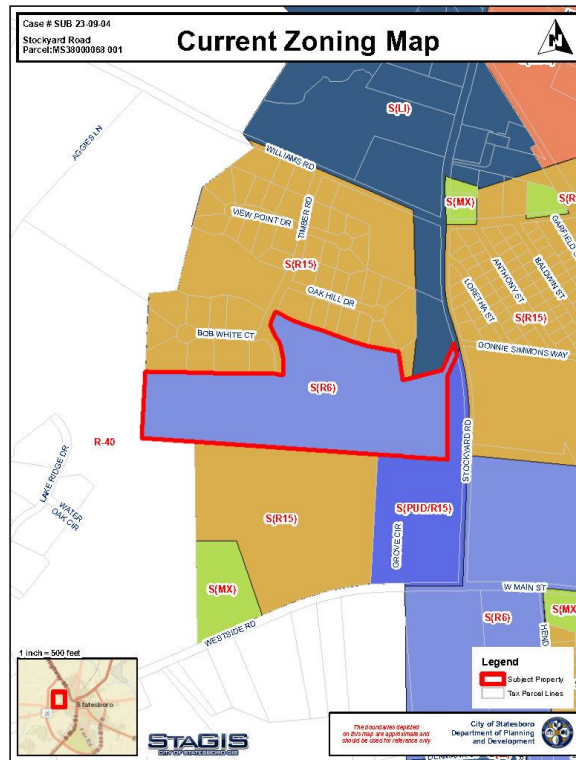
Current Zoning Map



Case # SUB 23-09-04
Stockyard Road
Parcel: MS38000068 001

Future Landuse Map





SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R-6 (Single-Family Residential)	Single-Family Residential Dwelling
Northeast	Location Area #2: R-6 (Single-Family Residential)	Single-Family Residential Dwelling
Northwest	Location Area #3: R-6 (Single-Family Residential)	Single-Family Residential Dwelling
East	Location Area #4: PUD (Planned Unit Development)	Duplex Residential Dwelling
West	Location Area #5: R-20 (Single-Family Residential)	Single-Family Residential Dwelling
Southwest	Location Area #6: R-40 (Single-Family Residential-County)	Rural/Open Land
Southeast	Location Area #7: PUD (Planned Unit Development)	Single-Family Residential Dwelling
South	Location Area #8: R-2 (Townhouse Residential)	Rural/Open Land

z:\Bourne\STATEBORO\BALL Stockyard\PRELIMINARY HORTON AND HORIZON.dwg



SUBJECT SITE

The subject site is a vacant lot with of approximately 32.16 acres with a proposed new public road connecting to the parcel to the South. The number of proposed units do not exceed the number of units allotted based on the general zoning of the property. The parcel will also allow for access on both Timber and Stockyard Roads, which will provide needed access for the number of units

The applicant intends to develop a new Single-Family Subdivision of approximately 84 units in between the existing Quail Run and proposed Westside Road subdivisions. The applicant will be required to adhere to the existing UDC ordinance for this development.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* shows this as a part of the “Established Residential Neighborhood” character area, small-lot single-family residential developments as well as neighborhood services and neighborhood scaled retail and commercial.

ENVIRONMENTAL SITE ANALYSIS

The subject property does contain some wetlands to the northern areas of the property, but a large portion of the property will remain undeveloped and provided for amenities and open space.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but the property can be served by both City Water and Sewer with minimal extension. Additionally, the topography of the property will require the use of a lift station, which will be built at cost to the developer. The property exit shown on Stockyard Road is of specific concern, as it currently does not provide sufficient site distance from the adjacent exits of other properties on Stockyard Road.

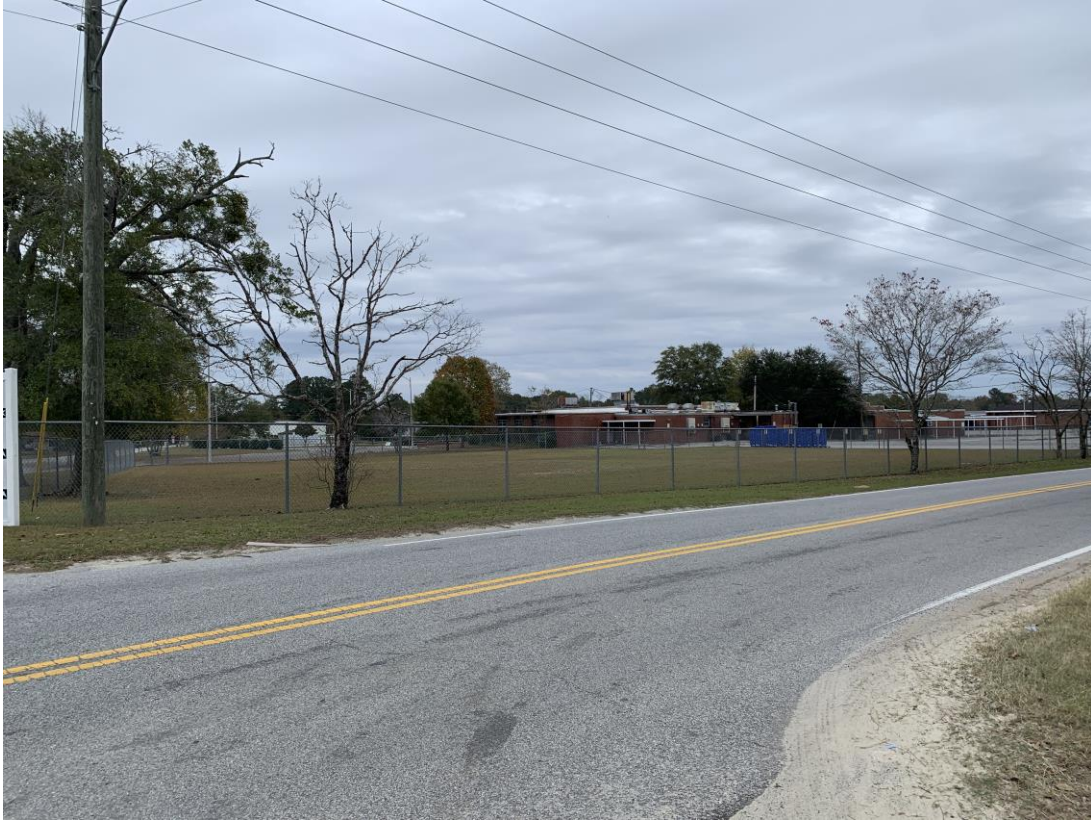
Subject Property



Northern Property



Southeastern Property



Northeastern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SUB 23-09-04**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Preliminary Subdivision Plat does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) The applicant must adhere to all recommended zoning determinations as provided by the original Zoning Map Amendment of the property.
- (3) The proposed stub road must be constructed in accordance with the submitted subdivision plat, and meet all requirements for street dedication upon completion of the street network.

At the regularly scheduled meeting of the Planning Commission on October 3, 2023, the Commission recommended approval of the Preliminary PLAT and staff recommendations with a 3-0 vote.

CITY OF STATESBORO

COUNCIL

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



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

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

To: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 10/11/2023

RE: Family Dollar #30436

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: Paulette Chavers, District 2

Attachments: Application & Department Approvals

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

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

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

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

Date application was received by tax/license office: _____

1. Business Trade Name: Family Dollar Store 30436

D/B/A Name

2. Applicant's Name: Family Dollar Stores of Georgia, LLC

Name of partnership, llc, corporation, or individual

3. Business Physical Address: 20 Veterans Plaza, Statesboro, GA 30458

4. Business mailing address: Attn: Alcohol/Tobacco Team, 500 Volvo Pkwy (8th Floor),
Chesapeake, VA 23320

5. Local business phone number: 912-243-6103

Corporate office phone number: 757-312-5493

6. Name of Manager: Erica Renee McDonald

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 Existing Business New Owner _____

Previous owner's name: N/A

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

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

11. Indicate where the business will be located:

_____ Above ground

X 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 X 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? N/A

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

Name & address of partnership, LLC, or LLP: Family Dollar Stores of Georgia, LLC

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

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

Family Dollar Stores Holdings II, LLC, is the owner 100% - see attached

15. Members of LLC and/or partners:

Full Legal Name: See attached 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? N/A
(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: Family Dollar Stores of Georgia, LLC.

Home Office address: Attn: Alcohol/Tobacco Team 500 Volvo Pkwy (8th Floor) Chesapeake, VA
23320

Mailing address (if different): Same as above

Date & Place of incorporation: 08/31/1997

Do you have a shareholders agreement?: Yes, please see attached

If not, what documents establish the ownership rights of the shareholders? N/A

17. Officers:

Full Legal Name: Please see attached officers Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

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

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

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

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

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

Name: Jonathan Lamar Elder Phone #: [REDACTED]

Previous address: [REDACTED]

Dates lived there: June, 2005- March, 2019

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: Harry Spencer Phone #: [REDACTED]

Previous address: [REDACTED]

Dates lived there: 2016-2019

Previous address: [REDACTED]

Dates lived there: 2010-2016

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:

Verit, Inc. 2325 Camelback Road, Suite 1100 Phoenix, AZ 85016

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:

Vereit, Inc. 2325 East Camelback Road, Suite 1100 Phoenix, AZ 85016

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? Yes, Family Dollar Stores of Georgia LLC Holds multiple license throughout the state

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

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

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

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

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

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

Calculation of Basic License Fee

For Calendar Year: 2023

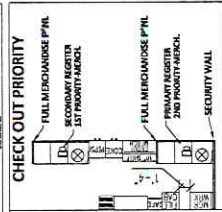
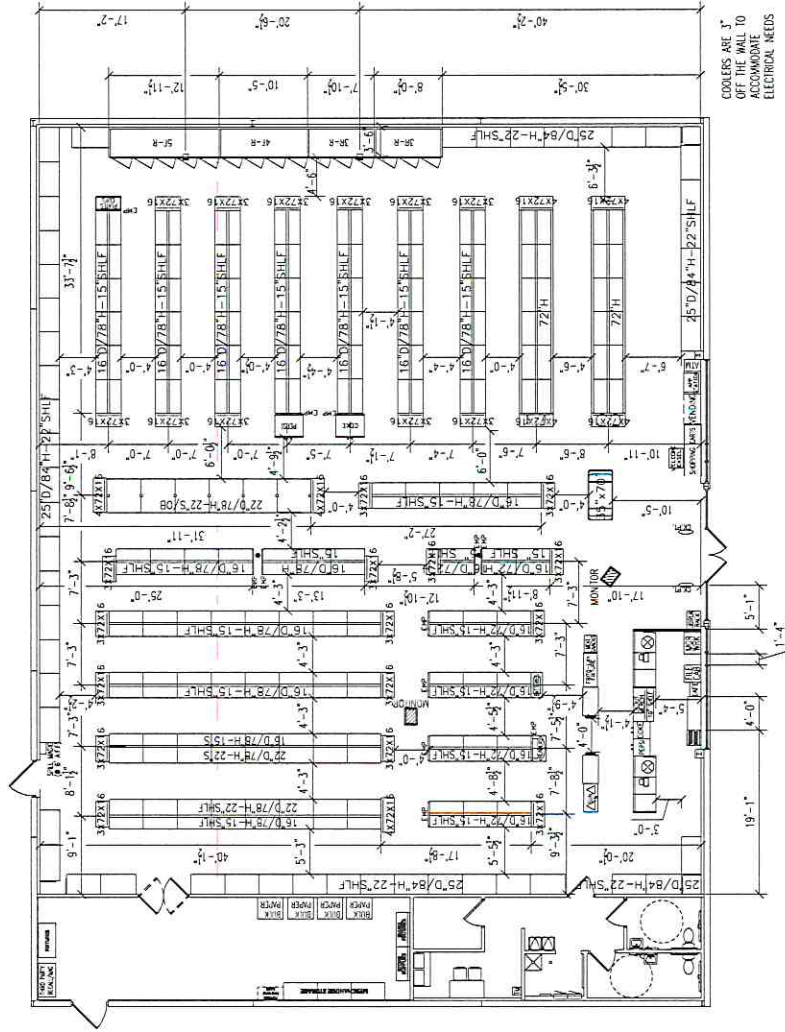
Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<u>X</u>	\$1750
B. Package Sales (Distilled Spirits)	<u> </u>	\$5000
Location Reservation	<u> </u>	N/A
2. On Premise License Types		
A. Bar	<u> </u>	\$4300
B. Bar with Kitchen	<u> </u>	\$4300
C. Event Venue	<u> </u>	\$2500
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>X</u>	\$300
9. In Room Service Permit	<u> </u>	\$150

1,900.00

Total Due: \$

500.00 PLENTLY FEE

TOTAL: 2,550.00



POWER POLE LIST		
TYPE	ITEM #	QTY
CHECKOUT - 15'	8029529	2
APP STATION - 15'	8029530	0
PRICE CR - 15'	8029529	0
ASLE - 8'	8029487	2
COKE - 8'	8029487	1
PEPS - 8'	8029487	1
ATM - 15'	8029530	1
VGR WRK SMT-15'	8029530	1

104 X 80 - 8320	REVISIONS
KCM - ASBILITY-CALENDAR	
KMO - REVERT PREV.	
FOOD/APPAREL FLOW.	
21.12.13	

FIXTURE & HARDWARE PLAN
 1041 MORRIS ROAD 1 MATTHEW, NC 28148
 CONFIDENTIAL - FAMILY DOLLAR USE ONLY
 PLEASE CHECK THE PLANS FOR ANY TYPING ERRORS
 ANY QUESTIONS CONCERNING FIGURES AND/OR
 DIMENSIONS PLEASE CONTACT:
 KCM/KMO: (800) 547-0338 EXT. 8267

FAMILY DOLLAR
 1041 MORRIS ROAD 1 MATTHEW, NC 28148
 CONFIDENTIAL - FAMILY DOLLAR USE ONLY
 PLEASE CHECK THE PLANS FOR ANY TYPING ERRORS
 ANY QUESTIONS CONCERNING FIGURES AND/OR
 DIMENSIONS PLEASE CONTACT:
 KCM/KMO: (800) 547-0338 EXT. 8267

STORE NUMBER	PROJECT NUMBER	LOCATION	FORMAT	CALENDAR	TOTAL SQ FT	SALES SQ FT	AA	HISPANIC	CEILING HEIGHT	U BOAT COUNT	AGS	RISK CLASS	SALES PROJECTION	DRAWN BY	PROJECT MANAGER	DATE
10436	707018	STATESBORO,GA	CR4	1.02.13	7,952	6,996	MEDIUM	VERY LOW	OPEN DECK	18	11	0	\$1,210,000	KCM	FRENCH	11.21.13

Family Dollar #30436
20 Veterans Plaza
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	09/26/2023
Fire Department	Andrew Cheney	Approved	10/02/2023
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	

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: October 10, 2023

RE: October 17, 2023 City Council Agenda Items

Policy Issue: Second reading and consideration 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 where it was moved forward to second 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 **as reflected in the City's Schedule of Rates, Fines, and Fees in effect at the time of designation as blighted** 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
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: October 10, 2023

RE: October 17, 2023 City Council Agenda Items

Policy Issue: Consideration of amendment to Service Delivery Strategy to create wastewater service area for the City of Brooklet.

Recommendation: Approve

Background: Current SDS was executed in 2019. Proposed amendment is necessary to allow Brooklet to establish a wastewater service area. The City of Statesboro and Brooklet currently have an IGA in place for Brooklet to purchase wastewater capacity. However, the agreement cannot be activated without the approval of the SDS amendment.

Budget Impact: N/A

Council Person and District: All

Attachments: Proposed SDS amendment



SERVICE DELIVERY STRATEGY

FORM 1

COUNTY: **BULLOCH**

I. GENERAL INSTRUCTIONS:

1. FORM 1 is required for **ALL** SDS submittals. Only one set of these forms should be submitted per county. The completed forms shall clearly present the collective agreement reached by all cities and counties that were party to the service delivery strategy.
2. List each local government and/or authority that provides services included in the service delivery strategy in Section II below.
3. List all services provided or primarily funded by each general purpose local government and/or authority within the county that are continuing *without change* in Section III, below. (It is acceptable to break a service into separate components if this will facilitate description of the service delivery strategy.)

OPTION A <i>Revising or Adding to the SDS</i>	OPTION B <i>Extending the Existing SDS</i>
<ol style="list-style-type: none">4. List all services provided or primarily funded by each general purpose local government and authority within the county which are revised or added to the SDS in Section IV, below. (It is acceptable to break a service into separate components if this will facilitate description of the service delivery strategy.)5. For each service or service component listed in Section IV, complete a separate, updated <i>Summary of Service Delivery Arrangements</i> form (FORM 2).6. Complete one copy of the <i>Certifications</i> form (FORM 4) and have it signed by the authorized representatives of participating local governments. [Please note that DCA cannot validate the strategy unless it is signed by the local governments required by law (see Instructions, FORM 4).]	<ol style="list-style-type: none">4. In Section IV type, "NONE."5. Complete one copy of the <i>Certifications for Extension of Existing SDS</i> form (FORM 5) and have it signed by the authorized representatives of the participating local governments. [Please note that DCA cannot validate the strategy unless it is signed by the local governments required by law (see Instructions, FORM 5).]6. Proceed to step 7, below. <div data-bbox="841 1182 1539 1413"><p>For answers to most frequently asked questions on Georgia's Service Delivery Act, links and helpful publications, visit DCA's website at http://www.dca.ga.gov/development/PlanningQualityGrowth/programs/servicedelivery.asp, or call the Office of Planning and Quality Growth at (404) 679-5279.</p></div>

7. If any of the conditions described in the existing *Summary of Land Use Agreements* form (FORM 3) have changed or if it has been ten (10) or more years since the most recent FORM 3 was filed, update and include FORM 3 with the submittal.
8. Provide the completed forms and any attachments to your regional commission. The regional commission will upload digital copies of the SDS documents to the Department's password-protected web-server.

NOTE: ANY FUTURE CHANGES TO THE SERVICE DELIVERY ARRANGEMENTS DESCRIBED ON THESE FORMS WILL REQUIRE AN UPDATE OF THE SERVICE DELIVERY STRATEGY AND SUBMITTAL OF REVISED FORMS AND ATTACHMENTS TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS UNDER THE "OPTION A" PROCESS DESCRIBED, ABOVE.

II. LOCAL GOVERNMENTS INCLUDED IN THE SERVICE DELIVERY STRATEGY:

In this section, list all local governments (including cities located partially within the county) and authorities that provide services included in the service delivery strategy.

Bulloch County
City of Statesboro
Town of Brooklet
Town of Portal
Town of Register
Development Authority of Bulloch County
Statesboro Housing Authority
Statesboro Convention and Visitors Bureau
Statesboro-Bulloch County Land Bank Authority

III. SERVICES INCLUDED IN THE EXISTING SERVICE DELIVERY STRATEGY THAT ARE BEING EXTENDED WITHOUT CHANGE:

In this section, list each service or service component already included in the existing SDS which will continue as previously agreed with no need for modification.

Airport
Animal Shelter/Control
Code Enforcement
Courts
Development Services
Downtown Development
Economic Development
Elections and Voter Registration
Emergency 911
Emergency Management
Emergency Medical and Rescue
Engineering
Fire Protection
Housing and Urban Redevelopment
Indigent Defense
Jail
Law Enforcement
Library
Natural Gas
Parks and Recreation
Planning and Zoning
Public Health Services
Public Housing
Recycling
Road and Street Construction
Road and Street Maintenance
Senior Citizens Program/Title 3
Social Services /Public Health
Solid Waste Collection/Recycling
Solid Waste Disposal
Stormwater
Tourism

IV. SERVICES THAT ARE BEING REVISED OR ADDED IN THIS SUBMITTAL:

In this section, list each new service or new service component which is being added and each service or service component which is being revised in this submittal. For each item listed here, a separate Summary of Service Delivery Arrangements form (FORM 2) must be completed.

Wastewater
Water



SERVICE DELIVERY STRATEGY

FORM 2: Summary of Service Delivery Arrangements

Instructions:

Make copies of this form and complete one for each service listed on FORM 1, Section IV. Use EXACTLY the same service names listed on FORM 1. Answer each question below, attaching additional pages as necessary. If the contact person for this service (listed at the bottom of the page) changes, this should be reported to the Department of Community Affairs.

COUNTY:BULLOCH

Service:Wastewater

1. Check one box that best describes the agreed upon delivery arrangement for this service:

- a.) ☐ Service will be provided countywide (i.e., including all cities and unincorporated areas) by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.):
- b.) ☐ Service will be provided only in the unincorporated portion of the county by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.):
- c.) ☐ One or more cities will provide this service only within their incorporated boundaries, and the service will not be provided in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service.):
- d.) ☐ One or more cities will provide this service only within their incorporated boundaries, and the county will provide the service in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service.):
- e.) ☒ Other (If this box is checked, **attach a legible map delineating the service area of each service provider**, and identify the government, authority, or other organization that will provide service within each service area.): **City of Brooklet, City of Statesboro, Town of Portal**

2. In developing this strategy, were overlapping service areas, unnecessary competition and/or duplication of this service identified?

☐ **Yes** (if "Yes," you must attach additional documentation as described, below)

☒ **No**

If these conditions will continue under this strategy, **attach an explanation for continuing the arrangement** (i.e., overlapping but higher levels of service (See O.C.G.A. 36-70-24(1)), overriding benefits of the duplication, or reasons that overlapping service areas or competition cannot be eliminated).

If these conditions will be eliminated under the strategy, **attach an implementation schedule** listing each step or action that will be taken to eliminate them, the responsible party and the agreed upon deadline for completing it.

SDS FORM 2, continued

3. List each government or authority that will help to pay for this service and indicate how the service will be funded (e.g., enterprise funds, user fees, general funds, special service district revenues, hotel/motel taxes, franchise taxes, impact fees, bonded indebtedness, etc.).

Local Government or Authority	Funding Method
City of Statesboro	SPLOST, Water-sewer fund, Grants, CDBG
Town of Portal	SPLOST, Water-sewer fund, Grants, CDBG
City of Brooklet	SPLOST, Water-sewer fund, Grants, CDBG

4. How will the strategy change the previous arrangements for providing and/or funding this service within the county?

Each municipality is authorized, but not required, to provide wastewater service within their sewer service area. The City of Brooklet has been added as a service provider. Funding methods have been added for the City of Brooklet. A Brooklet service area map and Intergovernmental Agreements have been attached.

5. List any formal service delivery agreements or intergovernmental contracts that will be used to implement the strategy for this service:

Agreement Name	Contracting Parties	Effective and Ending Dates
Brooklet-Sboro Wastewater	City of Brooklet, City of Statesboro	7/20/2023-7/24/2073
Bulloch-Statesboro 301 TAD1	Bulloch County, City of Statesboro	3/5/2013-3/5/2063

6. What other mechanisms (if any) will be used to implement the strategy for this service (e.g., ordinances, resolutions, local acts of the General Assembly, rate or fee changes, etc.), and when will they take effect?

N/A

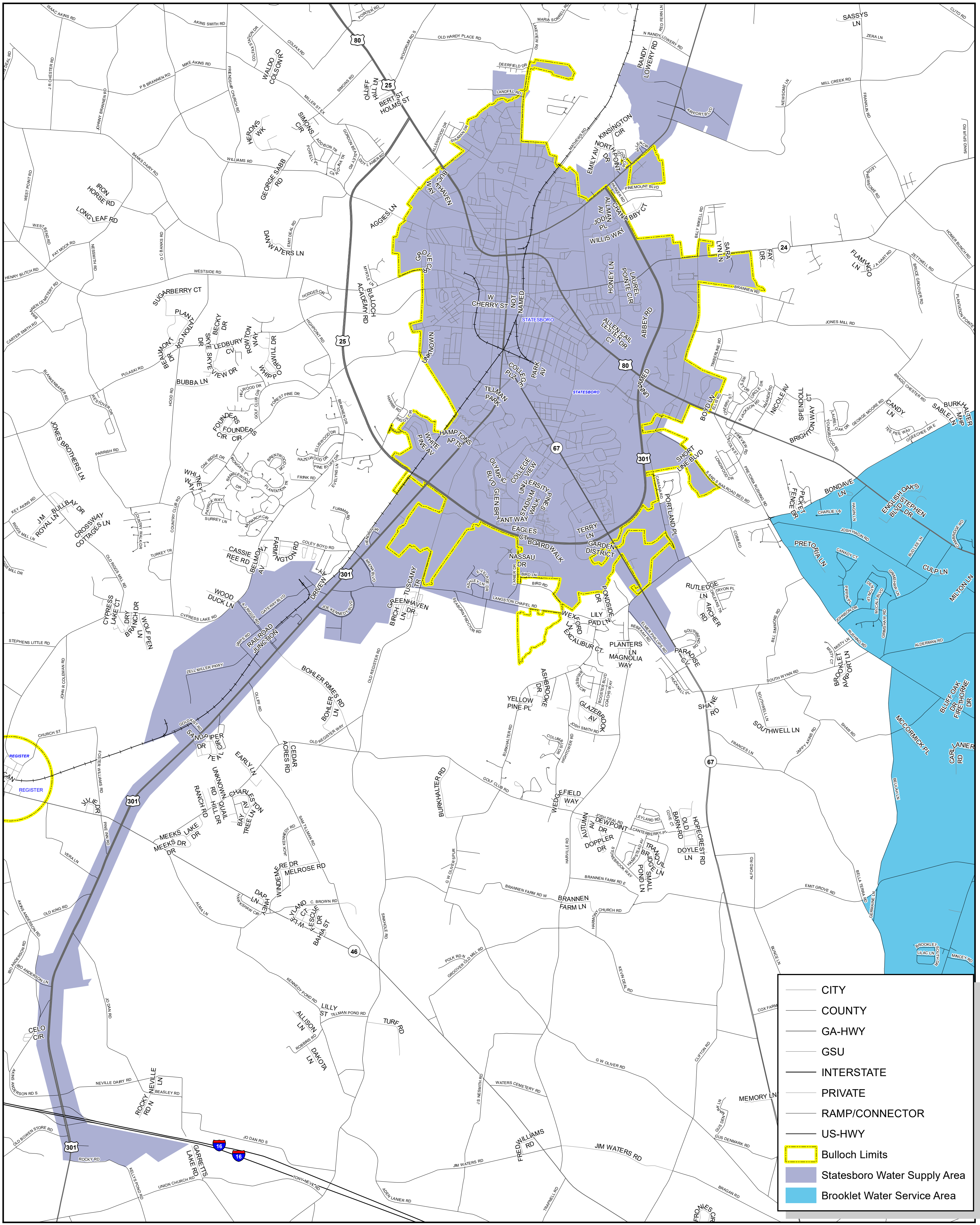
7. Person completing form: **James Pope**

Phone number: **912-764-6245** Date completed: 8/10/2023

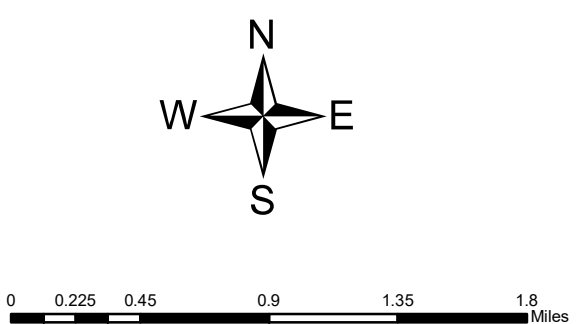
8. Is this the person who should be contacted by state agencies when evaluating whether proposed local government projects are consistent with the service delivery strategy? ☐ Yes ☒ No

If not, provide designated contact person(s) and phone number(s) below:

TOM COUCH, BULLOCH COUNTY MANAGER, 912-764-6245; CHARLES PENNY, CITY OF STATESBORO CITY MANAGER, 912-764-5468

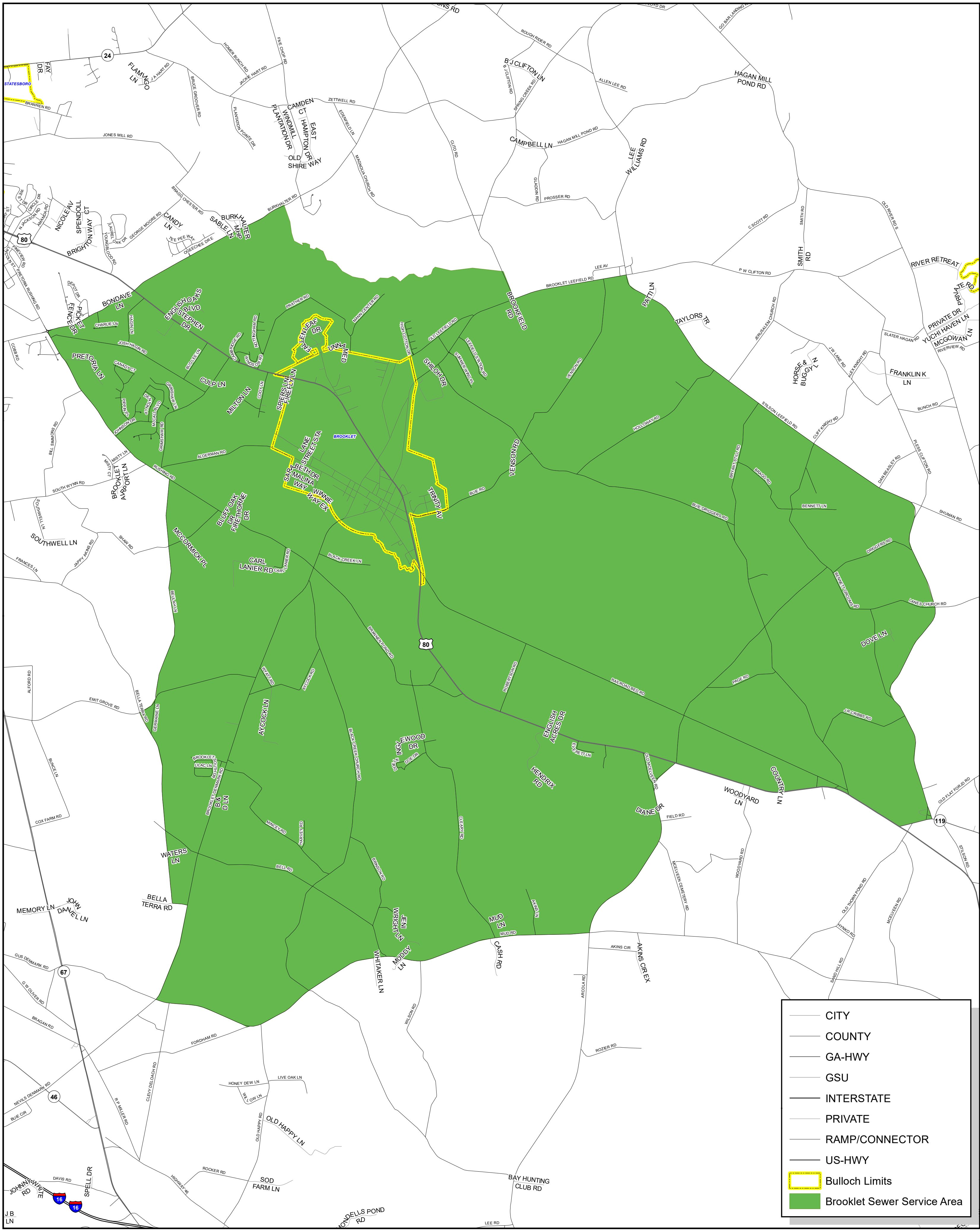


- CITY
- COUNTY
- GA-HWY
- GSU
- INTERSTATE
- PRIVATE
- RAMP/CONNECTOR
- US-HWY
- Bulloch Limits
- Statesboro Water Supply Area
- Brooklet Water Service Area



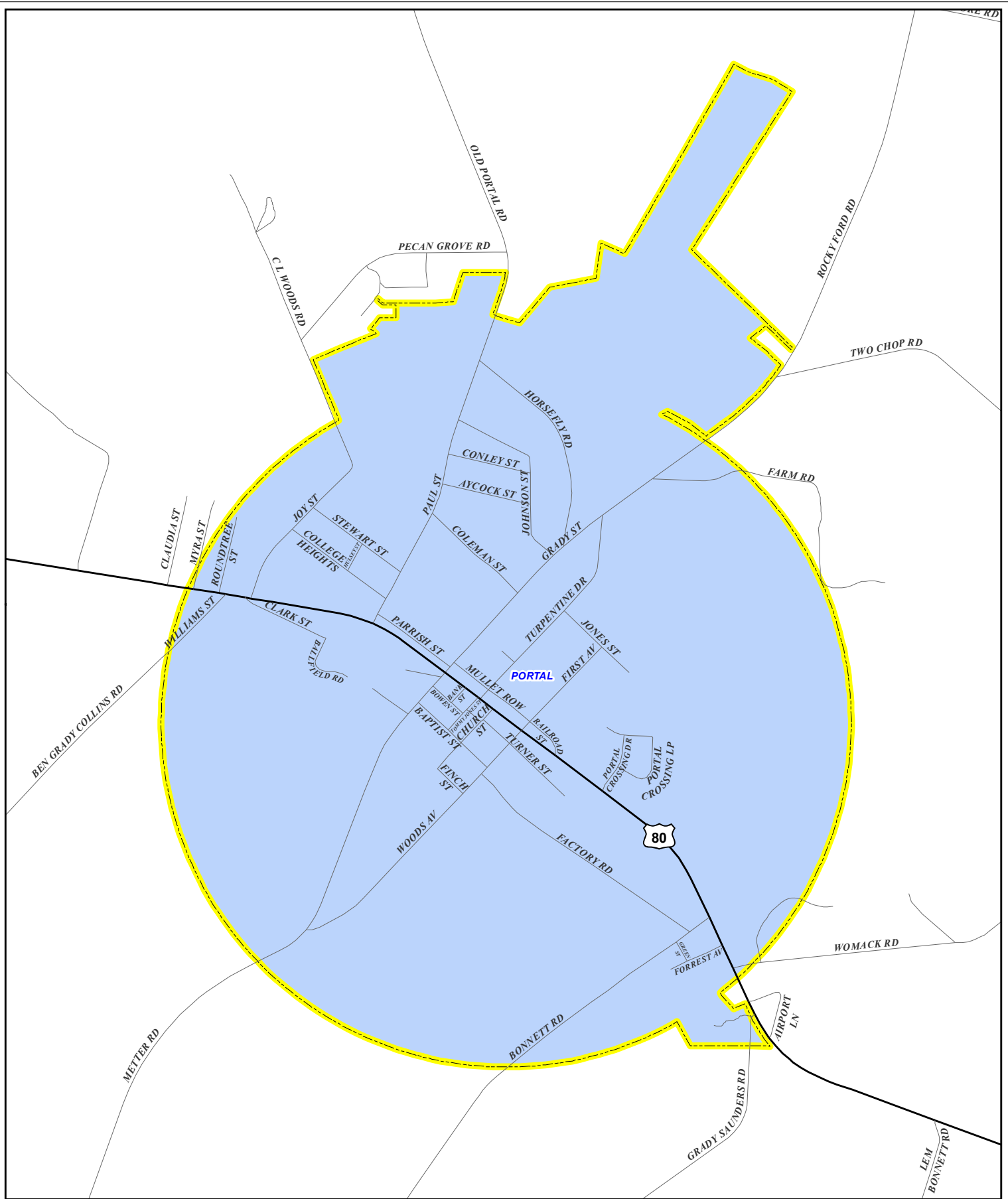
CITY OF STATESBORO WASTEWATER SERVICE AREA



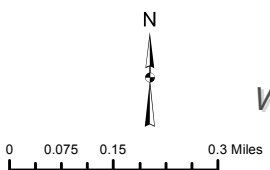


CITY OF BROOKLET SEWER SERVICE AREA





TOWN OF PORTAL
WASTEWATER COLLECTION & TREATMENT





SERVICE DELIVERY STRATEGY

FORM 4: Certifications

Instructions:

This form must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having a 2010 population of over 9,000 residing within the county; and 4) no less than 50% of all other cities with a 2010 population of between 500 and 9,000 residing within the county. Cities with a 2010 population below 500 and local authorities providing services under the strategy are not required to sign this form, but are encouraged to do so.

COUNTY: BULLOCH

We, the undersigned authorized representatives of the jurisdictions listed below, certify that:

1. We have executed agreements for implementation of our service delivery strategy and the attached forms provide an accurate depiction of our agreed upon strategy (O.C.G.A. 36-70-21);
2. Our service delivery strategy promotes the delivery of local government services in the most efficient, effective, and responsive manner (O.C.G.A. 36-70-24 (1));
3. Our service delivery strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24 (20); and
4. Our service delivery strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24 (3)).

JURISDICTION	TITLE	NAME	SIGNATURE	DATE
<u>BULLOCH COUNTY</u>	Chairman	Roy Thompson		
<u>CITY OF STATESBORO</u>	Mayor	Jonathan McCollar		
<u>TOWN OF BROOKLET</u>	Mayor	Joe Grooms		
<u>TOWN OF PORTAL</u>	Mayor	Billy Boggs		
<u>TOWN OF REGISTER</u>	Mayor	Donnie Roberts		

CITY OF STATESBORO



COUNCIL

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

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

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

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

From: John Washington, Director of Public Works and Engineering

Date: October 10, 2023

RE: FY2024 Pineland Behavioral Health and Developmental Disabilities (BHDD)
TRANSIT VOUCHERS

Policy Issue: Transit Implementation Funding

Recommendation:

Staff recommends approval of the Memorandum of Understanding (MOU) between the Pineland Behavioral Health and Developmental Disabilities (BHDD) and the City of Statesboro. Staff requests consideration of a motion for Council to authorize the Mayor to execute the attached MOU authorizing the distribution of transit vouchers by Pineland BHDD.

Background:

Pineland BHDD will create and distribute transit vouchers for qualified families up to the amount of \$3,800. Each voucher will be worth a \$5 one-way trip, which will total up to the amount of 760 vouchers to be distributed. Any used funding will rollover to the next fiscal year.

Budget Impact:

Pineland BHDD will use a Moderate Care Coordination Grant provided by the Federal Transit Administration (FTA) to fund up to \$3,800 worth of transit vouchers. No funds will be required from the City of Statesboro.

Council Person and District:

The public transportation system will service citizens in all districts.

Attachments: Pineland MOU

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF STATESBORO AND PINELAND BHDD**

1. **Parties.** This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between the City of Statesboro, whose address is 50 E. Main Street, Statesboro, Georgia 30458, and Pineland Behavioral Health and Developmental Disabilities (BHDD), whose address is 5 West Altman Street, Statesboro, GA 30458.
2. **Purpose.** The purpose of this MOU is for Pineland BHDD to provide qualified families with transportation using Statesboro Area Transit (SAT).
3. **Term of MOU.** This MOU is effective October 2023 and shall remain in effect until July 2024. This MOU may be terminated, without cause, by either party with written notice to the address listed above by certified mail or delivered by hand.
4. **Responsibilities of City of Statesboro.** The City of Statesboro will collect and destroy vouchers once they have been used for transit services. Each voucher will be worth a one-way trip on SAT, which is equal to \$5. The cost of the number of vouchers collected will be deducted from the \$3,800 provided by Pineland BHDD. Once the funds are diminished, vouchers will no longer be permitted for that fiscal year. Any remaining funds will roll over to the next fiscal year to be used for additional transit vouchers for that fiscal year.
5. **Responsibilities of Habitat for Humanity of Bulloch County.** Pineland BHDD will create and distribute transit vouchers for qualified families. These vouchers will be numbered for tracking purposes. If the number of vouchers used/distributed exceed the funding available, Pineland BHDD agrees to cover the cost of excess vouchers.
6. **Payment.** Pineland BHDD will use a Moderate Care Coordination Grant provided by the Federal Transit Administration to fund up to \$3,800 worth of transit vouchers. No other funds will be required of either party.

The Parties have executed this Agreement as of the 10th day of October 2023.

City of Statesboro

Pineland BHDD

Authorized Representative

Authorized Representative

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

Date: October 9, 2023

RE: Recommendation of Contract Award
ENG-122c: East Main Street Sidewalk Project – Acquisition Services for Easements Right-of-Way

Policy Issue: Purchasing

Recommendation:

Staff recommends award of the East Main Street Sidewalk Project for Acquisition Services of Easements and Right-of-Way (ROW) to Tennille Valuation & Consulting Services, LLC. (TVCS) in the amount of \$32,000. The bid received from TVCS meets the requirements of the bid package.

Background:

This project proposes to construct sidewalk along East Main Street from Northside Drive to Packinghouse Road. This work is a subsequent phase of development to provide sidewalk connectivity from downtown Statesboro to Mill Creek Park and to provide connectivity to adjacent residential areas.

The Engineering Department also requested funding assistance from Georgia Department of Transportation (GDOT) in the amount of \$143,785.20 for construction of drainage improvements in conjunction with new sidewalk construction along East Main Street. The drainage improvements are needed to alleviate current flooding conditions along SR24 (East Main Street). Pavement improvements include restoring the gutters to a flowable condition.

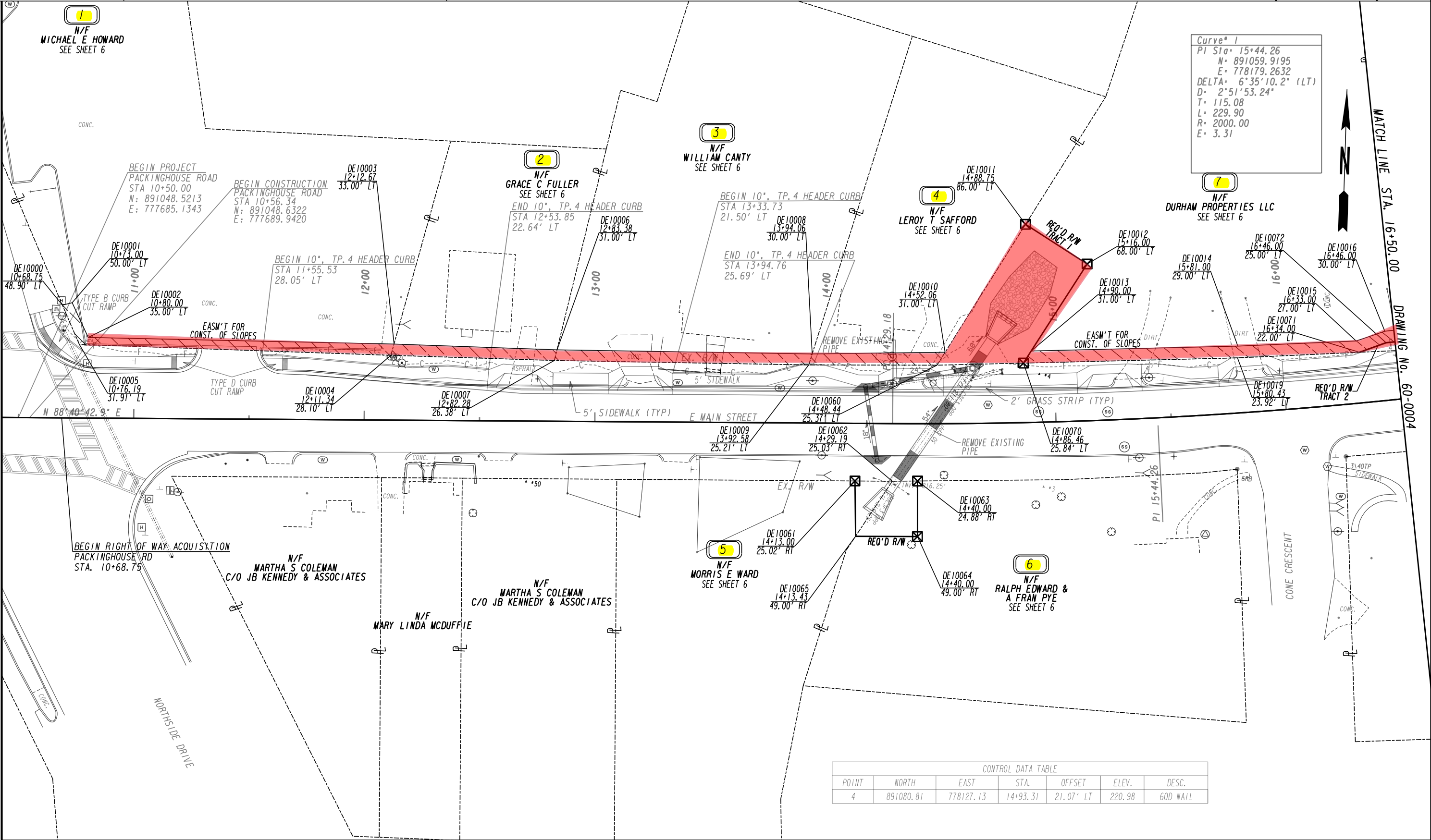
The City of Statesboro requested proposals for ROW and Easement Acquisition Services to aid in the ROW acquisition of this project. There are Approximately 16 parcels that require negotiations for either a permanent stormwater easement or right-of-way for sidewalk construction. The City is receiving state aid from GDOT on this project that is time sensitive and the utilization of a ROW firm to expedite the negotiations is essential in the City meeting the construction start date set by GDOT in order to receive the funding appropriated.

Budget Impact: This project is to be paid from the 2018 TSPLOST fund

Council Person and District: District 1, Councilmember Boyum.

Attachments: Fee Proposal

Georgia Municipal Association City of Excellence
Telephone: (912) 764-5468 • Fax: (912) 764-4691 • email: cityhall@statesboroga.net



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

-----E-----

---C---F---

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
LIMIT OF ACCESS
REQ'D R/W & LIMIT OF ACCESS

SCALE IN FEET

0

20

40

80

DATE

02/10/23

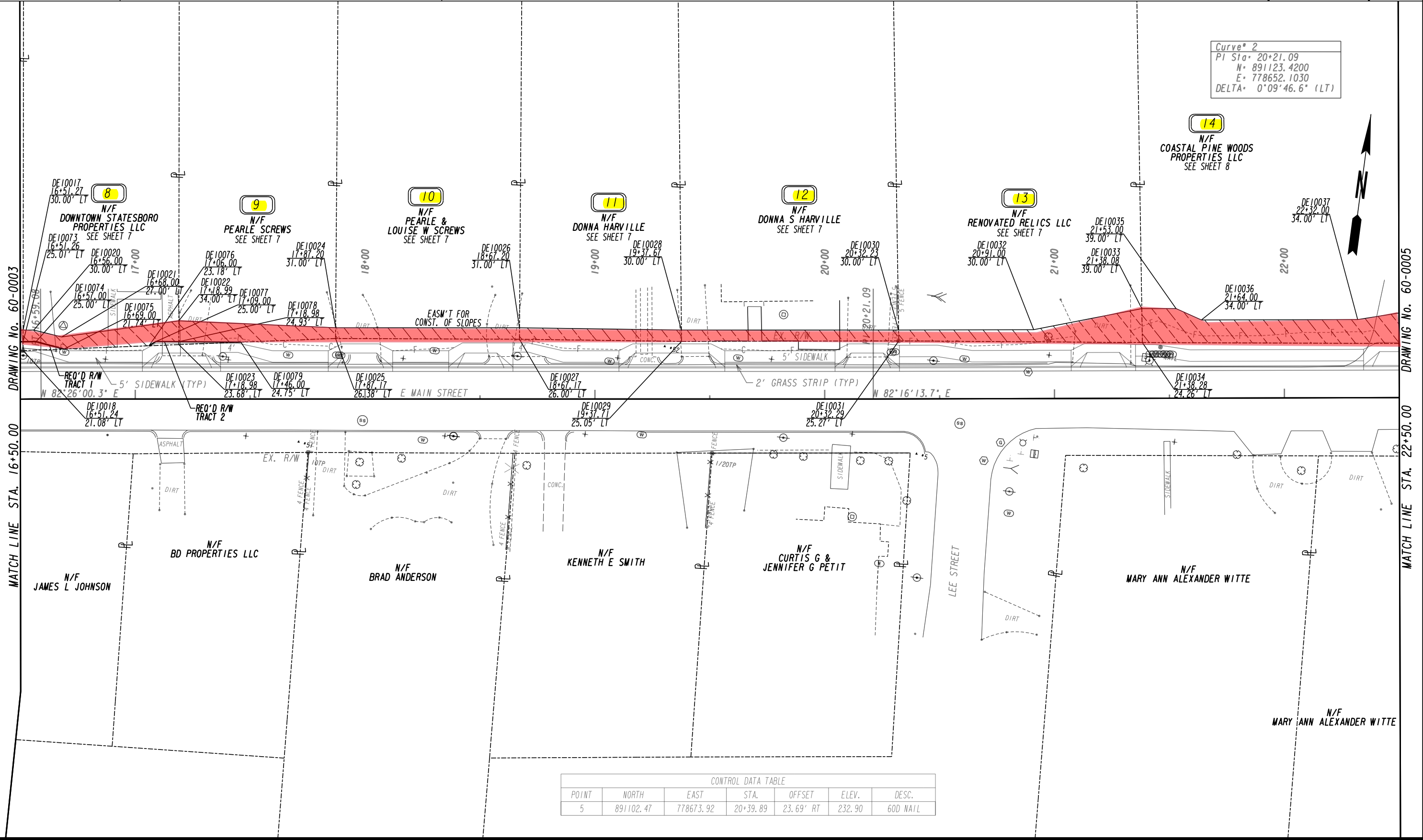
REVISIONS

Revised parcels 5-9 & 15-16

CITY OF STATESBORO
ENGINEERING DEPARTMENT
RIGHT OF WAY MAP

PROJECT NO: ENG-122C
COUNTY: BULLOCH
LAND LOT NO: N/A
LAND DISTRICT: N/A
GMD: 1209
DATE: 12/22/22 SH 3 OF 8

DRAWING No.
60-0003



Curve* 2
PI Sta* 20+21.09
N= 891123.4200
E= 778652.1030
DELTA= 0°09'46.6" (LT)

CONTROL DATA TABLE						
POINT	NORTH	EAST	STA.	OFFSET	ELEV.	DESC.
5	891102.47	778673.92	20+39.89	23.69' RT	232.90	60D NAIL

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

-----E-----

-----C-----F-----

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
LIMIT OF ACCESS
REQ'D R/W & LIMIT OF ACCESS

SCALE IN FEET

0

20

40

80

DATE

02/10/23

REVISIONS

Revised parcels 5-9 & 15-16

CITY OF STATESBORO
ENGINEERING DEPARTMENT
RIGHT OF WAY MAP

PROJECT NO: ENG-122C
COUNTY: BULLOCH
LAND LOT NO: N/A
LAND DISTRICT: N/A
GMD: 1209
DATE: 12/22/22 SH 4 OF 8

DRAWING No.
60-0004

Curve* 3	Curve* 4
PI Sta= 23+49.27	PI Sta= 25+88.11
N= 891167.5590	N= 891196.5796
E= 778977.3000	E= 779214.3673
DELTA= 0°45'01.4" (RT)	DELTA= 0°17'40.7" (LT)

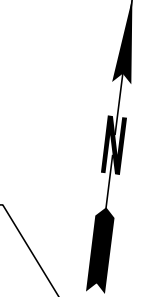
CONTROL DATA TABLE						
POINT	NORTH	EAST	STA.	OFFSET	ELEV.	DESC.
6	891249.09	779474.07	28+52.37	19.21' LT	230.96	60D NAIL

END PROJECT
PACKINGHOUSE ROAD
STA 28+50.00
N: 891229.7114
E: 779474.1543

15
N/F
EAGLE CREEK
CONSTRUCTION INC
SEE SHEET 8

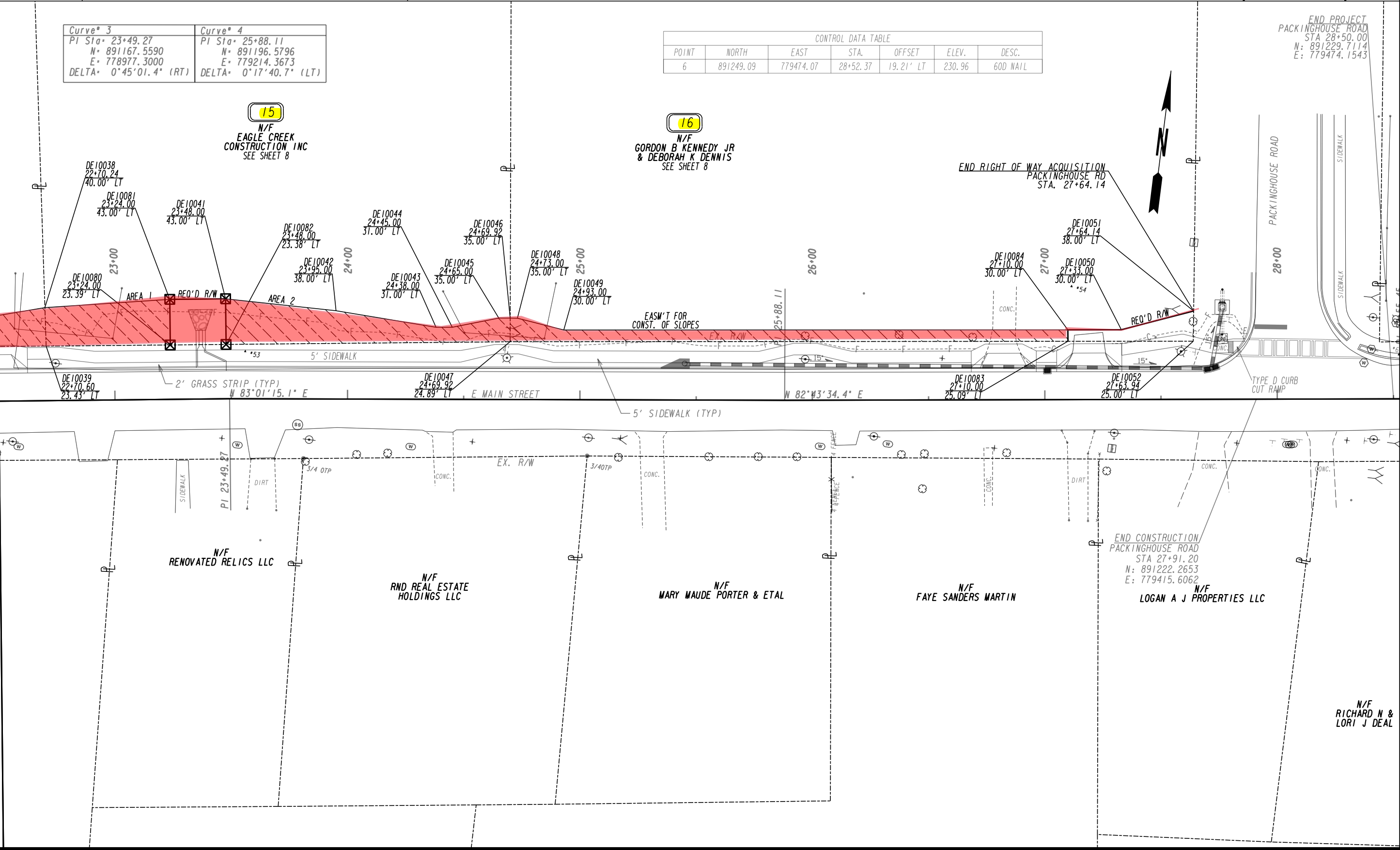
16
N/F
GORDON B KENNEDY JR
& DEBORAH K DENNIS
SEE SHEET 8

END RIGHT OF WAY ACQUISITION
PACKINGHOUSE RD
STA. 27+64.14



DRAWING No. 60-0004

MATCH LINE STA. 22+50.00



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

-----E-----

---C---F---

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
LIMIT OF ACCESS
REQ'D R/W & LIMIT OF ACCESS

SCALE IN FEET

0

20

40

80

DATE
02/10/23

REVISIONS
Revised parcels 5-9 & 15-16

CITY OF STATESBORO
ENGINEERING DEPARTMENT
RIGHT OF WAY MAP

PROJECT NO: ENG-122C
COUNTY: BULLOCH
LAND LOT NO: N/A
LAND DISTRICT: N/A
GMD: 1209
DATE: 12/22/22 SH 5 OF 8

DRAWING No.
60-0005

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Paulett 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: 10-10-2023

RE: Water/Sewer Agreement, Ecoplastics America Corp.

Policy Issue: Contract/Agreement

Recommendation: Consideration of a motion to approve a Water/Sewer Agreement with Ecoplastics America Corp. for 78.40 acres located at 4800 US HWY 301 S. Register, 30452 GA, Property Tax Number 049 000022 000.

Background: Ecoplastics America Corp. a supplier of extruded plastic parts to Hyundai manufacturing is constructing a facility on US Hwy 301 South. The facility will utilize water and sewer services supplied by the City of Statesboro. As part of the process to allow them to connect to City utilities they are required to execute a Water Sewer Agreement. This agreement requires them to install all water and sewer facilities to City standards and specifications. The customer is subject to all customary Tap and ATC fees due and payable before service is established.

Budget Impact: Increased revenue from tap fees and utility sales.

Council Person and District: All Members

Attachments: Water/Sewer Agreement

Georgia Municipal Association City of Excellence
Telephone: (912) 764-5468 • Fax: (912) 764-4691 • email: cityhall@statesboroga.net

WATER/SEWER AGREEMENT "A" FOR
TAX ALLOCATION DISTRICT #1

GEORGIA, BULLOCH COUNTY

THIS AGREEMENT entered into this ____ day of _____, 20____ by and between the **MAYOR AND CITY COUNCIL OF STATESBORO**, a municipal corporation, its assigns and successors, hereinafter referred to as "City" and Ecoplastics America Corp., their heirs, assigns and successors, hereinafter referred to as "Developer", the developer of the project known as Ecoplastics America Corp..

WHEREAS, in regard to extending and making additions to the City's water and/or sanitary sewer systems and also to the construction of water distribution and/or sanitary sewer collection and disposal systems to serve the property known as 4800 US HWY 301 S Ecoplastics America Corp.; located at Register, GA 30452 and

WHEREAS, the engineering design for said water and sanitary sewer systems will be accomplished by competent, professional engineers registered in the State of Georgia;

NOW THEREFORE, the City and Ecoplastics America Corp. covenant and agree as follows:

1. City shall approve the designation of the engineer who shall be responsible for the engineering design and inspection in connection with the installation of said water and sanitary sewer systems. The Developer shall be responsible for providing resident inspection during construction and for insuring the engineer's conformance to area planning, adequacy of design, and conformance to City requirements regarding location, size and depth of lines, capacity and arrangements of lift stations and quality of construction. The Developer shall provide to the City

a statement from the project engineer certifying that the materials and workmanship including pipes, bedding, thrust blocks, valves, fire hydrants, manholes, lift station equipment and other related materials and work meet the approved specifications and plans. Upon request of the City, the certification shall be substantiated by material affidavits from suppliers and by applicable test results for inflow/infiltration, exfiltration, deflection, pressure, leaks, bacteria, compaction and other tests required by the City. All construction, engineering and inspection costs in connection with these systems shall be borne by the Developer. The City will provide only the sewage treatment facility and the water supply facility.

2. The Developer will pay a five hundred (\$500.00) dollar non-refundable fee to the City of Statesboro to cover the costs for the City's Consulting Engineers to review plans for compliance with the City's Long Range Water and Sewer Master Plan as well as the Long Range Water and Sewer Master Plan adopted for Tax Allocation District One by BULLOCH COUNTY BOARD OF COMMISSIONERS and the MAYOR AND CITY COUNCIL OF STATESBORO. This fee will also cover the costs for said Engineer to update the Water and Sewer Master Plan as per the development and to update the City's water/sewer location maps to include this extension of mains. The Developer covenants and agrees to reimburse the City for additional inspection time on unfamiliar contractors until such time as the contractor is approved by the City.

3. Both parties covenant and agree that if the project is located outside the City Limits, but is not contiguous to the City Limits, in order to receive utilities from the City, the Developer will comply with the City's Water and Sewer access, design and construction standards. Except for the City's water and sewer access, design and construction standards, the County's developmental regulations, e.g. the County's comprehensive plan, the district redevelopment

plan, land development standards, zoning, permitting, regulations and review processes not in conflict with the City's water and sewer access, design and construction standards shall apply.

4. The Developer shall hold the City harmless and indemnify City against any damages due to work associated with the tie on of existing water or sanitary sewer lines.

5. Both parties covenant and agree that upon completion of the systems and all related facilities, including all associated water and sewage fees being fully paid for by the Developer (except the sewage treatment facility and the water supply facility) and after the submission of "as built" drawings (one electronic copy in a format acceptable to the City and two blueprint plans), the City will, subject to approval of the City Engineer, accept title thereto and assume responsibility for maintenance and operation of those portions located within public easements or rights of way. The acceptance shall include all rights, title and interest that the Developer has in the water and sanitary sewer systems servicing the said project and also all easements and/or rights of way required for the purpose of maintenance thereof. Developer agrees to execute any further documentation, such as a Bill of Sale and/or Easement, upon request of the City as may be necessary to transfer title to the systems. The Developer shall bear the costs for the proper recording of all water and sewer easements. Those portions of the facilities not so conveyed by the Developer such as single use lines, shall remain the responsibility of the Developer or its assigns as to the ownership and maintenance.

6. The Developer warrants the water and sanitary sewer systems to include all parts, piping and pumping devices that make up the water or sewer system against defects and improper installation for a period of one (1) year from the date the City accepts the system. During the one (1) year warranty any repairs to the system will be made at the expense of the Developer and any

street repairs necessitated for the maintenance and repair of the water system and/or sanitary sewer systems will also be at the expense of the Developer.

7. The Developer agrees to, whenever possible, acquire and dedicate right-of ways and/or easements necessary to connect the project to the City's water and sewer infrastructure. In the event the developer cannot acquire and dedicate rights of ways and/or easements necessary to connect to the City's water and sewer infrastructure, and the City's subsequently acquires the needed rights of ways and/or easements necessary to connect to the City's water and sewer infrastructure, then the owner or developer shall reimburse that Party for all costs associated with acquiring the needed rights of ways and/or easements.

8. Upon approval engineering and design plans by the City, and if no rights of ways, easements or other property rights must be obtained to connect to the City's water and sewer infrastructure the Developer must connect the project to the City's water and sewer infrastructure within the District within ONE HUNDRED AND EIGHTY (180) days.

9. Upon approval of the engineering and design plans by the City, and if rights of ways, easements or other property rights must be obtained to connect to the City's water and sewer infrastructure the Developer must connect the project to the City's water and sewer infrastructure within the District within THREE HUNDRED AND SIXTY FIVE (365) days.

10. In the event the Developer sells any or all of the property containing the project prior to connecting to the City's water and sewer infrastructure, the developer shall upon sale include appropriate deed restrictions requiring all subsequent owners of the property to connect to the City's water and sewer infrastructure.

11. Both parties covenant and agree that all costs, including construction, land, legal and engineering, in connection with the addition and/or installation of the system shall be borne by

the Developer. It shall be the Developer's responsibility to obtain all the necessary regulatory permits and approvals. It is understood and agreed by and between the parties that the City's sole responsibility will be to provide the sewage treatment facility, the water supply facility and any water and sewer mains that may already be in place.

12. Developer acknowledges that there is an Aid to Construction fee (ATC) for each gallon of sewage accepted by the City from Developer for treatment. This fee shall be imposed in accordance with the current City rates in effect and shall be paid by Developer to the City upon execution of this Agreement. The current rate is \$ 1.60 per gallon per day of sewage accepted by the City for treatment. The City calculates that 18,600 gallons per day of sewage from the Project will be treated by the City. The Developer, therefore, tenders the amount of \$ 29,760 to the City in payment of this fee. If it becomes apparent that the amount of sewage to be treated by the City will exceed the amount set forth above, Developer shall immediately tender such payment of the ATC fees to the City as is required. It shall be the responsibility of the City to correctly calculate the gallons of sewage from the Project to be treated by the City. The City's calculations shall be consistent with the City's schedule of contributory load factors. The ATC fee is payable upon execution of the agreement.

13. It is understood and agreed by and between the parties that there shall be a sanitary sewer connection fee and a separate water connection fee in accordance with the current City rates in effect. The connection fees shall be paid upon issuance of a building permit.

14. Developer acknowledges that the City shall be the sole provider of water for consumption or irrigation and covenants and agrees not to obtain a private well or obtain water from any source other than the City.

15. This agreement may not be transferred or assigned in whole or of any part by Developer without prior written consent of the City and any violation of this agreement shall terminate the City's obligation hereunder.

16. This agreement is to be governed by Georgia Law and it is understood and agreed by and between the parties that all provisions of both state and federal law now or hereafter in effect relating to water and sewage service shall be applicable to this Agreement.

IN WITNESS WHEREOF all parties have set their hands and seals on this _____ day of _____, 20____.

MAYOR AND CITY COUNCIL OF STATESBORO

BY: _____

ATTEST: _____

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

DEVELOPER

BY:  Chul Hwan Kim

ATTEST:  **ECOPLASTIC AMERICA CORP.**

CHUL HWAN KIM
President & CEO

Signed, sealed and delivered
in the presence of:

Witness

Notary Public