

City of Byron
Mayor and Council Minutes
January 10, 2022

The City of Byron Mayor and Council met in regular session in the Council Chambers of the Municipal Complex. Mayor Michael Chidester, Council Members James Richardson, Rusty Adams, Michael Chumbley and Chris Hodges were in attendance. Council Member Alan Dorsey was absent. City employees that attended were City Clerk Telina Allred, Deputy Clerk Pam Flournoy, City Administrator Tiffany Sandefur, Public Works Director Tiffany Bibb, Police Chief Wesley Cannon, Fire Chief Josh Riley, and Chief Court Clerk Dede Thibodeaux. City Attorney Brian Causey attended the meeting also. There were two (2) visitors that attended the meeting. Representatives from the Leader Tribune and Byron Buzz attended the meeting as well. Judge Lee attended to deliver the Oaths of Council to Michael S. Chumbley and Christopher C. Hodges.

Mayor Michael Chidester called the meeting to order at 6:00 PM, asked Council Member James Richardson to give the invocation and led the audience in the Pledge of Allegiance.

OATHS OF OFFICE: Judge Lee delivered the following oaths of office to Council Post 3 Michael Chumbley and Council Post 4 Christopher C. Hodges. Council Post 5 Alan C. Dorsey will swear in before his next meeting as he was absent.

I, Christopher C. Hodges, do solemnly swear that I will, to the utmost of my ability, faithfully discharge my duties as Alderman of the City of Byron during my continuance in office, so help me God.

I, Christopher C. Hodges, a citizen of Byron, Georgia, do further solemnly swear and affirm that I am not the holder of any unaccounted for public money due the State of Georgia, that I am not the holder of any office of trust of the United States, nor of either of the several states, or any foreign states, and that I am otherwise qualified to hold said office according to the Charter of the City of Byron, and being an Alderman for the City of Byron, Georgia and the recipient of public funds for services rendered as an Alderman, I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

So help me God,

Christopher C. Hodges

Sworn to and subscribed to before me this 10th day of January, 2022.

I, Michael Chumbley, do solemnly swear that I will, to the utmost of my ability, faithfully discharge my duties as Alderman of the City of Byron during my continuance in office, so help me God.

I, Michael Chumbley, a citizen of Byron, Georgia, do further solemnly swear and affirm that I am not the holder of any unaccounted for public money due the State of Georgia, that I am not the holder of any office of trust of the United States, nor of either of the several states, or any foreign states, and that I am otherwise qualified to hold said office according to the Charter of the City of Byron, and being an Alderman for the City of Byron, Georgia and the recipient of public funds for services rendered as an Alderman, I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

So help me God,

Michael Chumbley

Sworn to and subscribed to before me this 10th day of January, 2022.

AGENDA AMENDED: Mayor Chidester asked that an item be added as 17(a) to elect a Mayor Pro Tem and as item 17(b) the committee on committees must meet to decide committee members. Items 5, 9, 12 and 13 have been removed from the agenda.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the minutes of the Mayor and Council Meetings held on December 6, December 13, and December 28, 2021. Unanimous.

REZONING REQUEST: At 6:10 PM, a Public Hearing was held regarding a request to rezone parcel B01F 132 from Residential to C-2 Downtown Business District. Those to speak in favor of the rezoning: Owner Heather Peebles spoke in favor of her new business and the opportunity to be a shop owner. Those speaking against the rezoning: None. The Public Hearing closed at 6:16 PM. Rusty Adams made a motion, seconded by James Richardson to approve the rezoning request. Unanimous.

PLANNING & ZONING COMMISSION MINUTES: Mayor Chidester stated that the minutes needed to be handled individually per their content. Ms. Sandefur stated that the November 18th minutes had been approved previously but she caught a mistake in them later which she corrected and notated in the December 29th minutes. The December 16th minutes still needed approving which consisted of the variance for Maple Heights subdivision and the special exception for the fence in

Red Oak. Motion made by James Richardson, seconded by Michael Chumbley to approve the Planning & Zoning Commission minutes from the meetings held on November 18th, December 16th, and December 29th.

Danny Ware who lives at Red Oak spoke with Council about the request for the special exception on the fence. His issues are the terrible noise and no security from trees since GDOT clear cut trees. Mr. Ware stated that he put up his fence unaware he needed permission to do so. Mr. Ware also said the neighbors have no problem with his fence. He invited Mayor and Council to come out and look at the property. The Mayor asked if delegation would put up a noise barrier, would he be willing to lower the height of the sides and said he would. Mayor Chidester said he would continue to seek help from the Department of Transportation for a sound barrier being installed in that area that backs up to the interstate. After discussion with Mr. Ware, Mayor Chidester called for the vote to approve the minutes. Those in favor: James Richardson and Rusty Adams. Those voting against: Chris Hodges and Michael Chumbley. Mayor Chidester had to break the tie voting for the approval. MOTION PASSED.

At further study of minutes from the Planning & Zoning Commission, James Richardson made a motion, seconded by Michael Chumbley to withdraw all that had previously been done and take it off the agenda for tonight pending the reconsideration by Planning & Zoning and putting it back on the agenda next month. Unanimous. Ms. Sandefur said the next Planning & Zoning meeting will be held on January 27th at 5:00 PM and Mr. Ware said he would be glad to attend.

GEFA BID AWARD: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the low bid from RDJE, Inc. in the amount of \$565,833 for the Georgia Environmental Finance Authority (GEFA) rehab work and to move forward with the project. Unanimous.

REQUEST FOR DEANNEXATION: Removed.

RESOLUTION CONCERNING MULTI-JURISDICTIONAL LMIG MEMORANDUM OF AGREEMENT: Motion made by Chris Hodges, seconded by Michael Chumbley to approve the following Resolution authorizing the Mayor to execute a Memorandum of Agreement with Houston County, Warner Robins, Centerville, and Perry and to authorize the Mayor to execute the contract after the low bid is awarded. 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 A MULTI-JURISDICTION MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BYRON AND HOUSTON COUNTY, WARNER ROBINS, CENTERVILLE, AND PERRY; 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 a Multi-Jurisdiction Memorandum of Agreement with Houston County, Warner Robins, Centerville, and Perry 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 10th DAY OF JANUARY, 2022.

RESOLUTION REGARDING VC3 VOICE ADVANTAGE TELEPHONE SYSTEM: Motion made by Chris Hodges, seconded by James Richardson to approve the following Resolution authorizing the Mayor to execute a VC3 Voice Advantage Work Order to provide a new phone system to include the leasing of phones for 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 A WORK ORDER BETWEEN THE CITY OF BYRON AND VC3 REGARDING A NEW PHONE SYSTEM; 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 a work order with VC3 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 10th DAY OF JANUARY, 2022.

RENTAL SECURITY FEES: Motion made by Chris Hodges, seconded by Michael Chumbley to approve raising the security fee on rentals for the City of Byron Municipal Complex to \$35.00 with a 4-hour minimum. Unanimous.

ORDINANCE (#2021-14) REGARDING CHAPTER 16, ENVIRONMENT: Removed.

ORDINANCE (#2021-15) REGARDING CHAPTER 20, FLOODS: Second reading was held of AN ORDINANCE (#2021-15) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 20, FLOODS, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES. Motion made by Chris Hodges, seconded by Rusty Adams to adopt Ordinance #2021-15. Unanimous.

ORDINANCE (#2021-16) REGARDING CHAPTER 22, HEALTH AND SANITATION: Second reading was held of AN ORDINANCE (#2021-16) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 22, HEALTH AND SANITATION, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES. Motion made by James Richardson, seconded by Chris Hodges to adopt Ordinance #2021-16. Unanimous.

ORDINANCE (#2022-1) RAGARDING CHAPTER 24, OFFENSES AND MISCELLANEOUS PROVISIONS: Removed.

ORDINANCE (#2022-2) REGARDING CHAPTER 26, PARKS AND RECREATION: Removed.

ORDINANCE (#2022-3) REGARDING CHAPTER 38, TRAFFIC AND VEHICLES: First reading was held of AN ORDINANCE (#2022-3) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 38, TRAFFIC AND VEHICLES, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ORDINANCE (#2022-4) REGARDING CHAPTER 32, SOLID WASTE AND OTHER PUBLIC PLACES: First reading was held of AN ORDINANCE (#2022-4) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 32, SOLID WASTE AND OTHER PUBLIC PLACES, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ORDINANCE (#2022-5) REGARDING CHAPTER 34, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES: First reading was held of AN ORDINANCE (#2022-5) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 34, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ORDINANCE (#2022-6) REGARDING CHAPTER 40, UTILITIES: First reading was held of AN ORDINANCE (#2022-6) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 40, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ELECT A MAYOR PRO TEM: Rusty Adams nominated Michael Chumbley to serve again. Mr. Chumbley stated that he was happy to serve. Rusty Adams made a motion, seconded by Chris Hodges to elect Michael Chumbley to serve as the Mayor Pro Tem the next two (2) years for the City of Byron. Unanimous.

Mayor and Council Minutes
January 10, 2022
Page 6, cont'd.

COMMITTEE ON COMMITTEES: The Mayor Pro Tem Michael Chumbley opened the Committee on Committees and asked the question if all were satisfied with their current positions. Rusty Adams made a motion, seconded by Chris Hodges to keep the current committees with no changes. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by Chris Hodges to adjourn the meeting at 7:01 PM. Unanimous.

Telina Allred
Clerk of Council