



December 17, 2019 5:30 pm

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilman Jeff Yawn
3. Recognitions/Public Presentations
 - A) Presentation of plaques by Mayor McCollar to the outgoing Councilmembers, Sam Jones, Jeff Yawn and Derek Duke for their dedicated service to the City of Statesboro.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 12-03-2019 Council Minutes
6. Council review of Mayoral disapproval of Sec 38-162 made and to be considered pursuant to Charter Sec 4-1(c).
7. Consideration of a Motion to adopt the Master Bond Resolution and the First Supplemental Bond Resolution in order to refinance the Series 2010 Bonds and certain outstanding GEFA Loans.
8. Consideration of a Motion to approve the City's Employee Retirement Plan Modifications as recommended by the City Manager.
9. Public hearing and first reading of **Ordinance 2019-14**: An Ordinance amending Chapter 6 of Statesboro Code of Ordinances adding a definition of "brewpub" and the requirements and privileges conferred under this classification.
10. Public Hearing & Consideration of a Motion to approve application for an alcohol license Sec. 6-5
 - A) Hare Krishna 342 Corporation
DBA: Sym Food Store
Jyoti Patel
218 N Main St
11. Consideration of a Motion to approve **Resolution 2019-41**: A Resolution to adopt the second amendment to the fiscal year 2020 budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations and prohibiting expenditures or expenses from exceeding the actual funding appropriated.

12. Consideration of a Motion to approve **Resolution 2019-42**: A Resolution to adopt the second amendment to the six-year Capital Improvement Program for the Fiscal Year 2019-2020 through 2024-2025 for the City of Statesboro, Georgia.
13. Consideration of a Motion to approve **Resolution 2019-43**: A Resolution authorizing the filing of an application by the Coastal Regional Commission of Georgia on behalf of the City of Statesboro with the Georgia Department of Transportation and the United States Department of Transportation for a Grant for Public Transportation Assistance under Title 49 U.S.C., Section 5311, for Fiscal Year 2021.
14. Consideration of a Motion to approve **Resolution 2019-44**: A Resolution setting 2020 alcohol license renewal fees for Eagle Creek Brewery.
15. Consideration of a Motion to approve **Resolution 2019-45**: A Resolution authorizing the Mayor and City Clerk to execute documents with the Development Authority of Bulloch County for installation of Utilities Infrastructure at the 301 South Industrial Park.
16. Consideration of motion to approve Memorandum of Understanding with Bulloch County to pay 50% of costs for provision of an Integrated Public Alert and Warning System (Reverse 911) to the citizens of Statesboro and Bulloch County under a proposed contract between Bulloch County and OnSolve.
17. Motion to award a contract to purchase vehicles from the following:
 - A. O.C. Welch Ford (6) 1/2 ton Ford F-150 Police Pickups in the amount of \$25,219.00 each with a total cost of \$151,314.00.
 - B. J.C. Lewis Ford (Statesboro) (1) One-ton Cab and Chassis in the amount of \$26,248.52.
 - C. J.C. Lewis Ford (Statesboro) (3) 1/2 ton Ford F-150 Pickups in the amount of \$25,582.76 with a total cost of \$76,748.28.
18. Discussion regarding the cut off fees for utilities.
19. Other Business from City Council
20. City Managers Comments
21. Public Comments (General)
22. 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)
23. Consideration of a Motion to Adjourn



CITY OF STATESBORO
COUNCIL MINUTES
DECEMBER 3, 2019

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**

Councilman Sam Jones gave the Invocation and Pledge of Allegiance.

ATTENDENCE

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

Other staff present was: City Manager Charles Penny, Assistant City Manager, Jason Boyles, City Attorney Cain Smith and City Clerk Leah Harden.

3. **Recognitions/Public Presentations**

A) A presentation by the Georgia Department of Community Affairs downtown Statesboro with the GEM award, "Georgia Exceptional Main Street."

Tara Bradshaw with the Department of Community Affairs presented to Mayor and Council a Gateway sign for being selected by the Georgia Department of Community Affairs as an accredited "Georgia Exceptional Main Street" City for 2020.

Director of the Downtown Development Authority Allen Muldrew thanked the Statesboro Downtown Development board for all their hard work in our community and thanked the Mayor and Council and city staff for their support in downtown development.

B) Bulloch County Alcohol & Drug Council presentation of recognition from the Governor for TIPS instructors in Statesboro, Georgia Eric Short and Jeff Thompson.

Lynn Sroczynski with the Bulloch County Alcohol & Drug Council gave an overview of the value TIPS training in our community, how it helps to reduce drunk driving, reduce overserving to intoxicated persons, prevention of sales to minors and promotes responsible alcohol consumption. She also stated this training is offered at no charge to the participants.

Mayor McCollar read and presented to Eric Short and Jeff Thompson a letter of appreciation for, "good citizenship and hard work in helping prevent alcohol-related incidents in our state" received from the Governor of the State of Georgia Brian Kemp.

4. **Public Comments (Agenda Item):** None

5. **Consideration of a Motion to approve the Consent Agenda**
 - A) **Approval of Minutes**
 - a) **11-19-2019 Mayor and Council Word Session Minutes**
 - b) **11-19-2019 Council Minutes**

A motion was made to

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

6. **Second reading and consideration of a motion to approve Ordinance 2019-12: an Ordinance amending Chapter 38 of the Statesboro Code of Ordinances adding Article VII and establishing the Community Redevelopment Tax Incentive Program.**

A motion was made to approve Ordinance 2019-12: amending Chapter 38 of the Statesboro Code of Ordinances adding Article VII and stabling the Community Redevelopment Tax Incentive Program.

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

Mayor McCollar stated this is an Ordinance for appropriation and the seven fold factor he reduced to 0.01.

Councilman Phil Boyum stated this is not an appropriation but a millage rate.

After much discussion Councilman Jones made a recommendation to table the discussion of the appropriation to the next City Council meeting on December 17, 2019. The recommendation was agreed upon.

7. **Consideration of a Motion to approve Ordinance 2019-13: An Ordinance restating the retirement plan for the City of Statesboro Employees under the Georgia Municipal Employee Benefit System (GMEBS).**

A motion was made to approve Ordinance 2019-13: restating the retirement plan for the City of Statesboro Employees under the Georgia Municipal Employee Benefit System (GMEBS).

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

8. Consideration of a motion to approve Resolution 2019-39: A resolution authorizing the opening of a separate bank account for the 2019 SPLOST.

A motion was made to approve Resolution 2019-39: authorizing the opening of a separate bank account for the 2019 SPLOST.

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

9. Consideration of a Motion to Approve Resolution 2019-40: A Resolution approving the City of Statesboro’s proposed FY2020 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) application. GDOT will allocate \$328,952.80 to the City of Statesboro from the grant which requires 30% matching funds (\$98,685.84). The matching funds will be provided from the 2018 TSPLOST funds.

A motion was made to Resolution 2019-40: approving the City of Statesboro’s proposed FY2020 Street resurfacing list and further authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) application.

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

10. Consideration of a Motion to approve the purchase of four new Dispatch Consoles as well as the Fiber Optic Line.

A motion was made to approve the purchase of four new dispatch consoles as well as the fiber optic line.

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

11. Consideration of a Motion for award of bid to Blanchard Equipment for the purchase of a 2020 John Deere 5100M 4x4 Utility Tractor in the amount of \$70,311.02. This item will be purchased with funds from the 2018 TSPLOST.

A motion was made for the award of bid to Blanchard Equipment for the purchase of a 2020 John Deere 5100M 4x4 utility tractor in the amount of \$70,311.02.

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

12. Consideration of a Motion to approve the conversion of excess vacation leave to sick leave beginning in 2019 and make the new polity retroactive for 2018.

A motion was made to approve the conversion of excess vacation leave to sick leave beginning 2019 and make the new polity retroactive for 2018.

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

13. Other Business from City Council

Councilman Sam Jones stated he would like to have the cut off fee for the utilities removed. After some discussion this concern will be brought back as a discussion item on the next Council Agenda for December 17th 2019.

Councilman Phil Boyum stated he was approached by the owner of Eagle Creek Brewing with a concern about the fee for alcohol sales he stated under the new ordinance it would require multiple licenses which would double the cost for an alcohol license for the 2020 year.

A motion was made to authorize the City Attorney to amend the alcohol ordinance to add a brewery category.

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

In addition a motion was made to have a resolution to be brought forward on the December 17th Council Meeting, not assessing a package license fee on this specific establishment.

Mayor McCollar stated on December 17th 2019 at 4:30 pm there would be a reception held at Joe Brannen Hall for the outgoing Council in recognition for their service to the city.

14. City Managers Comments

City Manager Charles Penny appreciated the Statesboro Fire Department along with the Red Cross as on November 23, 2019 they installed over 150 smoke alarms spanning from the Sugar Hill neighborhood, Johnson Street to Butler Drive.

Mr. Penny also stated he will be bringing forward for consideration a revamp of the Employee retirement plan. Currently the factor used to determine the amount of benefits for our employees is 1.25 % the recommendation would be for an increase to 2% also currently in order for our employees to receive benefits equal with 30 years of service they would have to reach the age of 65 in order to receive a check the recommendation would be an alternant retirement which would mean at 30 years of service employees would be able to begin receiving benefits. In addition a recommendation to remove the cap on sick leave, currently you cannot carry more than one year. If approved any new employees after January 1 would contribute 3% toward their retirement.

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)

No Executive Session was held.

17. Consideration of a Motion to Adjourn

A motion was made to adjourn the meeting.

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

The meeting was adjourned at 9:50 am

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: December 10, 2019

RE: December 17, 2019 City Council Agenda Items

Policy Issue: Council review of Mayoral disapproval of Sec 38-162 made and to be considered pursuant to Charter Sec 4-1(c).

Recommendation: N/A

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. Council may override the mayoral reduction for all properties by affirmative vote of four Council members. In the alternative, Council may pass attached revision by unanimous vote of quorum pursuant to City Ord 2-2-4.

Budget Impact: TBD

Council Person and District: All

Attachments: Previously passed Ordinance 2019-12 and Mayor adjusted version of Section 38-162. Possible proposed replacement revised Ordinance 2019-12.

Ordinance 2019-12:

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

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

Section 38-160 – Purpose.

Section 38-161 – Definitions.

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

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

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

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

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

Section 38-160 – Purpose.

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

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

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

Section 38-161 – Definitions.

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

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

(1) Uninhabitable, unsafe, or abandoned structure;

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

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

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

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

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

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

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

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

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

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

Passed

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

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

Mayor Adjusted

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

There is hereby levied on all property within the City which has been officially identified as maintained in a blighted condition an increased ad valorem tax by adding a factor of **one percent (0.01)** 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 increase 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.

Ordinance 2019-12:

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.

"Commercial Property" means any type of building other than Residential Property that is located within the confines of the South Main Tax Allocation District as delineated in the Redevelopment Plan adopted by the City in December, 2014.

'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.

“*DSDA District*” means that area set out in Section 2-98 of the Statesboro Code of Ordinances as the jurisdictional confines of the Downtown Statesboro Development Authority.

‘*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.

“*Residential Property*” means any building or unit of a building intended for occupancy as a dwelling, but shall not include a hotel or motel.

“*TAD*” means that area covered by the Redevelopment Plan dated December 16, 2014, and approved by the City in establishing City of Statesboro Tax Allocation District #1: South Main.

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

There is hereby levied on all Commercial Property within the TAD and/or DSDA District which has been officially identified as maintained in a blighted condition an increased ad valorem tax by adding a factor of **ten (10.0)** to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law.

There is hereby levied on all Commercial Property not located within the TAD and/or DSDA District which has been officially identified as maintained in a blighted condition an increased ad valorem tax by adding a factor of **seven (7.0)** to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law.

Residential Property shall not be subject to any additional levy otherwise provided for in this section.

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.

Commercial 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

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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: Cindy West, Finance Director

Date: December 12, 2019

RE: Refinance refunding of bond and loans

Policy Issue: Consideration of adoption of the Master Bond Resolution and the First Supplemental Bond Resolution in order to refinance the Series 2010 Bonds and certain outstanding GEFA loans.

Recommendation: Council Approval

Background: Between 2006 and 2008 the City entered into four GEFA loans to fund public infrastructure, primarily installation of water and sewer lines. In 2010 the City issued Series 2010 Bonds to refinance the 1995 Water Sewer Revenue bonds and to fund public infrastructure, primarily installation of water and sewer lines. Council approved an RFP for this refinance on December 3, 2019. New bond issuance would consolidate with significant monetary savings over pre-existing maturity term.

Budget Impact: Approximately \$3,387,127.03 in savings

Council Person and District: All

Attachments: Proposed resolutions

City of Statesboro, Georgia

Series 2020 Water and Sewer Refunding Bond

RFP Results Presentation



December 17, 2019

Request for Proposals Solicitation



- On Thursday, November 21, 2019, Davenport & Company, in our capacity as financial advisor to the City of Statesboro (the “City”) distributed a Request for Proposals (“RFP”) to over 25 local, regional, and national lending institutions for the purpose of obtaining a commercial loan evidenced by the City’s Water and Sewer Refunding Bond, Series 2020.
- On Monday, December 9, 2019 Davenport received 11 proposals from the following lending institutions which have been summarized below.

BB&T	Capital One	Hancock Whitney	JP Morgan Chase
KeyBanc	Morris Bank	Pinnacle	Sterling
SunTrust	Synovus	Zions Bank	

Summary of Top Proposal



Zions Bank

Series 2020 Water and Sewer Refunding Bond

Amount: \$11,631,000

Term 14 Years

Rate: 2.14%
(Fixed until Final Maturity)

Prepayment: No Prepayment Penalty

Bank Fees: No Bank Fees

Closing Date: January 14, 2019

Zions Bank provided the lowest interest rate that had complete flexibility on prepayment.

Refunding Results



Summary of Bonds Refunded

Series 2010 & 4 GEFA Notes	
Coupon(s)	3.50 – 5.00%
Maturities Refunded	2020-2033
Par Refunded	\$12,774,677
Call Date	April 1, 2020

Summary of Refunding Results

Gross Savings	\$3,387,127
Net Present Value Savings	\$1,467,863
Percent Savings	11.49%
All-In TIC	2.38%
Negative Arbitrage	\$13,523

Estimated Refunding Results

Fiscal Year	Prior Debt	Refunding Debt	
Ending	Service	Service	Savings
6/30/2020	\$ 933,866	\$ 694,238	\$ 239,629
6/30/2021	1,341,985	1,093,186	248,799
6/30/2022	1,343,085	1,094,825	248,260
6/30/2023	1,346,585	1,097,036	249,549
6/30/2024	1,348,335	1,100,797	247,538
6/30/2025	1,343,335	1,096,066	247,268
6/30/2026	1,339,135	1,090,014	249,120
6/30/2027	1,338,935	1,091,663	247,272
6/30/2028	1,311,277	1,061,841	249,436
6/30/2029	1,150,131	913,211	236,920
6/30/2030	1,046,251	812,321	233,930
6/30/2031	1,036,721	807,207	229,515
6/30/2032	1,036,946	806,857	230,089
6/30/2033	714,969	485,165	229,804
Total	\$ 16,631,553	\$ 13,244,426	\$ 3,387,127

Note: Gross Savings of \$3.3 million is inclusive of the construction fund and debt service reserve fund contribution, but the net present value savings is net of both contributions.

Final Debt Service



City of Statesboro, Georgia			
14 Year Debt Service @ 2.14% - Series 2020 Bond			
Year	Principal	Interest	Total
2020	\$ 641,000	\$ 53,238	\$ 694,238
2021	858,000	235,186	1,093,186
2022	878,000	216,825	1,094,825
2023	899,000	198,036	1,097,036
2024	922,000	178,797	1,100,797
2025	937,000	159,066	1,096,066
2026	951,000	139,014	1,090,014
2027	973,000	118,663	1,091,663
2028	964,000	97,841	1,061,841
2029	836,000	77,211	913,211
2030	753,000	59,321	812,321
2031	764,000	43,207	807,207
2032	780,000	26,857	806,857
2033	475,000	10,165	485,165
Total	\$11,631,000	\$1,613,426	\$13,244,426

Recommendation & Rationale



- Davenport recommends that the City accept the 2.14% bid from Zions Bank to finance the Series 2020 Water and Sewer Refunding Bond. This recommendation is based upon the following:
 - The 2.14% Bid from Zions Bank was the lowest rate among all options that didn't include a prepayment penalty;
 - Allows for prepayment, in whole or part, at anytime prior to maturity without penalty or premium;
 - The interest rate was fixed between the proposal's due date and the adoption of the bond resolution;
 - No closing costs; and,
 - The interest rate is fixed until final maturity, eliminating any future interest rate risk.

Next Steps



Date	Action
November 22, 2019	✓ Davenport Distributed Request for Proposals to Local, Regional and National Banking Institutions
End of November	✓ Davenport communicates with potential lenders
December 9, 2019	✓ Davenport Received Responses to the Columbus' Request for Proposals
December 17, 2019	Davenport presents RFP results/recommendation. City Council adopts bond resolution.
Balance of December	File for Bond Validation
Week of January 6	Validation hearing
January 14, 2020	Close on Series 2020 Bond

Contact Information

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Version 01/13/2014 CH/DJG/RC/CR

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Sam Lee 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
Cain Smith, City Attorney

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

INTEROFFICE MEMORANDUM City Manager's Office

TO: Mayor and City Council Members

FROM: Charles W. Penny, City Manager

DATE: November 22, 2019

RE: Approval of Retirement Plan Modifications

The City of Statesboro employees participate in the Georgia Municipal Employees Benefit System Retirement Fund and have been a participant since the 1960s. As I have become familiar with the benefits of our employees, the retirement benefits is a matter which has been brought to my attention, and is one which I believe deserves modification to the benefit of Statesboro employees. Several items stand out about our current system, which I will enumerate for your consideration:

1. Employees must reach the age of 65 before they are eligible to receive full retirement benefits;
2. Employees cannot retire with full benefits with 30 years of service;
3. Public safety employees can retire with full benefits with 25 years; however, they cannot receive benefits until they reach the age of 55;
4. The current multiplier for retiree benefits is 1.25, which yields a retiree approximately 1/3 of their salary at retirement age;
5. Employees do not contribute to the retirement program; and
6. Employees can only get credit for one year of sick leave.

It is my recommendation the City Council amend the retirement plan to provide increased benefits to the employees upon their retirement.

The recommended changes are as follows:

1. Increase the modifier to 2.0 for all employees;
2. Allow employees to retire with full benefits with 30 years of service;
3. Remove the cap on sick leave and allow employees to accrue sick leave with no maximum limit; and
4. New employees hired on or after January 1, 2020 will contribute to the retirement system at a rate of 3 percent.

In order to modify the retirement program as I have recommended there will be an additional cost to the City. Currently the City budgets 6 percent of payroll for retirement, and the new rate to

accommodate the modifications will be 8.05 percent which will be a difference of approximately \$300,000.00. The impact on the General Fund will be approximately \$170,000.00. The increased contribution will cover the total cost of the modifications.

For your information, I am also attaching a copy of several example scenarios of the impact on employees at different levels of pay upon retirement to demonstrate the positive impact of the changes in the multiplier from 1.25 to 2.0.

I recommend the approval of the proposed modification to the Statesboro employee retirement plan. The Georgia Municipal Association has a document which the City Council will have to adopt in order for the modifications to take effect on January 1, 2020.

Please let me know if you have any questions or concerns.

City of Statesboro Retirement Model Analysis

Non Public Safety Sample Participant 1:

	Current Plan Start age 20 Work 45 years Age 65	Proposed Plan Start age 20 Work 30 Years Age 50
Final Average Earnings	40,000.00	40,000.00
Multiply by 1.25%	500.00	800.00
Multiply by 2%	_____	_____
Total	500.00	800.00
Credited services (years and months)	45	30
Annual Normal Retirement Benefit	22,500.00	24,000.00
Monthly Normal Retirement Benefit	1,875.00	2,000.00

Non Public Safety Sample Participant 2:

	Current Plan Start age 25 Work 45 years Age 65	Proposed Plan Start age 25 Work 30 Years Age 55
Final Average Earnings	60,000.00	60,000.00
Multiply by 1.25%	750.00	1,200.00
Multiply by 2%	_____	_____
Total	750.00	1,200.00
Credited services (years and months)	40	30.00
Annual Normal Retirement Benefit	30,000.00	36,000.00
Monthly Normal Retirement Benefit	2,500.00	3,000.00

Public Safety Sample Participant:

	Current Plan 25 Years of Service <u>Age 55</u>	Proposed Plan 25 Years of Service <u>Age 55</u>
Final Average Earnings	55,000.00	55,000.00
Multiply by 1.25%	687.50	
Multiply by 2%	<u> </u>	<u>1,100.00</u>
Total	687.50	1,100.00
Credited services (years and months)	25	25
Annual Normal Retirement Benefit	17,187.50	27,500.00
Monthly Normal Retirement Benefit	1,432.29	2,291.67

GMA Benefit Formula of Membership

Formula	% of Membership
1.25%	8%
1.50%	23%
1.75%	6%
2.00%	16%
1.0%-1.75%	16%
1.25%-2.0%	14%
1.5%-2.0%	2%
Other	14%

Based on CY2018 Payroll 10,402,605
 City Contribution Based on 6%
 Estimated Contribution - 30 YOS
 Increase

624,156
911,179
<u>287,023</u>

Estimated Impact on General Fund

160,733

Property Taxes

	FY 2019	FY2020	Increase From FY2019 to FY2020
Budgeted	4,522,000	4,750,000	228,000
Levied	4,700,132	4,949,606	249,474
Difference in Budgeted vs Levied	<u>178,132</u>	<u>199,606</u>	

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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: December 4, 2019

RE: December 17, 2019 City Council Agenda Items

Policy Issue: Public hearing and first reading of an amendment of Chapter 6 adding a definition of "brewpub" and the requirements and privileges conferred under this classification.

Recommendation: N/A

Background: On December 3, 2019 Councilman Boyum proposed this amendment be prepared by the city attorney and presented for first reading at the December 17, 2019 meeting of Mayor and Council.

Budget Impact: TBD

Council Person and District: All

Attachments: Proposed amendment of Section 6-3

Ordinance 2019-14:

Chapter 6-3 Definitions

Brewpub means an establishment in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in OCGA § 3-5-36 for retail consumption on the premises and solely in draft form. Brewpubs shall be licensed to sell distilled spirits, beer, malt beverages or wines and derive at least 50 percent of its total annual gross food and beverages sales from the sale of prepared meals, provided, however, that barrels of beer sold to licensed wholesale dealers for distribution to retailers and retail consumption dealers, as authorized pursuant to subparagraph (c) of paragraph (2) of OCGA § 3-5-36, shall not be used when determining the total annual gross food and beverage sales. Brewpubs shall be considered as “restaurants” for the purposes of Section 6-9. Brewpubs shall not be required to obtain City issued package license for off premises retail sales of beer and malt beverages produced within the licensed establishment.



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APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES
CITY OF STATESBORO, GEORGIA

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 TWO HUNDRED dollar (\$200.00) application fee must be tendered with the application. (cash, credit card, certified check, or money order, checks should be made payable to the City of Statesboro.)

- 1. BUSINESS TRADE NAME: SYM FOOD STORE
D/B/A Name
- 2. APPLICANT'S NAME: Hare Krishna 342 Corporation
(Name of partnership, llc, corporation, or individual)
- 3. BUSINESS LOCATION ADDRESS: 218 N Main St STE# 20281325488
Statesboro, GA 30458
- 4. BUSINESS MAIL ADDRESS: as above

CITY: _____ STATE: _____ ZIP CODE: _____

- 5. LOCAL BUSINESS TELEPHONE NUMBER: (912) 433 5791
- CORPORATE OFFICE TELEPHONE NUMBER: ()

- 6. CONTACT NAME FOR BUSINESS: Jyoti A Patel
- TELEPHONE NUMBER FOR CONTACT PERSON: 912 - 433 5791

- 7. NAME OF MANAGER: Jyoti A Patel
(Person responsible for Alcohol Licensing issues)
- TELEPHONE NUMBER FOR MANAGER 912 - 433 - 5791

8. PURPOSE OF APPLICATION IS: (CHECK ALL THAT APPLY)

NEW MANAGER _____ NEW BUSINESS: _____ NEW OWNER:

PREVIOUS OWNER'S NAME: Crajanan Corporation, Mohanlal B Patel

BUSINESS NAME CHANGE: _____ PREVIOUS BUSINESS NAME: _____

ADDRESS CHANGE: _____ PREVIOUS ADDRESS: _____

LICENSE CLASS CHANGE: BEER WINE LIQUOR _____ OTHER _____



CALCULATION OF BASIC LICENSE FEE: Renewal Fees will be for January 1, 2020 - December 31, 2020.

CLASSIFICATION:	(Mark All That Apply)	LICENSE FEE
1. Package Sales	<input checked="" type="checkbox"/>	\$1750
2. On Premise License Types:		
Please refer to the following pages for descriptions of each license type. This will help you determine which license to apply for. These can be found in sections 6-3 and 6-9 of the alcohol ordinance.		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer; manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input checked="" type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150
Total Due		\$ <u>2050</u>

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

- **DECEMBER 1, 2019 OR LATER** PENALTY FEE OF \$200

~~Special Event Permit 50.00~~
~~Distance waiver Application Fee 150.00~~
~~Alcohol Beverage Control Security Permit (Permit Shall Be Obtained From The Statesboro Police Department) 50.00~~

10. TYPE OF BUSINESS: (CHECK ONE) Individual Corporation Partnership L.L.C

(COMPLETE EITHER NUMBERS 11, 12 AND 13, AND/OR 14, 15 AND 16 IN THE SECTION BELOW)

11. IF APPLICANT IS AN INDIVIDUAL: Attach copy of trade name affidavit.

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

HAVE YOU COMPLETED THE FINANCIAL AFFIDAVIT ATTACHED TO THIS APPLICATION? _____

12. IF APPLICANT IS A PARTNERSHIP, L.L.C. or L.L.P.: 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 AND ADDRESS OF PARTNERSHIP, L.L.C. or L.L.P.: _____

DO YOU HAVE AN OPERATING AGREEMENT OR PARTNERSHIP AGREEMENT FOR THE LLC, LLP OR PARTNERSHIP? _____

IF NOT, WHAT DOCUMENTS ESTABLISH THE OWNERSHIP RIGHTS OF THE MEMBERS OR PARTNERS? _____

13. MEMBERS OF L.L.C. and/or PARTNERS:

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NUMBER _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

HAS EACH MEMBER OR PARTNER COMPLETED A FINANCIAL AFFIDAVIT TO ATTACH TO THIS APPLICATION? _____

(ATTACH ADDITIONAL PAGES IF NECESSARY)

CORPORATION-STOCKHOLDERS: All corporate applicants who are corporations shall list the names and address 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.

14. 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: Hare Krishna 342 Corporation
(Name shown exactly as in Articles of Incorporation or Charter)

HOME OFFICE: _____

MAIL ADDRESS IF DIFFERENT: _____

DATE AND PLACE OF INCORPORATION: 08/27/19, Atlanta

DO YOU HAVE A SHAREHOLDERS AGREEMENT? NO

IF NOT, WHAT DOCUMENTS ESTABLISH THE OWNERSHIP RIGHTS OF THE SHAREHOLDERS? _____

Article of Incorporation

15. OFFICERS:

FULL LEGAL NAME: Job A Patel PHONE# 912-433-8791

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

(ATTACH ADDITIONAL PAGES IF NECESSARY)

16. STOCKHOLDERS (If Different from Officer Names)

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

FULL LEGAL NAME: _____ PHONE# _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

RACE: _____ SEX: _____ BIRTHDATE: _____ SOCIAL SECURITY NO: _____

% STOCK OWNED: _____ OFFICE HELD: _____

HAS EACH OFFICER AND SHAREHOLDER COMPLETED THE FINANCIAL AFFIDAVIT ATTACHED TO THIS APPLICATION?

(ATTACH ADDITIONAL PAGES IF NECESSARY)

17. If there is any individual or officer, who has resided at his current address less than five (5) years, complete information below.

NAME: _____ PHONE# _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

FULL NAME: _____ PHONE# _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

PREVIOUS ADDRESS: _____ FROM _____ TO _____

(ATTACH ADDITIONAL PAGES IF NECESSARY)

18. State name and address of owner of the property (Land and Building) where the business will be located.

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

Answer: YES NO If yes, state name of lessor or landlord and address, and provide a copy of the lease with this application.

Ashwin Kumar Patel

20. 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 or receipts from the proposed business with any persons, firm, company, corporation, or other entity.

Answer: YES NO If yes, give name of person or firm and address and amount of percentage of profits or receipts to be split.

21. Is there anyone connected with this business that is not a legal resident of the United States and at least twenty-one (21) years of age?

Answer: YES NO If yes, give full details on separate sheet.

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

Answer: YES NO N/A If yes, explain on a separate sheet and submit copies of eligibility.

22. 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 or County in the State of Georgia, or other state or political subdivision and been denied such?

Answer: YES NO If yes, give full details on separate sheet.

23. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category?
 Answer: YES _____ NO If yes, give full details on separate sheet
24. Is there anyone connected with this business that has been convicted within fifteen 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?
 Answer: YES _____ NO If yes, give full details on separate sheet, including dates, charges and disposition.
25. Is there anyone connected with this business that has been convicted within five years immediately prior to the filing of this application of the violation (i) 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 thereof; (ii) of a crime involving moral turpitude; or (iii) 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?
 Answer: YES _____ NO If yes, give full details on separate sheet, including dates, charges and disposition.
26. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last three (3) year period?
 Answer: YES _____ NO If yes, give full details on separate sheet.
27. 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 ?
 Answer: YES _____ NO If yes, give full details on separate sheet.
28. 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 United States for the reason the same was being used or intended for use in criminal activities.
 Answer: YES _____ NO If yes, give full details on separate sheet.
29. Will live nude performances or adult entertainment be a part of this business' operations?
 Answer: YES _____ NO If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, Jyoti A Patel, solemnly swear, subject to the penalties O.C.G.A. §16-10-20 as provided above which I have read and understood, that all information required in this APPLICATION FOR LICENSE TO SELL ALCOHOLIC BEVERAGES and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

Jyoti Ashwinkumar Patel
 Print Full Name As Signed Below

JAPatel
 Signature of Applicant

Officer
 Title

10-3-19
 Date

SWORN TO AND SUBSCRIBED BEFORE ME THIS
3rd DAY OF Oct, 2019
Melissa Sellers
 NOTARY PUBLIC (SEAL)
 My Commission Expires April 7, 2021

MELISSA SELLERS
 NOTARY PUBLIC
 Bulloch County
 State of Georgia
 My Comm. Expires April 07, 2021

Sym Food Store
218 N Main St
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department Full Name Recommendation Comments

Planning & Development	Justin Williams	Approve	Proximity consistent with current license. See Memo
Fire Department	Carlos Nevarez	Approve	
Police Department	Jared Akins	Approval	No reasons for denial noted
Legal	Cain Smith	Approve	

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

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

December 9, 2019

MEMO TO: Mr. Charles Penny, City Manager

FROM: Cindy S. West, Director of Finance

RE: Budget Amendment

Enclosed is the second Budget Amendment for Fiscal Year 2020. The amendment is to appropriate the amounts shown in each fund as expenditures or expenses and revenue anticipations.

RESOLUTION #2019-41: A RESOLUTION TO ADOPT THE SECOND AMENDMENT TO THE FISCAL YEAR 2020 BUDGET FOR EACH FUND OF THE CITY OF STATESBORO, GEORGIA, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES/EXPENSES, ADOPTING THE SEVERAL ITEMS OF REVENUE ANTICIPATIONS, AND PROHIBITING EXPENDITURES OR EXPENSES FROM EXCEEDING THE ACTUAL FUNDING APPROPRIATED

THAT WHEREAS, sound governmental operations require a Budget in order to plan the financing of services for the residents of the City of Statesboro; and

WHEREAS, Title 36, Chapter 81, Article 1 of the Official Code of Georgia Annotated (OCGA) requires a balanced Budget for the City's fiscal year, which runs from July 1st to June 30th of each year; and

WHEREAS, the Mayor and City Council have reviewed a proposed Second Amendment to the Budget from the City Manager that includes some revenues/financing sources and expenditures/expenses not anticipated in the original Budget, and carries forward funding and appropriations for some projects and equipment budgeted in the previous fiscal year, but not purchased by fiscal year-end; and

WHEREAS, each of these funds is a balanced budget, so that anticipated revenues and other financial resources for each fund equal the proposed expenditures or expenses and any transfers; and

WHEREAS, the Mayor and City Council wish to adopt this Second Budget Amendment for Fiscal Year 2020;

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

Section 1. That the proposed changes to the budget, attached hereto as Attachment #1 and incorporated herein as a part of this Resolution, are hereby adopted as the Second Budget Amendment for the City's Fiscal Year 2020 Budget.

Section 2. That the several items of revenues, other financial resources, and sources of cash shown in the budget amendment for each fund in the amounts shown anticipated are hereby adopted; and that the several amounts shown in the budget amendment for each fund as proposed expenditures or expenses, and uses of cash are hereby appropriated to the departments and agencies named in each fund, as amendments to the existing Budget previously adopted.

Section 3. That the "legal level of control" as defined in OCGA 36-81-2 is set at the departmental level, meaning that the City Manager in his capacity as Budget Officer is authorized to move appropriations from one line item to another within a department, but under no circumstances may expenditures or expenses exceed the amount

appropriated for a department without a further budget amendment approved by the Mayor and City Council.

Section 4. That all appropriations shall lapse at the end of the fiscal year.

Section 5. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 17th day of December, 2019.

CITY OF STATESBORO, GEORGIA

By: Jonathan M. McCollar, Mayor

Attest: Leah Harden, City Clerk

ATTACHMENT #1

FY 2020 SECOND BUDGET AMENDMENT

100 General Fund:

- No Changes.

Net effect on Fund is: None.

210 Confiscated Assets Fund:

- No Changes.

Net effect on Fund is: None.

221 CDBG Fund:

- No Changes.

Net effect on Fund is: None.

224 US Department of Justice Grant:

- No Changes.

Net effect on Fund is: None.

250 Multiple Grants Fund:

- Increase in Revenues for Bulletproof Vest Program Grant by \$7,915.
- Increase in Expenditures for Uniforms by \$7,915.

Net effect on Fund is: None.

270 Statesboro Fire Service Fund:

- Increase in Expenditures for FD-50 Inspector Pickup Trucks by \$150,000. Carry forward project from FY2019.

Net effect on Fund is: Decrease in Fund Balance by \$150,000.

275 Hotel/Motel Fund:

- No Changes.

Net effect on Fund is: None.

286 Technology Fee Fund:

- No Changes.

Net effect on Fund is: None.

323 2013 SPLOST Fund:

- Increase in Expenditures for FD-50 Inspector Pickup Trucks by \$150,000. Carry forward project from FY2019.
- Increase in Expenditures for Dispatch Consoles and Fiber Optic Line for the Police Department by \$269,500.

Net effect on Fund is: Decrease in Fund Balance by \$419,500.

324 2018 TSPLOST Fund:

- No Changes.

Net effect on Fund is: None.

350 Capital Improvements Program Fund:

- Increase in Expenditures for Dispatch Consoles and Fiber Optic Line for the Police Department by \$91,500.

Net effect on Fund is: Decrease in Fund Balance by \$91,500.

505 Water and Sewer Fund:

- Increase Expense on the Cash Flow Statement for WWD-37 Generators for Sewage Pump Stations by \$93,115. Carry forward project from FY2019.

Net effect on Fund is: Decrease in Cash of \$93,115.

507 StormWater Fund:

- Increase in Expenses for Issuance Costs for GEFA Loan by \$155,590.

Net effect on Fund is: Decrease in Cash of \$155,590.

515 Natural Gas Fund:

- No Changes.

Net effect on Fund is: None.

541 Solid Waste Collection Fund:

Commercial Division

- No Changes.

Residential Division

- No Changes.

Rolloff Division

- No Changes.

Yardwaste Division

- .

Net effect on Fund is: None.

542 Solid Waste Disposal Fund:

- No Changes.

Net effect on Fund is: None.

601 Health Insurance Fund:

- No Changes.

Net effect on Fund is: None.

602 Fleet Management Fund:

- No Changes.

Net effect on Fund is: None.

604 Wellness Fund:

- No Changes.

Net effect on Fund is: None.

605 Central Service Fund:

- No Changes.

Net effect on Fund is: None.

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

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December 9, 2019

MEMO TO: Mr. Charles Penny, City Manager
FROM: Cindy S. West, Director of Finance
RE: Capital Improvements Program Budget Amendment

Enclosed is the Second Budget Amendment for Fiscal Year 2020. The amendment is for Capital Projects budgeted in Fiscal Year 2019, but for various reasons were not purchased, started or completed by the end of the fiscal year and the unexpected purchase of the Dispatch Consoles for the Police Department.

RESOLUTION #2019-42: A RESOLUTION TO ADOPT THE SECOND AMENDMENT TO THE SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE FISCAL YEAR 2019-2020 THROUGH 2024-2025 FOR THE CITY OF STATESBORO, GEORGIA.

THAT WHEREAS, the City of Statesboro's Six-Year Capital Improvements program was adopted by the City Council on May 21, 2019

WHEREAS, the City of Statesboro desires to amend the Six-Year Capital Improvements Program

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

Section 1. That the proposed project to the Six-Year Capital Improvements Program, attached hereto as Attachment #1 and incorporated herein as a part of this Resolution, are hereby adopted as the First Amendment to the Six-Year Capital Improvements Program for the City's Fiscal Year 2020.

Section 2. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 17th day of December, 2019.

CITY OF STATESBORO, GEORGIA

By: Jonathan M. McCollar, Mayor

Attest: Leah Harden, City Clerk

CITY OF STATESBORO



COUNCIL

Phil Boyum, District 1
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50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager

From: Jason Boyles, Assistant City Manager
John Washington, Director of Public Works and Engineering

Date: 12/10/2019

RE: FEDERAL TRANSIT ADMINISTRATION SECTION 5311 PROGRAM
FORMULA FUNDS FOR RURAL TRANSIT

Policy Issue: Transit Implementation Funding

Recommendation:

Staff recommends approval of the attached resolution authorizing the Coastal Regional Commission to apply for public transportation grant funding on behalf of the City of Statesboro.

Background:

The Federal Transit Administration (FTA) provides federal funding to support the capital and operating assistance activities for rural transit systems. Georgia Department of Transportation (GDOT) is the designated recipient of these federal funds in Georgia and is responsible for the program oversight and administration and ensuring compliance with all applicable federal regulations. Currently, the Coastal Regional Commission (CRC) is GDOT's designated subrecipient of these funds for the coastal region. As the designated subrecipient for 5311 rural grant funding, the CRC has submitted application for funding ongoing programs, however, GDOT has determined a path for modification of application to provide public transportation assistance qualification through Section 5311 of the federal transit program for the City of Statesboro. GDOT has provided CRC a deadline of the end of December for modification.

Budget Impact:

The City of Statesboro will provide the required 50% local match for operations and 10% local match for capital costs based on program funding developed by CRC. No funds will be required in FY2020. Funding will be from 2018 TSPLOST and other funds beginning in late FY2021.

Council Person and District:

Citywide (all districts)

Attachments:

Resolution 2019-43

RESOLUTION #2019-43:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION BY THE COASTAL REGIONAL COMMISSION OF GEORGIA ON BEHALF OF THE MAYOR AND CITY COUNCIL OF STATESBORO WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR A GRANT FOR PUBLIC TRANSPORTATION ASSISTANCE UNDER TITLE 49 U.S.C., SECTION 5311, FOR FISCAL YEAR 2021.

THAT WHEREAS, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grants to non-urbanized areas for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon applicant, including the provision by it of the local share of project costs; and

WHEREAS, the Coastal Regional Commission (CRC) is seeking to obtain the authorization by the City to act as the applicant on their behalf, and the commitment to provide proportionate share of the local project costs; and

WHEREAS, it is required by the United States Department of Transportation and the Georgia Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and under the United States Department of Transportation requirements there under.

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

Section 1. The Coastal Regional Commission (CRC) will be the "Applicant" for grants for rural public transportation assistance through Section 5311 of the federal transit laws under Chapter 53 of Article 49 of the U.S. Code on behalf of the Mayor and City Council of Statesboro.

Section 2. The CRC Executive Director, hereinafter referred to as the "Official", is authorized to execute and file an application on behalf of the Applicant, AND will serve as the representative on behalf of the Mayor and City Council of Statesboro, with the Georgia Department of Transportation to aid in the financing of regional public transportation assistance pursuant to Section 5311 of the Federal Transit Act.

Section 3. The Official is authorized by the Mayor and City Council of Statesboro to execute and file such application and assurances or any other document(s) required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.

Section 4. The Official is authorized by the Mayor and City Council of Statesboro to execute and file all other standard assurances or any other document(s) required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.

Section 5. The Official is authorized by the Mayor and City Council of Statesboro to furnish such additional information as the U.S. Department of Transportation or the Georgia Department of Transportation may require in connection with the application of the project.

Section 6. The Official is authorized to execute grant contract agreements on behalf of the Applicant, and the Mayor and City Council of Statesboro with the Georgia Department of Transportation in connection with the application for public transportation assistance.

Section 7. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9040.1G, FTA Certifications and Assurances for Federal Assistance 2021 as listed in the grant application and General Operating Guidelines as illustrated in the *Georgia State Management Plan and Administrative Guide for Rural Public Transportation Programs*.

Section 8. The Mayor and City Council of Statesboro will have available the required non-federal share, which shall be calculated to be their respective portion of the regional rural and coordinated public transportation system's non-federal local share.

Section 9. That this Resolution shall be and remain effective from and after its date of adoption.

APPROVED AND ADOPTED this ____ day of _____, 2019.

CITY OF STATESBORO, GEORGIA

By: _____
Jonathan McCollar, Mayor

Attest: _____
Leah Harden, City Clerk

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: December 11, 2019

RE: Alcoholic Beverage License for Eagle Creek Brewery

Policy Issue: Consideration of a resolution to authorize issuance of Restaurant license to Eagle Creek Brewery and not require a Package License for retail off-premises sales in compliance with state Brewpub laws

Recommendation: Council Consideration

Background: On October 1, 2019, Mayor and Council approved a revision to Chapter 6- Alcoholic Beverages in the Code of ordinances. Said revision clarified that brewpubs be required to obtain Package license for off-premises retail sales. On December 3, 2019, Councilman Phil Boyum asked to review this code section and allow Eagle Creek to operate as Brewpub and conduct retail sales under the Restaurant license classification.

Budget Impact: Restaurant license is \$2800. Pub license is \$5600. Package license is \$1750.

Council Person and District: District 1, Phil Boyum

Attachments: Proposed resolution 2019-44

Resolution Regarding Alcoholic Beverages License Fees for Eagle Creek Brewery

RESOLUTION NO. 2019-44

**A RESOLUTION SETTING 2020 ALCOHOL LICENSE RENEWAL FEES FOR
EAGLE CREEK BREWERY**

WHEREAS Ordinance 2019-09 ("Ordinance") amending Chapter Six of the City of Statesboro Code of Ordinances was passed by Mayor and Council on October 1, 2019;

WHEREAS said Ordinance set new license types and clarified that brew pubs must obtain a package license to sell premises manufactured beer and malt beverages for off-premises retail sales;

WHEREAS Council has expressed interest in revising the brewpub classification;

WHEREAS alcohol license fees for 2020 are hereby due; and

WHEREAS, Franklin Dismuke is the proprietor of Eagle Creek Brewery, a brewpub in downtown Statesboro who has expressed concern over 2020 license fees.

BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia while in regular session on December 17, 2019 as follows:

Eagle Creek Brewery will be allowed to pay the \$2800 fee for restaurants and be allowed to conduct retail sales for off premises consumption without obtaining a City package license.

City of Statesboro, Georgia

Jonathan J McCollar, Mayor

Attest:

Leah Harden, City Clerk

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: Steve Hotchkiss, Director of Public Utilities

Date: December 11, 2019

RE: Sewer Main Extension at Southern Gateway Industrial Park

Policy Issue: Consideration of a resolution to authorize the City Manager to negotiate an agreement with the Statesboro Bulloch Development Authority for the extension of approximately 1000' of sanitary sewer main in an amount not to exceed \$300,000.00 with funds from the approved 2020 CIP Budget, Project #WWD155.

Recommendation: Council Approval

Background: In 2016 the City and County joined forces to construct a new industrial park at the intersection of HWY 301 South and Interstate I16. The utility extension were jointly funded with approximately 4 million coming from the City and 6 million from the County. The initial construction brought water, sewer and gas to the site but did not buildout any of the internal lines to serve specific customers. The Development Authority now has a client that wants to build in the Park and we need to extend utility line to serve their needs. As part of the terms for closing the sale of the property the client wants all of the infrastructure completed by April of 2020, which does not allow enough time for the City's normal procurement process.

In order to expedite the process the Development Authority is proposing to include the sewer main extension as part of their road construction project. The agreement would be to build the sewer main to City design standards and then invoice the City upon completion. A Memorandum of Understanding would be developed and signed by both parties agreeing to Unit Pricing, Construction Standards and payment terms before any work begins.

Budget Impact: Funds approved as part of 2020 CIP Budget item #WWD155. Bond Proceeds.

Council Person and District: All

Attachments: Proposed resolution 2019-45

RESOLUTION 2019-45: A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS WITH THE DEVELOPMENT AUTHORITY OF BULLOCH COUNTY FOR INSTALLATION OF UTILITIES INFRASTRUCTURE AT THE 301 SOUTH INDUSTRIAL PARK

WHEREAS, the City has installed utilities infrastructure (“Infrastructure”) to serve the real property known as Southern Gateway Commerce Park (the “Site”);

WHEREAS, the Development Authority of Bulloch County (DABC) owns real property at the Site and currently is working with contractors on roadway extension at the Site to serve prospective tenants and purchasers;

WHEREAS, DABC has presented the City with the opportunity to extend Infrastructure through its contractors while roadway extension is ongoing at the Site;

WHEREAS, the City has appropriated \$600,000 in CIP funds for installation of additional Infrastructure at the Site with nominal expenditures at this time;

WHEREAS, DABC is prepared to enter into a contract on behalf of the City to install additional needed Infrastructure at the Site;

AND WHEREAS, City desires to enter into an intergovernmental agreement with DABC to reimburse DABC for actual costs expended on the installation of additional Infrastructure at the Site.

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

Section 1. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to enter into an IGA with DABC in an amount not to exceed \$300,000 for installation of additional Infrastructure at the Site

Section 2. That this Resolution shall be and remain effective from and after its date of adoption

Adopted this ___ day of _____, 2019

CITY OF STATESBORO, GEORGIA

Jonathan J. McCollar, Mayor

Attest: Leah Harden, City Clerk

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

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

From: Cain Smith, City Attorney

Date: December 11, 2019

RE: December 17, 2019 City Council Agenda Items

Policy Issue: *Consideration of Memorandum of Understanding with Bulloch County to pay 50% of costs for provision of an Integrated Public Alert and Warning System (Reverse 911) to the citizens of Statesboro and Bulloch County under a proposed contract between Bulloch County and OnSolve.*

Recommendation: Approval

Background: OnSolve has presented Bulloch County with a contract proposal to provide IAPWS throughout the county. Bulloch County has tentatively agreed to enter into contract should City elect to participate and share costs under the terms of the attached MOU.

Budget Impact: Approximately \$9,500 annually

Council Person and District: All

Attachments: Proposed MOU and contract between Bulloch County and OnSolve

**PROCUREMENT OF REVERSE 911
COMMUNICATIONS SERVICES**

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT, made and entered into this _____ day of _____ 2019, by and between the CITY OF STATESBORO, a municipal corporation chartered under the laws of the State of Georgia, and BULLOCH COUNTY, a political subdivision of the State of Georgia, hereinafter referred to as the “Parties”

WITNESSETH:

WHEREAS the Parties recognize the need to have Reverse 911 (i.e. Integrated Public Alert and Warning System IAPWS) capacity to better serve and communicate with the citizens of Statesboro and Bulloch County in community wide emergency situations;

WHEREAS Bulloch County desires to enter into a contract to provide these reverse 911 communications services capabilities to the citizens of Statesboro and Bulloch County;

WHEREAS the Parties desire to share the costs of the provisions of these services;

WHEREAS OnSolve (“OnSolve”) has presented the County with an offer (attached hereto as Exhibit “A”) to provide its CodeRED service in Statesboro and Bulloch County; and

WHEREAS it is in the best interest of the Parties to share the cost of OnSolve’s IAPWS services rather than entering into separate agreements with OnSolve or not receiving the benefits of this service.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein made, the Parties do hereby mutually agree as follows:

1. **Contract**: Bulloch County hereby agrees to enter into the attached contract with OnSolve to provide CodeRED IAPWS equipment and services for the benefit of all Parties and the citizens of Statesboro and Bulloch County.
2. **Payment for OnSolve Services**: City shall each reimburse County fifty percent (50%) of all invoices submitted by OnSolve for provision of CodeRED IAPWS equipment and services in Bulloch County. Payment shall be tendered within thirty days of receipt of invoice by City.
3. **Cooperation and Representation**: County agrees to faithfully represent the City, consult with the City regularly, not hinder City from having direct contact with OnSolve, and forward all correspondence between County and OnSolve to the City.
4. **Amendments to this Agreement**. This Agreement may be amended by the mutual agreement of all the Parties hereto. Such Amendment shall be in writing to be attached to and incorporated into this Agreement.
5. **Termination**: This Agreement shall terminate upon unanimous consent of the Parties or upon termination of County contract with OnSolve whichever comes first.
6. **Legal Construction**. In the event any one or more of the provisions contained in this

Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

7. **Governing Law.** This Agreement shall be governed in all respects by the laws of the State of Georgia.
8. **Modification.** This Agreement may be modified at any time with the written mutual consent of all Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly enacted by their proper officers and so attest with their corporate seals affixed hereto set forth in duplicate originals.

Charles Penny
Statesboro City Manager

Thomas M. Couch
Bulloch County Manager

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Sam Lee 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
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: Darren Prather, Central Services
Director
Date: December 10th, 2019
RE: Recommendation: Bid Award—Vehicles-Police Dept., Natural Gas and Waste Water Dept.

Recommendations:

We recommend the bid award for the purchase of vehicles be awarded as follows:

Dept./Vehicle	Bid Amount	Total Amount	Dealer
1.(6) Police ½ ton pickups	\$25,219.00 ea	Total \$151,314.00	O.C Welch Ford
2. (1) One ton Cab and Chassis Statesboro	\$26,248.52 ea	Total \$26,248.52	J.C. Lewis Ford
3.(3) WS/NG/WWD ½ ton pkups Statesboro	\$25,582.76 ea	Total \$76,748.28	J.C. Lewis For

These submitted bids represent the lowest responsible bid for each vehicle. The 3% local preference policy was applied, but was not relevant due to the submitted sealed bid amounts.

Background:

These vehicles were advertised and bid out and advertised per our purchasing ordinance requirements. On the following page, is a listing of all submitted sealed bids. These vehicles are intended for the following departments and included are the CIP numbers complete with the amounts budgeted for these vehicles.

Vehicles	CIP #	Budgeted Amts.	Funding Source
1.(6) Police ½ ton pickups	PD1	\$170,000.00	Amount budgeted for vehicles and upfitting
2.(1) One ton Cab and Chassis	WS134	\$75,000.00	Funded by Operating Budget of WS
3. (1) ½ ton pickup	NGD67	\$36,000.00	Funded by Operating Budget of NG
4.(1) ½ ton pickups	WWD132	40,000.00	Funded by Operating Budget of WWD
5.(1) ½ ton pickup	WS136	\$40,000.00	Funded by Operating Budget of WS

Council Person and District: All

Attachments: Spreadsheet—All Submitted Bids

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

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PD & Utility Department Trucks Bid November 5, 2019

Company	Rep. Name	PD Truck (1) Bid Amount \$	PD Truck (Group) (6) Bid Amount \$	Delivery Date	Pubic Works 1 Ton (1) Bid Amount \$	Delivery Date	Pubic Works 1/2 Ton (1) Bid Amount \$	Pubic Works (group) 1/2 Ton (3) Bid Amount \$	Delivery Date
Prater Ford Inc.	Jerry Hicks	\$25,638.76	\$153,832.56	16 - 18 Weeks	\$26,427.52 (before 12/31/19) \$27,326.52 (After 12/31/19)	10-12 Weeks	\$26,257.76	\$78,773.76	16-18 Weeks
Wade Ford Inc.									
Franklin Chevrolet	OC Welch	\$25,219.00	\$151,314.00	March 30, 2020	\$27,026.00	4th week of February 2020	\$26,539.00	\$79,617.00	March 30, 2020
J. C. Lewis Ford Lincoln	Bob Burtner	\$26,295.00	\$157,770.00	March 25, 2020	\$27,686.00	March 15, 2020	\$26,260.00	\$78,780.00	1st Week of April 2020
Vaden Jimmy Britt	Cleve White	\$26,555.76	\$159,334.56	March 2 - April 16, 2020	\$26,248.52	Feb 13 - April 16, 2020	\$25,582.76	\$76,748.28	March 2 - April 16, 2020
		\$25,975.57	\$155,853.42						

*The City of Statesboro does have a 3% in-county vendor preference ordinance in effect

CITY OF STATESBORO

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INTEROFFICE MEMORANDUM City Manager's Office

TO: Mayor and City Council

FROM: Charles W. Penny, City Manager

DATE: December 12, 2019

RE: Collection Fee Waiver

Please find attached the policy as it relates to the collection fee for utility service disconnection. The current policy explicitly states the City Manager cannot waive the late or collection fee associated with the utilities. Council Member Sam Jones brought the matter up at the last City Council meeting and it is his interest to allow the City Manager to waive the fee no more than 2 times in a 12 month cycle. In order to accommodate his request, the City Council will need to amend the policy to authorize the City Manager or his designee to waive the collection fee no more than 2 times in a 12 month cycle.

The action which will be required by City Council is to amend Attachment "A" of Ordinance 2015-04 which currently reads as follows: 1.2.5: In cases of hardship the City Manager is not authorized to waive the assessment of late payment charges and/or collection fees provided for in Section 82-70(b) of the Code of Ordinances of the City of Statesboro. I would propose the amended policy would read as follows: 1.2.5: In cases of hardship the City Manager, and or his designee, is authorized to waive the assessment of late payment charges and/or collection fees no more 2 times in a 12 month period provided for in Section 82-70(b) of the Code of Ordinances of the City of Statesboro.

The staff is currently authorized to waive the collection fees for customers whose utility bill is paid for by a number of non-profit agencies.

This matter is for your consideration and staff will carry out the direction of the City Council. Thank you.

CITY OF STATESBORO

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I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
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To: Mr. Charles Penny, City Manager

From: Cindy West, Finance Director 
Steve Hotchkiss, Public Utilities Director 

Date: December 6, 2019

RE: City of Statesboro Collection Fees

At the Council meeting on December 3, 2019, a councilman brought up eliminating the collection fee, and another suggested waiving the fee if a customer has their bill paid for by a community organization.

The City currently has a policy for exempting a customer from the collection fee: If a water or sewer bill is paid in full by one of the below listed organizations then the City Clerk or his or her designee is authorized to waive any collection fee or deposit requirement. Payment by the following organizations shall qualify for this exemption: Area Christians Together in Service (ACTS), Concerted Services, Christian Social Ministries, and Easter Seals.

The City also allows a customer to pay the collection fee over a three month period of \$25 a month, once an agreement is signed.

The City's collection fee rate is the same as the two private water system operators in our area. The two private water systems have higher base rates than the City.

After surveying approximately ten other communities and utilities in our area, collection fees ranged from \$25-\$75. The majority had both higher base rates and consumption rates than the City.