

City of Byron
Mayor and Council Minutes
June 14, 2021

The City of Byron Mayor and Council met in regular session in the Council Chambers at the Municipal Complex. Mayor Michael Chidester, Council Members James Richardson, Rusty Adams, Michael Chumbley, Chris Hodges and Alan Dorsey were in attendance. City employees that attended were Deputy City Clerk Dede Thibodeaux, City Clerk Telina Allred, City Administrator Tiffany Sandefur, Public Works Director Tiffany Bibb, Police Chief Wesley Cannon, Chief Court Clerk Velma Ervin, Lt. Bryan Hunter and Fire Chief Josh Riley. City Attorney Brian Causey attended the meeting as well. A representative from the Byron Buzz was present along with one visitor.

Mayor Michael Chidester called the meeting to order at 6:02 PM, asked Council Member James Richardson to give the invocation and led the audience in the Pledge of Allegiance.

AGENDA AMENDED: Michael Chidester asked that the agenda be amended to add as item 20(a) approval of an expenditure of \$19,075.00 for the export of data to Tyler, 20(b) Resolution of Condolence read for Patty J. Bentley and as item 20(c) approval of an engineering firm based on the RFQ regarding the GEFA loan.

ITEMS REMOVED FROM AGENDA: City Administrator Tiffany Sandefur requested that item 3 and item 16 be removed from the agenda due to more work needing to be done.

APPROVAL OF MINUTES: Minutes of the Mayor and Council Meeting held on May 10, 2021 were unanimously approved by Michael Chumbley and Chris Hodges.

PROCLAMATION REGARDING YOUTH ENTREPRENEURSHIP DAY: Mayor Chidester read a Proclamation declaring the 3rd Saturday of July as Ziggy and Tootie Cakes Youth Entrepreneurship Day in partnership with Youth Biz Kids as they work to empower young entrepreneurs of Byron.

REZONING REQUEST: City Administrator Tiffany Sandefur stated that the rezoning request is to allow for duplex apartments for the area with no outlet onto highway 49. Mayor Chidester opened a Public Hearing at 6:10pm asking if anyone wished to speak in favor of the rezoning request for 204 Church Street. No one spoke in favor. He then asked if anyone wished to speak against. No one spoke against the request. The Public Hearing then closed at 6:13pm. Motion was made by Alan Dorsey, seconded by Michael Chumbley to approve the rezoning of 204 Church Street from its current C-2 Downtown Business District to R-3 High Density Residential. Unanimous.

REQUEST FOR VARIANCE: Motion made by Rusty Adams, seconded by James Richardson to approve a request for variance for Forest Ridge for 50 ft wide lots with 5ft side setbacks for single family detached homes as opposed to the current 60ft wide lot with a 10ft side setback. Those voting to approve: Adams, Richardson, Dorsey, Chumbley Those opposed: Hodges. MOTION PASSED.

PLANNING & ZONING COMMISSION MINUTES: Mayor Chidester asked if the meeting minutes needed to be approved because it contained matters that had been withdrawn from the

agenda. Meeting minutes can be approved subject to the item for parcel 052 014A that has to be brought back before the next council meeting. Michael Chumbley made the motion to approve subject to the stated conditions, seconded by Chris Hodges. Unanimous.

BANK ACCOUNT FOR 2021 SPLOST: Motion was made by Chris Hodges, seconded by Michael Chumbley to approve opening a new bank account for 2021 SPLOST (Special Local Option Sales Tax) funds. Unanimous.

BANK ACCOUNT FOR 2021 CHIP GRANT: Motion was made by Michael Chumbley, seconded by Chris Hodges to approve opening a new bank account for the 2021 CHIP (Community Home Incentive Program) Grant. Unanimous.

ORDINANCE (#2021-8) REGARDING CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS: Second reading was held of AN ORDINANCE (#2021-8) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES. Motion made by Alan Dorsey, seconded by Chris Hodges to adopt Ordinance #2021-8. Unanimous.

ORDINANCE (#2021-9) REGARDING CHAPTER 10, BUSINESSES AND BUSINESS REGULATIONS: First reading was held of AN ORDINANCE (#2021-9) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 10, BUSINESSES AND BUSINESS REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ORDINANCE (#2021-10) REGARDING CHAPTER 18, FIRE PREVENTION AND PROTECTION: First reading was held of AN ORDINANCE (#2021-10) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 18, FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

POLICE VEHICLE PURCHASE: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the purchase of a 2021 Ford Police Interceptor to replace the one totaled with the needed amount of \$39,120.20 to be taken from Public Safety SPLOST. Unanimous.

RESOLUTION CONCERNING JANITORIAL SERVICES: Motion was made by Michael Chumbley, seconded by Chris Hodges to approve the following Resolution authorizing the Mayor to execute an Agreement for the renewal of janitorial services with JaniKing of Macon. Unanimous. Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON,

GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF BYRON AND JANI-KING OF MACON; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute an agreement with Jani-King of Macon in substantially the same form as the attached Exhibit "A" by this reference is made a part of this Resolution.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 14th OF JUNE, 2021.

RESOLUTION REGARDING ACCOUNTING SERVICES: Motion made by Michael Chumbley, seconded by Alan Dorsey to approve the following Resolution authorizing the Mayor to execute an Agreement with Bennett Financial Services, LLC for Certified Public Accountant Services with the City of Byron. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF BYRON AND BENNETT FINANCIAL, LLC.; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute an agreement with Bennett Financial, LLC. in substantially the same form as the attached Exhibit "A" which by this reference is made a part of this resolution.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 14th DAY OF JUNE, 2021.

RESOLUTION REGARDING PERSONNEL POLICY CONCERNING PTO FOR BIRTHDAYS: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the following Resolution authorizing a Personnel Policy for paid time off for employee birthdays. Policy was adopted in May, but Resolution needed approval. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO APPROVE THE ADDITION OF A PERSONNEL POLICY CONCERNING BIRTHDAY PAID TIME OFF; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the City of Byron hereby adopts the following Personnel Policy:

Policy No. 6.10 Birthday Paid Time Off

A copy of said revised Policy is attached hereto as Exhibit "A", and by this reference made a part of this Resolution. This revision shall be effective on May 10, 2021.

All policies or parts of policies in conflict herewith are hereby repealed.

BE IT FURTHER RESOLVED that this revised policy shall be made a part of the City of Byron Personnel Manual, and organized and numbered by the City Council Personnel Committee as the Committee shall deem appropriate.

SO ADOPTED THIS 10TH DAY OF May, 2021.

RESOLUTION REGARDING THE JOINT COMPREHENSIVE PLAN INTERIM UPDATE:

Greg Boike for the Middle Georgia Regional Commission spoke regarding the update and signed Resolution needed to allow Byron to pursue a broadband ready designation from the State of Georgia. Motion made by Chris Hodges, seconded by James Richardson to approve the following Resolution concerning the Joint Comprehensive Plan Interim Update for Peach County and the Cities of Byron and Fort Valley as it applies to pursuing a broadband ready designation. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO ADOPT THE JOINT COMPREHENSIVE PLAN INTERIM UPDATE FOR PEACH COUNTY AND THE CITIES OF BYRON AND FORT VALLEY.

WHEREAS, the 1989 Georgia Planning Act requires that all local governments submit a comprehensive plan; and

WHEREAS, O.C.G.A. 50-8-1 et seq. gives the Department of Community Affairs authority to establish standards and procedures for appropriate and timely comprehensive planning by all local governments in Georgia; and

WHEREAS, the Broadband Services Element of the Joint Comprehensive Plan Update for Peach County and the cities of Byron and Fort Valley were completed by the City of Byron with the assistance of the Middle Georgia Regional Commission; and

WHEREAS, this document was reviewed by the Georgia Department of Community Affairs and was found to be in compliance with the Local Planning Requirements.

THEREFORE, be it resolved that the City of Byron does hereby adopt the Joint Comprehensive Plan Update for Peach County and the cities of Byron and Fort Valley.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 14th DAY OF JUNE, 2021.

RESOLUTION REGARDING ADMINISTRATIVE SERVICES FOR THE 2021 CHIP GRANT: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the following Resolution authorizing the Mayor to execute an Agreement with Grant Specialists of Georgia, Inc for technical and administrative services regarding the 2021 Community HOME Incentive Program (CHIP) Grant. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF BYRON AND GRANT SPECIALISTS OF GEORGIA, INC. REGARDING THE 2021 COMMUNITY HOME INCENTIVE PROGRAM (CHIP) GRANT; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute an agreement between the City of Byron and Grant Specialists of Georgia, Inc. in substantially the same form as the attached Exhibit "A" which by this reference is made a part of this resolution.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 14th DAY OF JUNE, 2021.

RESOLUTION REGARDING 2021 CHIP GRANT AWARD DOCUMENTS: Motion made by James Richardson, seconded by Chris Hodges to approve the following Resolution authorizing the Mayor to execute all award documents consisting of the CHIP Grant Agreement, a Resolution for the 2021 CHIP Administrative Manual, a Resolution for the Language Access Plan, a Resolution for Eligibility Requirements, a Resolution for Georgia Statutes and a Resolution for Section 3 Policies as they pertain to the 2021 Community HOME Incentive Program (CHIP) Grant. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE ALL AWARD DOCUMENTS PERTAINING TO THE 2021 COMMUNITY HOME INCENTIVE PROGRAM (CHIP) GRANT; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute the following award documents pertaining to the 2021 Community HOME Investment Program:

1. CHIP Grant Agreement as the attached Exhibit "A", attached and incorporated herein.
2. Resolution for the 2021 CHIP Administrative Manual as Exhibit "B", attached and incorporated herein.
3. Resolution for a Language Access Plan as Exhibit "C", attached and incorporated herein.
4. Resolution for Eligibility Requirements as Exhibit "D", attached and incorporated herein.
5. Resolution for Georgia State Statutes as Exhibit "E", attached and incorporated herein.
6. Resolution for Section 3 Policies as Exhibit "F", attached and incorporated herein.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 14th DAY OF JUNE, 2021.

RESOLUTION REGARDING THE TSPLOST INTERGOVERNMENTAL AGREEMENT: Motion made by Chris Hodges, seconded by Alan Dorsey to approve the following Resolution authorizing the Mayor to execute all necessary documents to enter into an Intergovernmental Agreement with Peach County, Fort Valley, Perry and Warner Robins regarding the 2021 TSPLOST (Special District Mass Sales and Use Tax). Unanimous. (Resolution in its entirety on file in the City Clerk's office at the Municipal Complex.)

SPECIAL DISTRICT MASS TRANSPORTATION SALES AND USE TAX INTERGOVERNMENTAL AGREEMENT

THIS Intergovernmental Agreement (the "Agreement") is made and entered into effective the ___ day of 2021, by and between Peach County, Georgia (the "County"), the Cities of Byron, Fort Valley, Perry, and Warner Robins, Georgia (the "Cities"), both acting pursuant to lawful authority by their respective governing bodies do hereby agree as follows.

WITNESSETH

WHEREAS, Article SA of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, as amended titled "Special District Mass Transportation Sales and Use Tax" (the "TSPLOST Act") authorizes the imposition of a 1 percent Sales and Use Tax (the "Sales and Use Tax") for purposes, of financing capital outlay projects as specified in O.C.G.A. Section 48-8-260(4)(A)(B)(C) and (D); and

WHEREAS, in accordance with the requirements of O.C.G.A. Section 48-8-262(a)(2), the County and Cities met on February 26, 2021, to discuss the rate of tax and possible projects for inclusion in a TSPLOST referendum to be held on the 2^oa day of November 2021; and

WHEREAS, the County and Cities wish to use the proceeds of the proposed Sales and Use Tax for the purposes described above.

NOW, THEREFORE, in consideration of the mutual promises and understandings made in this Agreement, and for other good and valuable consideration, and in accordance with O.C.G.A. Section 48-8-262(b)(I), the County and the Cities consent and agree as follows:

SECTION I. Representation of the Parties. The parties hereto make the following representations and warranties which are specifically relied upon by both parties as a basis for entering into this Agreement.

The County agrees that it will take all actions necessary to call a referendum election to be held in all the voting precincts in the County on the 2^oa day of November 2021, for the purpose of submitting to the qualified voters of the County for their approval, the question of whether or not a Special District Mass Transportation Sales and Use Tax of 1 percent shall be imposed on all sales and uses in the special district of Peach County, as authorized by the TSPLOST Act for 20 calendar quarters (five years), commencing on the 1st day of April 2022, for the purpose of funding both the County and the Cities projects specified in Appendix A attached hereto (hereinafter more fully referred to and hereby defined collectively as the "Projects").

The amount of money to be raised by the Sales and Use Tax is estimated to be twenty-seven million dollars (\$27,000,000).

TAX DATA EXPORT: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the cost of \$19,075.00 for CSI/Harris to export tax data to Tyler Technologies due to software conversion. Unanimous.

RESOLUTION OF CONDOLENCE TO PATTY J. BENTLEY: Mayor Chidester read a Resolution of Condolence that he drafted regarding the death of Patty Bentley's husband, Darryl K. Bentley. Motion made by Michael Chumbley, seconded by Chris Hodges to approve joining the Mayor in the signing of the following Resolution. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

RESOLUTION OF CONDOLENCE TO PATTY J. BENTLEY

WHEREAS, Patty J. Bentley is the Representative in the Georgia General Assembly from House District 139; and,

WHEREAS, Patty J. Bentley has tirelessly served the constituents of her district as their State Representative since January 14, 2013, and prior to that as a County Commissioner for Taylor County; and,

WHEREAS, Patty J. Bentley has been of great assistance to the City of Byron and the people thereof despite the fact that the City and its citizens are not located within her district; and,

WHEREAS, the attention to detail and zeal for service displayed by Patty J. Bentley have been encouraged by and supported by her husband, Darryl K. Bentley; and,

WHEREAS, Darryl K. Bentley was by the side of Patty J. Bentley throughout her public service career, providing moral, emotional and physical support for her endeavors, thus becoming as much a part of her service as she was herself; and,

WHEREAS, Darryl K. Bentley passed from the earthly realm into the celestial realm on June 7, 2021, survived by his beautiful wife, his mother, his children, grandchildren, brothers and sister; and,

WHEREAS, Patty J. Bentley, the people of House District 139, and the people of Central Georgia generally have lost a friend, father, husband, and tireless public servant; and,

WHEREAS, Patty J. Bentley has lost her most enthusiastic friend and supporter:

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the City Council of the City of Byron, Georgia hereby extend their heartfelt condolences, as well as those of the City Administrator, Department Heads and Staff, to Patty James Bentley, hoping for her that she finds continued strength in the Lord and in the assurance that Darryl K. Bentley now sits among the Saints;

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BE IT FURTHER RESOLVED, that it is the hope of the Mayor and Council of the City of Byron that Patty James Bentley will continue to serve her constituents with the energy and joy she always displayed, knowing that Darryl K. Bentley still does, and always will, support her in all her efforts.

SO RESOLVED, this 14th day of June, 2021.

QUOTE FOR ENGINEERING SERVICES: Public Works Director Tiffany Bibb stated that four RFQ's were submitted by engineering firms for the stormwater project. She said it would cover the Manchester Subdivision, lining of stormwater drainpipes in The Oaks, work on Linda Drive and White Road. Motion made by Alan Dorsey, seconded by Chris Hodges to approve engineering firm Georgia Water Environmental Services, LLC. (GWES) to perform services regarding the new GEFA loan for the Stormwater Project that is being applied for. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by Alan Dorsey to adjourn the meeting at 6:36 PM. Unanimous.

Telina Allred
Clerk of Council