

City of Byron
Mayor and Council Minutes
February 10, 2025

The City of Byron Mayor and Council met in regular session in the Council Chambers of the Municipal Complex. Mayor Michael Chidester and Council Members James Richardson, Rusty Adams, Michael Chumbley, Chris Hodges, and Alan Dorsey were in attendance. City employees that attended were City Administrator Tiffany Sandefur, Assistant to City Administrator Melanie Bickford, City Clerk Telina Allred, Deputy City Clerk Elissa Lee, Director of Public Works Tiffany Bibb, Captain Bryan Hunter, Fire Chief Josh Riley, Police Chief Wesley Cannon. City Attorney Brian Causey attended the meeting, and two (2) visitors were present. A representative from the Leader Tribune was also in attendance.

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.

AGENDA AMENDED: Mayor Chidester asked that the agenda be amended to add as item (16) First reading of Ordinance (#2025-4) regarding annexation of property located at 2251 Boy Scout Road, tax/map parcel 056 174 and to add as item (17) to consider approving the matching funds for a GDOT Transportation Alternatives Program.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the minutes of the Mayor and Council Meeting held on January 13, January 21, and January 29, 2025. Unanimous.

PUBLIC HEARING REGARDING LAND DEVELOPMENT: A public hearing was called at 6:04 pm to consider amendments to Appendix A- Land development, zoning ordinance, and subdivision regulations of the Municipal Code of Byron, Georgia, including but not limited to, amending, repealing, and replacing Part V- Subdivision Regulations, Article II, Section 1- Design standards of the Municipal Code of Byron, Georgia, and subparts thereof. Those who spoke in favor; none. Those who spoke against; none. The public hearing closed at 6:06 pm.

ORDINANCE (#2025-1) REGARDING LAND DEVELOPMENT AMENDMENTS: First reading of AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO AMEND APPENDIX A-LAND DEVELOPMENT, ZONING ORDINANCE, AND SUBDIVISION REGULATIONS OF THE MUNINIPAL CODE OF BYRON, GEORGIA, INCLUDING BUT NOT LIMITED TO, AMENDING, REPEALING, AND REPLACING PART V- SUBDIVISION REGULATIONS, ARTICLE

II, SECTION 1- DESIGN STANDARDS OF THE MUNICIPAL CODE OF BYRON, GEORGIA, AND SUBPARTS THEREOF.

ANNEXATION REQUEST: Motion made by Chris Hodges, seconded by Alan Dorsey to approve the application to annex property per request of Land Holding LLC located at 2251 Boy Scout Road, map/parcel 056 017. Unanimous.

REZONING REQUEST: The public hearing opened at 6:09 pm for those to speak regarding the rezoning request. Those who spoke in favor; none. Those who spoke against; none. The public hearing closed at 6:11 pm. Motion made by Michael Chumbley, seconded by Chris Hodges to approve the rezoning of property located at 2251 Boy Scout Road, map/parcel 056 017, from County R-AG to City I-1. Unanimous.

PLANNING & ZONING COMMISSION MINUTES: Motion made by Michael Chumbley, seconded by Alan Dorsey to approve minutes of the Planning and Zoning Commission meeting held on January 23, 2025. Unanimous.

CITIZEN TIME TO ADDRESS COUNCIL: Citizen Avlynn Marie Flye of Troop 919 presented an invitation for The Eagle Court of Honor to the council and City employees.

RESOLUTION TO EXTEND A MORATORIUM ON GAS STATIONS: Motion made by Chris Hodges, seconded by Michael Chumbley to approve the following Resolution to extend the moratorium through and including June 30, 2025. Unanimous.

A RESOLUTION PURSUANT TO THE CHARTER AND CODE OF BYRON, ESTABLISHING A TEMPORARY MORATORIUM ON THE APPLICATIONS, ZONING, PERMITTING, DEVELOPMENT, CONSTRUCTION, AND LAND USE AND ALL ZONES FOR HOTELS, MOTELS, AND OTHER SIMILAR ESTABLISHMENTS, WITHIN THE TERRITORIAL LIMITS OF THE CITY OF BYRON UNTIL JULY 31, 2025; AND FOR OTHER PURPOSES.

WHEREAS, The City of Byron, a municipality in Peach County, State of Georgia, is lawfully empowered to regulate zoning, construction, development, permitting, and land use standards within its jurisdiction; and

WHEREAS, the City of Byron is lawfully empowered to regulate businesses and establishing ordinances, resolutions, and regulations concerning businesses including hotels and other similar establishments as hotels are defined in Chapter 36- Taxation, Article IV. Hotel/Motel Tax, Section 36-131, as amended from time to time, which is incorporated herein by reference thereto; and

WHEREAS, since 1994 and, more recently according to the 2020 Census data, the City of Byron has experienced significant population growth which has in turn created significant development, particularly commercial development, which growth creates and presents situations and issues for the City, its citizens, and businesses, which may be better addressed by the Ordinances and land Use regulations when reviewed, amended, and revised, from time to time; and

WHEREAS, the City of Byron considers its ability and duty to regulate land use, permitting, development, construction, and similar matters as valid, substantial, important, and necessary purposes which justify review, regulation, revision, from time to time; and

WHEREAS, the Mayor and City Council and its departments and commissions and agents are actively in the process of reviewing those portions of the City code, including the Appendix A- Land Development, Zoning Ordinance and Subdivision Regulations and Businesses and Business Regulations, which relate to zoning, construction, development, permitting, and land use standards within jurisdiction to ensure that such regulations are properly drawn to both protect the interest of the community as a whole, as well as protect the vested and individual rights of Byron citizens and business; and

WHEREAS, a review of the current code and land use regulations is being undertaken promptly but with all deliberate speed, and is estimated to require at least six months, until July 31, 2025 to complete; and

WHEREAS, during the period of review, proposal, consideration, hearings, notices, amendments, and adoption of any changes to the Code, the City of Byron desires to maintain the status quo and provide consistent regulations going forward; and

WHEREAS, it has become clear during the Council's review the current Ordinances and Land Use Regulations Appendix A- Land Development, Zoning Ordinance And Subdivision Regulation that said ordinances and business regulations are and will be implicated, should be researched, studied, updated, and amended; and

WHEREAS, in order to have the time necessary to review and revise the City's ordinances, land use regulations, zoning districts for all purposes, the Mayor and Council desire to enact this temporary moratorium to maintain and protect, the status quo and allow the governing authority to take those steps necessary, including public comments and hearing, in developing regulations for purposes stated herein; and

WHEREAS, the Mayor and Council define the institution of such reasonable, temporary moratorium to be substantially related to the public health, safety, morals, and general welfare of the City and its citizens and its businesses, and further funds that the action taken herein is in the interest of the public, generally, as distinguished from those of a particular class, and further that said action is necessary to accomplish the purposes outlines herein and will not be unduly burdensome or oppressive upon citizens and businesses; and

WHEREAS, this temporary moratorium is adopted pursuant to the police powers of the governing body of the City of Byron for the purposes of protecting the public interest and in order to avoid issues relating to the proper designations of zoning and regulation of land uses and permitting, and the moratorium is narrowly tailored to meet such purposes, and the moratorium is established for the shortest reasonably possible duration so that the purpose of the moratorium can be met in a reasonable time; and

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

The City formally establishes and imposes a temporary moratorium, on applications, zoning, rezoning, development, construction, permitting, land use⁴, and related matters in all zones for hotels, motels, and similar establishments as defined in the City Code, within the territorial limits of the City of Byron Such moratorium shall be in effect for six months until July 31, 2025, or until such time as the City revokes or rescinds said moratorium by Resolution, whichever occurs first.

During this moratorium, that status quo shall be preserved, The Various departments, commissions, agents, employees, and staff of the City of Byron will not accept, review, approve, or grant new applications for zoning, rezoning, development, construction, permits, land uses, and related matters in all zones for hotels, motels, and similar establishments as defined in the City Code, within the territorial limits of the City of Byron.

During this moratorium, the Mayor and City Council, along with its various departments, commissions, agents, employees, and staff of the City of Byron shall seek to review, research, study, amend, edit, and revise the City's ordinances, land use regulations, zoning regulations in tall zones for hotels, motels, and similar establishments, within the territorial limits of the City of Byron.

This moratorium shall not be applicable to any current land uses for which a permit has been issued by the appropriate City of Byron department prior to the effective date hereof.

This moratorium is effective as of the date and time of its adoption as set out below.

AND, BE IT FURTHER RESOLVED by the City Council and Mayor of the City of Byron, Georgia, all Resolutions or parts of Resolutions in conflict herewith are rescinded until such time this moratorium terminates.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 10TH DAY OF February, 2025.

ORDINANCE (#2025-2) REGARDING NUMBER OF GAS STATIONS: First reading of AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO AMEND CHAPTER 10 – BUSINESSES AND BUSINESS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON TO ADD A NEW ARTICLE RELATING TO GAS STATIONS, TRAVEL CENTERS, AND CONVENIENCE STORES, WITHIN THE TERRITORIAL LIMITS OF THE CITY OF BYRON BY ADDING AND/OR ASSERTING A NEW ARTICLE, NEW DIVISIONS, AND NEW SECTIONS, AND FOR OTHER PURPOSES.

ORDINANCE (#2025-3) REGARDING ANNEXATION OF MAP/PARCEL 052A 081: First reading of AN ORDINANCE PURSUANT TO THE CHARTER AND CODE OF BYRON, GEORGIA, AND THE OFFICIAL CODE OF GEORGIA ANNOTATED, AUTHORIZING THE CITY OF BYRON TO ANNEX A PARCEL OF PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF BYRON; AND FOR OTHER PURPOSES.

AUDIT ENGAGEMENT LETTER: Motion made by Chris Hodges, seconded by Alan Dorsey authorizing the Mayor to sign an Audit Engagement Letter with Mauldin & Jenkins, Certified Public Accountants, to perform the 2024 Audit for the City of Byron. Unanimous.

BANK ACCOUNT FOR SYSTEM DEVELOPMENT CHARGES: Motion made by Michael Chumbley, seconded by James Richardson to approve opening a new bank account regarding System Development Charges. Unanimous.

BANK ACCOUNT FOR FIRE FEES: Motion made by Chris Hodges, seconded by Rusty Adams to approve opening a new bank account regarding Fire Fees. Unanimous.

RESOLUTION REGARDING PERSONNEL POLICIES EMERGENCY ACTION PLAN: Motion made by Chris Hodges, seconded by Rusty Adams to approve the following Resolution to enact an Emergency Action Plan for the City of Byron. Unanimous.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO APPROVE THE ADDITION OF A PERSONNEL POLICY CONCERNING AN EMERGENCY ACTION PLAN FOR 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 City of Byron hereby adopts the following Personnel Policy:

Policy No. 10.1 Emergency Action Plan

A copy of said Policy is attached hereto as Exhibit "A", and by this reference made a part of this Resolution. This policy shall be effective on February 11, 2025. All policies or parts of policies in conflict herewith are hereby repealed.

BE IT FURTHER RESOLVED that this 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 February, 2025.

RESOLUTION REGARDING MORATORIUM ON NUMBER OF HOTELS:

Motion made by Chris Hodges, seconded by Alan Dorsey to approve the following Resolution for a moratorium regarding the number of Hotels in the City of Byron. Unanimous.

A RESOLUTION PURSUANT TO THE CHARTER AND CODE OF BYRON, EXTENDING THE TEMPORARY MORATORIUM ON THE APPLICATIONS, ZONING, PERMITTING, DEVELOPMENT, CONSTRUCTION, AND LAND USE IN ALL ZONES FOR GAS STATIONS, TRAVEL CENTERS, AND CONVENIENCE STORES, WITHIN THE TERRITORIAL LIMITS OF THE CITY OF BYRON UNTIL JUNE 30, 2025; AND FOR OTHER PURPOSES.

WHEREAS, The City of Byron, a municipality in Peach County, State of Georgia, is lawfully empowered to regulate zoning, construction, development, permitting, and land use standards within its jurisdiction; and

WHEREAS, the City of Byron passed a resolution on August 12, 2024, which established a temporary moratorium on the applications, zoning, permitting, development, construction, and land use in all zones for gas stations, travel centers, and convenience stores within the territorial limits of the City of Byron; and

WHEREAS, the temporary moratorium is set to expire on February 12, 2025; and

WHEREAS, the Mayor and City Council and its departments and commissions and agents are actively in the process of reviewing those portions of the City Code, including the Appendix A - Land Development, Zoning Ordinance And Subdivision Regulations and Businesses and Business Regulations, which relate to zoning, construction, development, permitting, and land use standards within its jurisdiction to ensure that such regulations are properly drawn to both protect the interest of the community as a whole, as well as protect the vested and individual rights of Byron citizens and businesses; and

WHEREAS, a review of the code and land use regulations is ongoing and continuing, but is estimated to require at least an additional four months until June 30, 2025, to complete; and

WHEREAS, during the period of review, proposal, consideration, hearings, notices, amendments, and adoption of any changes to the Code, the City of Byron desires to maintain the status quo and provide consistent regulations going forward; and

WHEREAS, it has become clear during the Council's review the current Ordinances and Land Use Regulations Appendix A - Land Development, Zoning Ordinance And Subdivision Regulation that said ordinances and business regulations are and will be implicated, should be researched, studied, updated, and amended; and

WHEREAS, in order to have the time necessary to review and revise the City's ordinances, land use regulations, zoning districts for all purposes, the Mayor and Council desire to enact this temporary moratorium to maintain and protect the status quo and allow the governing authority to take those steps necessary, including public comments and hearings, in developing regulations for purposes stated herein; and

WHEREAS, the Mayor and Council define the institution of such a reasonable, temporary moratorium to be substantially related to the public health, safety, morals, and general welfare of the City and its citizens and its businesses, and further funds that the action taken herein is in the interest of the public, generally, as distinguished from those of a particular class, and further that said action is necessary to accomplish the purposes outlined herein and will not be unduly burdensome or oppressive upon citizens and businesses; and

WHEREAS, this temporary moratorium is adopted pursuant to the police powers of the governing body of the City of Byron for the purposes of protecting the public interest and in order to avoid issues relating to the proper designations of zoning and regulation of land uses and permitting, and the moratorium is narrowly tailored to meet such purposes, and the moratorium is established for the shortest reasonably possible duration so that the purpose of the moratorium can be met in a reasonable time; and

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

The City formally extends the temporary moratorium now in effect on applications, zoning, rezoning, development, construction, permitting, land use, and related matters in all zones for gas stations, travel centers, and convenience stores, within the territorial limits of the City of Byron. Such extended moratorium shall be in effect for at least an additional four months until June 30, 2025, or until such time as the City revokes or rescinds said moratorium by Resolution, whichever occurs first.

During this moratorium, the status quo shall be preserved. The various departments, commissions, agents, employees, and staff of the City of Byron will not accept, review, approve, or grant new applications for zoning, rezoning, development, construction, permits, land uses, and related matters in all zones for gas stations, travel centers, and convenience stores, within the territorial limits of the City of Byron.

During this moratorium, the Mayor and City Council, along with its various departments, commissions, agents, employees, and staff of the City of Byron shall seek to review, research, study, amend, edit, and revise the City's ordinances, land use regulations, zoning regulations in all zones for gas stations, travel centers, and convenience stores, within the territorial limits of the City of Byron.

This moratorium shall not be applicable to any current land uses for which a permit has been issued by the appropriate City of Byron department prior to the effective date hereof.

This moratorium is effective as of the date and time of its adoption as set out below.

AND, BE IT FURTHER RESOLVED by the City Council and Mayor of the City of Byron, Georgia, that all Resolutions or parts of Resolutions in conflict herewith are rescinded until such time as this moratorium terminates.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 10th DAY OF FEBRUARY, 2025.

ORDINANCE (#2025-4): REGARDING ANNEXATION OF MAP/PARCEL 056 017: First reading of AN ORDINANCE PURSUANT TO THE CHARTER AND CODE OF BYRON, GEORGIA, AND THE OFFICIAL CODE OF GEORGIA ANNOTATED, AUTHORIZING THE CITY OF BYRON TO ANNEX A PARCEL OF PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF BYRON; AND FOR FURTHER PURPOSES.

GDOT GRANT FOR PEDESTRIAN SAFETY: Motion made by Michael Chumbley, seconded by Alan Dorsey to authorize City Administrator, Tiffany Sandefur to pursue two grant options

for sidewalks in the City of Byron. One application for Main Street to the Peach Shops, with a three hundred- and fifty-thousand-dollar (\$350,000) match and the other from Main Street to Freshway with a one hundred- and forty-thousand-dollar (\$140,000) match. Unanimous.

CLOSED SESSION: At 6:23 pm, motion was made by Michael Chumbley, seconded by James Richardson 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.

MOTION APPROVED

Those voting in favor of the motion for closure: Council Members Michael Chumbley, James Richardson, Rusty Adams, Chris Hodges 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, Alan Dorsey and Chris Hodges. City employees that attended the meeting were City Clerk Telina Allred, Deputy City Clerk Elissa Lee, Public Works director Tiffany Bibb, City Administrator Tiffany Sandefur, Assistant to the City Administrator Melanie Bickford and City Attorney Brian Causey.

OPEN SESSION: Motion made by Chris Hodges, seconded by Michael Chumbley to return to open session at 6:35pm. Unanimous.

ADJOURNMENT: Motion made by Michael Chumbley, seconded by Chris Hodges to adjourn the meeting at 6:35 pm.

Elissa Lee
Deputy City Clerk