

City of Byron  
Mayor and Council Minutes  
February 13, 2023

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, Fire Chief Josh Riley, Captain Hunter, and Chief Wesley Cannon. City Attorney Brian Causey attended the meeting as week. There were two (2) visitors at the meeting. Representatives from the Leader Tribune and The Byron Buzz attended as well.

Mayor Michael Chidester called the meeting to order at 6:00pm, gave the invocation and led the audience in the Pledge of Allegiance.

ADD TO AGENDA: Mayor Chidester asked that the agenda be amended to add as item (12) executive session if needed, item 11(a) radio upgrades, item 11(b) De-annexation of Peavy Road, and 11(c) De-annexation of a portion of Houser's Mill Road from Fort Valley in order to annex into Byron.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by James Richardson to approve the minutes of the Mayor and Council Meetings held on January 9 and January 24, 2023. Unanimous.

CITIZEN TIME TO ADDRESS COUNCIL: No one to speak.

BOARD APPOINTMENTS: Motion made by James Richardson, seconded by Alan Dorsey to approve the appointment of Farrell Bass to replace April Hodges on the Planning & Zoning Board, term to expire September 13, 2024. Unanimous.

RESOLUTION CONCERNING AGREEMENT WITH THE BATTLE OF BYRON: Austin Simar asked that item C be removed from the contract regarding the road race as it may not happen. Motion made by Rusty Adams, seconded James Richardson to approve the following Resolution authorizing the Mayor to execute an Agreement with the Battle of Byron 2023, and having item C removed from the contract. Unanimous.

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN BATTLE OF BYRON, INC. AND THE CITY OF BYRON; 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 the Battle of Byron, 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 13th DAY OF FEBRUARY, 2023.**

RESOLUTION REGARDING CIVILITY IN THE CITY OF BYRON: Motion made by Michael Chumbley, seconded by Alan Dorsey to approve the following Resolution pledging to promote Civility in the City of Byron. Unanimous.

**WHEREAS**, the City Council of the City of Byron (the "Council"), the governing body of the City of Byron Georgia (the "Municipality"), recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

**WHEREAS**, the City Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

**WHEREAS**, the members of Byron Council as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

**WHEREAS**, City Council meetings are open to the public and thus how City officials execute their legal duties is on public display; and

**WHEREAS**, civility by City officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between City officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

**WHEREAS**, civility between City officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

**WHEREAS**, civility between City officials is possible if each member of the elected body remembers that they represent not only themselves, but the constituents of their district and city; and

**WHEREAS**, in order to publicly declare its commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the City Council has determined to adopt this resolution.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**SECTION ONE**

The City of Byron pledges to practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities.

**SECTION TWO**

The elected officials of the City Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of the City of Byron.

**SECTION THREE**

This pledge strives to ensure that all communication be open, honest, and transparent as this is vital for cultivating trust and relationships.

**SECTION FOUR**

This pledge strives to show courtesy by treating all colleagues, staff and members of the public in a professional and respectful manner whether in-person, online or in written communication, especially when we disagree.

**SECTION FIVE**

This pledge strives to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance and civility are imperative to success and demonstrates the Council's commitment to respect different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner.

**SECTION SIX**

This pledge demonstrates our commitment against violence and incivility in all their forms whenever and wherever they occur in all our meetings and interactions.

**SECTION SEVEN**

The City of Byron expects members of the public to be civil in its discussion of matters under consideration by and before the City Council with elected officials, staff, and each other.

**ADOPTED** this 13th day of February, 2023.

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 2022 Audit for the City of Byron. Unanimous.

ORDINANCE (#2023-1) REGARDING SCHEDULE OF FEES: Second reading AN ORDINANCE OF THE CITY OF BYRON, GEORGIA AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 1- GENERAL PROVISIONS BY ADDING A NEW SECTION 1.12 PROVIDING FOR ANNUAL INCREASES IN ALL MONTHLY RATES CHARGED BY THE CITY OF BYRON BASED ON CONSUMER PRICE INDEX (CPI) OR OTHER EFFECTIVE ECONOMIC INDICATORS; ALSO, BY AMENDING CHAPER 40-UTILITIES, ARTICLE 1-IN GENERAL, SEC. 40-8-WATER AND SEWER MONTHLY RATE SCHEDULES; ALSO BY AMENDING CHAPTER 40- UTILITES, ARTICLE VI. STORMWATER UTILITY, ADDING A SEC. 40-202; ALSO, AMENDING CHAPTER 32-SOLID WASTE BY ADDING A SEC. 32-19; AND FOR OTHER PURPOSES. Motion made by Michael Chumbley, seconded by Alan Dorsey to adopt Ordinance #2023-1. Unanimous.

ORDINANCE (#2023-2) REGARDING GMEBS DEFINED RETIREMENT BENEFIT PLAN: Moved to March agenda.

RESOLUTION REGARDING ADOPTION AGREEMENT FOR THE GENERAL ADDENDUM TO THE GMEBS DEFINED RETIREMENT BENEFIT PLAN: Moved to the March agenda.

RESOLUTION REGARDING AMENDMENT 4 TO THE RESTATED GMEBS RESTATED GMEBS DEFINED BENEFIT RETIREMENT PLAN: Motion made by Alan Dorsey, seconded by James Richardson to approve a Resolution regarding Amendment 4 to the Restated GMEBS Defined Retirement Plan adopted by the Board of Trustees of the Georgia Municipal Employees Benefit System. Unanimous.

PUBLIC SAFETY RADIO UPGRADES: Motion made by Alan Dorsey, seconded by Rusty Adams to approve the expenditure on the request for proposal regarding the radio upgrades. Unanimous.

DE-ANNEXATION OF A PORTION OF PEAVY ROAD: Motion made by Michael Chumbley, seconded by Alan Dorsey to approve the following Resolution authorizing the request to legislature to de-annex a portion of Peavy Road from the City of Byron. Unanimous.

**A RESOLUTION PURSUANT TO THE CHARTER AND CODE OF BYRON, AUTHORIZING THE CITY OF BYRON, THROUGH ITS MAYOR, TO FORMALLY AND JOINTLY REQUEST THE PEACH COUNTY LEGISLATIVE DELEGATION TO OFFER AND WORK TO SECURE PASSAGE OF LOCAL LEGISLATION TO ANNEX CERTAIN ROADBEDS**

**INTO THE CITY OF BYRON AND TO DEANNEX CERTAIN ROADBEDS  
OUT THE CITY OF BYRON; AND FOR OTHER PURPOSES.**

**WHEREAS**, The City of Byron is a party to a March 20, 2007 “Agreement Establishing Annexation Line and Service Delivery Provisions” with the City of Fort Valley as a counterparty, a copy of which is attached hereto as Exhibit 1; and

**WHEREAS**, the above agreement grants, among other things, the City of Byron the exclusive right to annex property north of the annexation line established therein; and

**WHEREAS**, a portion of Housers Mill Road lies north of the annexation lien; and

**WHEREAS**, the City of Byron is desirous of annexing said portion of Housers Mill Road which is more fully described below; and

**WHEREAS**, The City of Byron is a party to a May 8, 2017 “Intergovernmental Agreement By And Between The City Of Byron, Georgia And The City Of Warner Robins, Georgia,” with the City of Warner Robins, Georgia as a counterparty, a copy of which is attached hereto as Exhibit 2; and

**WHEREAS**, the above agreement replaces that certain agreement dated December 20, 1996 “Memorandum of Agreement,” between the same parties; and

**WHEREAS**, a portion of Peavy Road which currently lies within the corporate limits of the City of Byron, Georgia, but is serviced by the City of Warner Robins, Georgia; and

**WHEREAS**, the City of Byron is desirous of de-annexing a certain portion of Peavy Road which is more fully described below; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council and Mayor of the City of Byron, Georgia, that:

The City of Byron, through its Mayor Michael Chidester, is authorized to take all actions deemed necessary to formally and jointly request the Peach County Legislative Delegation to offer and work to secure passage of local legislation to annex certain roadbeds into the City of Byron and to de-annex certain roadbeds out the City of Byron, to wit:

**For annexation:** All that portion of Housers Mill Road including the roadbed and rights of way located in Land Lots 15, 16, 37, 41 (and possibly a small portion of Land Lot 36) of the Fifth Land District of Peach County, Georgia, and commencing at the southwest corner of lands owned by the City of Fort Valley, designated as Peach County Map and Parcel ID 052 039 (“the water tower property”), running in a northerly direction along Housers Mill Road to its terminus and/or intersection with the southeastern boundary of Georgia Highway 247 Connector.

**For de-annexation:** All that portion of Peavy Road including the roadbed and rights of way located in Land Lots 35 and 36 of the Fifth Land District of Peach County, Georgia, and the rights of way commencing at the southwest corner of lands currently owned by Gottwalls Properties, LLC, and designated as Peach County Map and Parcel ID 053D 074, running in a southerly direction to its terminus and/or intersection with Georgia Highway 247 Connector.

ADOPTED this 13th day of February, 2023.

ANNEXATION OF A PORTION OF HOUSER’S MILL ROAD: Motion made by Rusty Adams, seconded by Alan Dorsey to authorize Mayor Chidester to request de-annexation of a portion of Houser’s Mill Road so that the City of Byron can request to annex it through legislation. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by Rusty Adams to adjourn the meeting at 6:14PM. Unanimous.

Telina Allred  
Clerk of Council