

City of Byron
Mayor and Council Minutes
March 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, Deputy Clerk Pam Flourney, Public Works Director Tiffany Bibb, Chief Court Dede Thibodeaux, Fire Chief Josh Riley, Captain Hunter, and Chief Wesley Cannon. City Attorney Brian Causey attended the meeting as well. There were three (3) visitors at the meeting. Representatives from the Leader Tribune and The Byron Buzz attended as did Cherie Giles as an independent journalist.

Mayor Michael Chidester called the meeting to order at 6:00pm, asked James Richardson to give 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 (20) consideration for a Rural Land and Water Conservation Fund Grant.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by Alan Dorsey to approve the minutes of the Mayor and Council Meeting held on February 13, 2023. Unanimous.

REZONING REQUEST: At 6:03PM, a Public Hearing was held regarding the rezoning request for property located at 1695 Walker Road. Those speaking in favor of the rezoning: None. Those to speak against: None. The Public Hearing closed at 6:06. Alan Dorsey made a motion, seconded by Rusty Adams to approve the rezoning request. Unanimous.

ENTRANCE/EXIT OF CONVENIENCE STORE: Item removed.

APPROVAL OF PLANNING & ZONING MINUTES: Motion made by Michael Chumbley, seconded by James Richardson to approve the minutes of the Planning & Zoning Commission Meeting held on February 23, 2023. Unanimous.

CITIZEN TIME TO ADDRESS COUNCIL: No one to speak. Two speakers were on the agenda but didn't show up.

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RESOLUTION REGARDING AMENDED JOB DESCRIPTION: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the following Resolution to adopt an amended job description for the position of Deputy City Clerk. Unanimous.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO APPROVE THE CITY OF BYRON AMENDED JOB DESCRIPTIONS FOR THE CITY CLERK DEPARTMENT; AND FOR OTHER PURPOSES.

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia to approve the City of Byron Amended Job Description for the Deputy City Clerk in the City Clerk Department as set out in the 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 THIS 13th DAY OF MARCH, 2023.

FINANCIAL INSTITUTION CHANGE: Motion made by Michael Chumbley, seconded by James Richardson to table the item to a called meeting. Unanimous.

ORDINANCE (#2023-2) REGARDING GMEBS DEFINED RETIREMENT BENEFIT PLAN: First reading was held of AN ORDINANCE (#2023-2) AS AN AMENDMENT TO REQUIRE PARTICIPATION IN THE PLAN BY ELECTED OR APPOINTED MEMBERS OF THE GOVERNING AUTHORITY WHO HOLD SUCH OFFICE ON OR AFTER APRIL 11, 2023; TO PROVIDE FOR NORMAL RETIREMENT AGE AT 65 WITH NINE (9) YEARS OF TOTAL CREDITED SERVICE FOR ELECTED OR APPOINTED MEMBERS OF THE GOVERNING AUTHORITY; ESTABLISH NORMAL RETIREMENT BENEFITS IN THE AMOUNT OF \$60.00 PER YEAR OF CREDITED SERVICE AS MAYOR AND \$40.00 PER YEAR OF CREDITED SERVICE AS A COUNCIL MEMBER; AND ESTABLISH A NINE (9) YEAR CLIFF VESTING REQUIREMENT FOR ELECTED OR APPOINTED MEMBERS OF THE GOVERNING AUTHORITY; AND FOR OTHER PURPOSES.

RESOLUTION REGARDING ADOPTION AGREEMENT FOR THE GENERAL ADDENDUM TO THE GMEBS DEFINED RETIREMENT BENEFIT PLAN: Motion made by Rusty Adams, seconded by Alan Dorsey to approve the following Resolution authorizing the Mayor to execute the Adoption Agreement for the General Addendum to the Georgia Municipal Employee Benefit System Defined Retirement Benefit Plan. Unanimous.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE A GENERAL ADDENDUM TO THE GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM DEFINED BENEFIT RETIREMENT PLAN ADOPTION AGREEMENT

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 General Addendum to the GMEBS Defined Benefit Retirement Plan Adoption Agreement 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 March, 2023.

RESOLUTION REGARDING AN INTERGOVERNMENTAL AGREEMENT FOR THE 2023

GENERAL ELECTION: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the following Resolution authorizing the Mayor to execute an Intergovernmental Agreement with the Peach County Board of Commissioners and the Peach County Board of Elections for the conduct of the City's 2023 General Election. Unanimous.

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, PEACH COUNTY BOARD OF COMMISSSIONERS AND PEACH COUNTY BOARD OF ELECTIONS; 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 Peach County Board of Commissioners and Peach County Board of Elections 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 MARCH, 2023.

BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT: Motion made by James Richardson, seconded by Rusty Adams to approve a 25% match for a Building Resilient Infrastructure and Communities Grant and to also approve submitting the application. Unanimous.

FOURTH MODIFICATION FOR GEFA LOAN CW2016048: Motion made by Alan Dorsey, seconded by Michael Chumbley to approve the following Resolution authorizing the Fourth Modification of Promissory Note and Loan Agreement for the Georgia Environmental Finance Authority (GEFA) Loan CW2016048 and to authorize the Mayor to sign any and all documents. Unanimous.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE A FOURTH MODIFICATION TO THE GEORGIA ENVIRONMENTAL FINANCE AUTHORITY LOAN CW2016048; 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 Fourth Modification to the Georgia Environmental Finance Authority Loan CW2016048 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 13th OF MARCH, 2023.

ORDINANCE (#2023-3) REGARDING APPENDIX A, PART IV, ARTICLE III, PACKAGE LIQUOR STORES: First reading was held of AN ORDINANCE (#2023-3) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO AMEND APPENDIX A- LAND DEVELOPMENT, ZONING ORDINANCE AND SUBDIVISION REGULATIONS, PART IV, ARTICLE III, SECTION 7-C-2 DISTRICT: DOWNTOWN BUSINESS DISTRICT, AND SECTION 6- C-1 DISTRICT: GENERAL COMMERCIAL AREA (HIGHWAY SERVICE), OF THE CODE OF ORDINANCES OF THE CITY OF BYRON CONCERNING ZONING, PACKAGE LIQUOR STORES, AND AMENDING,

INSERTING, DELETING, MODIFYING, AND/OR ASSERTING IN THEIR PLACE THE FOLLOWING PROVISIONS, AND FOR OTHER PURPOSES.

MUNICIPAL COMPLEX PAINTING: Motion made by Alan Dorsey, seconded by Rusty Adams to ratify the job estimate by Kevin Epps Painting Company for the painting of the Byron Municipal Complex. Unanimous.

RESOLUTION REGARDING AGREEMENT WITH BUREAU VERITAS NORTH AMERICA: Motion made by Alan Dorsey, seconded by Michael Chumbley to approve the following Resolution authorizing the Mayor to execute an Agreement with Bureau Veritas North America for standard professional services. Unanimous.

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 BUREAU VERITAS NORTH AMERICA 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 Bureau Veritas North America 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 13th OF MARCH, 2023.

RESOLUTION CONCERNING AGREEMENT WITH THE GEORGIA PEACH FESTIVAL: Motion made by Michael Chumbley, seconded James Richardson to approve the following Resolution authorizing the Mayor to execute an Agreement with the Georgia Peach Festival FY2023 contingent on the festival providing their FY2023 Budget. Unanimous.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN GEORGIA PEACH FESTIVAL, 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 Georgia Peach Festival, 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 MARCH, 2023.**

SCHEDULE OF FEES: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the amended Schedule of Fees. Unanimous.

SCRAP TIRE AMNESTY EVENT: Motion made by Rusty Adams, seconded by James Richardson to approve the Local Government Scrap Tire Abatement Reimbursement Program Agreement. Unanimous.

TSPLOST PAVING PROJECT: Motion made by Alan Dorsey, seconded by Michael Chumbley to approve the low bidder for the TSPLOST Paving Project and authorize the Mayor to sign any and all contracts relating to the project. Unanimous.

LAND AND WATER CONSERVATION GRANT: Motion made by Alan Dorsey, seconded by Michael Chumbley to explore and put into a skeletal form plans regarding a Skate Park Grant. Unanimous.

CLOSED SESSION: At 6:40 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 litigation.

MOTION APPROVED

Those voting in favor of the motion for closure: Council Members Michael Chumbley, James Richardson, 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, Deputy Clerk Pam Flournoy, Captain Hunter, Police Chief Wesley Cannon and City Administrator Tiffany Sandefur.

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OPEN SESSION: Motion was made by Michael Chumbley, seconded by Chris Hodges to return to open session at 6:52 PM. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by Alan Dorsey to adjourn the meeting at 6:52PM. Unanimous.

Telina Allred
Clerk of Council