

City of Byron  
Mayor and Council Minutes  
February 14, 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 Alan Dorsey were in attendance. Council Member Chris Hodges was absent. City employees that attended were City Clerk Telina Allred, City Administrator Tiffany Sandefur, Public Works Director Tiffany Bibb, Police Chief Wesley Cannon, Fire Chief Josh Riley, Lt. Bryan Hunter and Chief Court Clerk Dede Thibodeaux. City Attorney Brian Causey attended the meeting also. There were ten visitors at the meeting. Representatives from the Leader Tribune and Byron Buzz attended the meeting as well.

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 oath of office to Council Post 5 Alan Dorsey at his office on February 8, 2021 for the record as follows:

I, Alan C. Dorsey, 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, Alan C. Dorsey, 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,

Alan C. Dorsey

Sworn to and subscribed to before me this 8<sup>th</sup> day of February, 2022.

PROCLAMATION PRESENTATION: Mayor Chidester presented Major George Melvin Brown with a Proclamation from the City of Byron commemorating his 75<sup>th</sup> birthday and many lifelong accomplishments.

Mayor and Council Minutes  
February 14, 2022  
Page 2, cont'd.

AGENDA AMENDED: Mayor Chidester asked that the agenda be amended to add as item 21(a) surplus of a 1997 K-3500 Chevrolet Truck from the Fire Department, 21(b) COVID Policy amendment, and 21(c) authorize a traffic study for the intersection at Highway 49 and Cane River Storage Drive.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by James Richardson to approve the minutes of the Mayor and Council Meeting held on January 10, 2022. Unanimous.

REQUEST FOR DEANNEXATION: Motion made by Rusty Adams, seconded by Alan Dorsey to deny the request for deannexation of the property located at 1397 Walker Road. Unanimous.

REQUEST FOR VARIANCE: Motion made by Michael Chumbley, seconded by James Richardson to approve the variance request for the Maple Heights Subdivision to approve the variance of 5 feet off the sides and 15 feet off the front setback for homes 107-111 of Silver Maple Court and 201-208 of Sugar Maple Court. Unanimous.

SPECIAL EXCEPTION REQUEST: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the request for a special exception at the property located on Red Oak Road with the condition of the fence to remain at 15ft facing White Road, the east side of the fence facing Interstate 75 remain 11-15 ft with the slope of the land, and the south side of the fence be cut down to 11 ft and both sides finished out. Unanimous.

PLANNING & ZONING COMMISSION MINUTES: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the Planning & Zoning Commission meeting minutes held on December 16, 2021 and January 27, 2022. Unanimous.

SURPLUS OF VEHICLE: Motion made by Rusty Adams, seconded by James Richardson to approve the request by the Fire Department to surplus a 2007 Ford Crown Victoria. Unanimous.

RESOLUTION REGARDING THE JOINT COMPREHENSIVE PLAN: Greg Boike from the Middle Georgia Regional Commission spoke to the Mayor and Council regarding the Comp Plan Update with the City of Byron, City of Fort Valley and Peach County for years 2022-2026. Mr. Boike did say a wording change was agreed upon with the Peach County Board of Commissioners and the city will be forthcoming. Motion made by Michael Chumbley, seconded by Rusty Adams to approve the following Resolution authorizing the Mayor to execute the updated 2022-2026 Joint Comprehensive Plan. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

**ADOPTING THE JOINT COMPREHENSIVE PLAN UPDATE  
FOR  
PEACH COUNTY, THE CITY OF BYRON, AND THE CITY OF 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**, all portions of the Joint Comprehensive Plan Update for Peach County, the City of Byron, and the City of 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, the City of Byron, and the City of Fort Valley.

**Adopted this 14th day of February 2022.**

PERMANENT BMP MAINTENANCE AGREEMENT: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the Mayor to authorize a Permanent BMP Maintenance Agreement with 3B's, LLC regarding tax map 052 044 and contingent on the contract addition "as amended from time to time". Unanimous.

PERMANENT BMP MAINTENANCE AGREEMENT: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the Mayor to authorize a Permanent BMP Maintenance Agreement with Resh Nik, LLC regarding tax map 055D 115 and contingent on the contract addition "as amended from time to time". Unanimous.

RESOLUTION REGARDING GEFA 16-048 EXTENSION CONTRACT APPROVAL: Motion made by Alan Dorsey, seconded by James Richardson to approve the following Resolution authorizing the Mayor to sign a contract with RDJE, Inc on the GEFA 16-048 extension. 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 RDJE, INC; 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 RDJE, Inc. 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 14<sup>th</sup> OF FEBRUARY, 2022.**

AUDIT ENGAGEMENT LETTER: Motion made by Michael Chumbley, seconded by Rusty Adams to authorize the Mayor to sign an Audit Engagement Letter with Mauldin & Jenkins, Certified Public Accountants, to perform the 2021 Audit for the City of Byron. Unanimous.

RESOLUTION REGARDING MOU FOR FOOD SAFETY INSPECTIONS: Removed.

BANK ACCOUNT FOR THE STORMWATER UTILITY FUND: Motion made by Alan Dorsey, seconded by James Richardson to approve a new bank account to be opened regarding the Stormwater Utility Fund. Unanimous.

ORDINANCE (#2021-14) REGARDING CHAPTER 16, ENVIRONMENT: Second reading was held of AN ORDINANCE (#2021-14) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND /OR SUBSECTIONS OF CHAPTER 16, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES. Motion made by James Richardson, seconded by Rusty Adams to adopt Ordinance #2021-14. Unanimous.

ORDINANCE (#2022-2) REGARDING CHAPTER 26, PARKS AND RECREATION: First reading was held of AN ORDINANCE (#2022-2) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO REPEAL CHAPTER 26, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AN FOR OTHER PURPOSES. IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BYRON, GEORGIA, THAT THE CITY OF BYRON, GEORGIA, REPEALS CHAPTER 26, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, GEORGIA, BY REPEALING SAID CHAPTER, SECTIONS, AND/OR SUBSECTIONS.

ORDINANCE (#2022-3) REGARDING CHAPTER 38, TRAFFIC AND VEHICLES: Second 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. Motion made by James Richardson, seconded by Alan Dorsey to adopt Ordinance #2022-3. Unanimous.

ORDINANCE (#2022-4) REGARDING CHAPTER 32, SOLID WASTE AND OTHER PUBLIC PLACES: Second 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. Motion made by Alan Dorsey, seconded by Rusty Adams to adopt Ordinance #2022-4. Unanimous.

ORDINANCE (#2022-5) REGARDING CHAPTER 34, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES: Second 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. Motion made by Michael Chumbley, seconded by Rusty Adams to adopt Ordinance #2022-5. Unanimous.

ORDINANCE (#2022-6) REGARDING CHAPTER 40, UTILITIES: Second 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. Motion made by Alan Dorsey, seconded by Rusty Adams to adopt Ordinance #2022-6. Unanimous.

SURPLUS OF VEHICLE: Motion made by Michael Chumbley, seconded by Rusty Adams to surplus a 1997 K-3500 Chevrolet truck as requested by the Fire Department. Unanimous.

COVID POLICY AMENDMENT: Motion made by Alan Dorsey, seconded by Michael Chumbley to approve a COVID Policy amendment where the differentiation between vaccinated and unvaccinated employees will be removed as well as removing COVID pay for sick leave. Unanimous.

TRAFFIC STUDY: Motion made by James Richardson, seconded by Rusty Adams to authorize a traffic study to be done in the amount of \$14,000 at Highway 49 and Cane River Storage Drive to prepare for a future traffic light at that area. Unanimous.

CLOSED SESSION: At 6:28 PM, motion was made by Michael Chumbley, seconded by Alan Dorsey that the Mayor and Council go into closed session all allowed by O.C.G.A. 50-14-2 for the purpose of discussing land acquisition and disposition.

Mayor and Council Minutes  
February 14, 2022  
Page 6, cont'd.

**MOTION APPROVED**

Those voting in favor of the motion for closure: Council Members Michael Chumbley, Rusty Adams and Alan Dorsey. Those voting against the motion for closure: None.

Those attending the Closed Session were Mayor Michael Chidester, Council Members Rusty Adams, James Richardson, Michael Chumbley and Alan Dorsey. City Attorney Brian Causey attended the meeting as did City Clerk Telina Allred Tiffany Bibb and City Administrator Tiffany Sandefur.

OPEN SESSION: Motion was made by Michael Chumbley, seconded by Rusty Adams to return to open session at 6:53 PM. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by James Richardson to adjourn the meeting at 6:54 PM. Unanimous.

Telina Allred  
Clerk of Council