

**City of Bowdon
Public Hearing and
Mayor and Council Meeting
Monday, October 9, 2023
7:00PM
Mayor and Council Chambers, 182 Grammar School Road**

I.- VI. Agenda Items:

The Mayor and City Council met for a called meeting and Public Hearing on Monday, October 9th, 2023. The meeting was called to order by Mayor Jim Chaffin at 7:00PM. The invocation was led by Mayor Pro-tem Jan Johnson and was followed with the Pledge of Allegiance.

Members present: Mayor Jim Chaffin
Mayor Pro-tem Jan Johnson
Councilmember Marty Johnson

Absent: Councilmember Wes McEntyre
Councilmember Randy Saxon

Staff present: City Manager Gary Bullock
City Attorney Kevin Drummond
Police Chief Mark Brock
City Clerk Susan Pierce

The minutes from September 11 and September 18, 2023 were approved with no objections. The agenda was approved with no objections.

Public Hearing

- A. Family Dollar Alcohol License Application – Ms. Pierce confirmed that the application was complete, and the background check and fingerprinting had been completed. There were no questions or comments.
- B. Zoning Change request for 249 Eason Street – Mr. Bullock stated that this is a proposed subdivision. The Planning Commission has already met and recommended approval of the zoning change from Industrial to Residential R-2. There were no questions or comments.
- C. Request for Allowance for Conditional Use for 325 Kent Rd. – Mr. Bullock noted that this is also a recommendation from the Planning Commission. The company, Eagle Environmental, cuts wire and cable from wooden reels and sends the reels for repurposing and the cable and wire to an approved landfill. There are stipulations to the recommendation for approval, as follows:

Eagle Demolition and Environmental

The Bowdon Planning Commission recommends that Eagle Demolition and Environmental be granted a Conditional Use on Land Parcel # B04 0250015 for the purpose of dismantling/cutting wire from spools for disposal at a certified landfill and sending the spools to companies for re-purposing based on the following conditions:

- 1. All operations must be conducted within the confines of an adequate enclosed building structure;**
- 2. Outside storage will be limited to vehicles/equipment in operating condition;**

3. The entire Parcel is to be fenced according to Bowdon's Code of Ordinances, Chapter 8, Article III, or any additional requirements which may be imposed by Bowdon's Code Enforcement Officer;
4. Eagle Demolition and Environmental will adhere to all applicable city, state, and federal ordinances, regulations, and laws;
5. Access to all operations will be granted at any time to local Code Enforcement Officer without prior notification.

Furthermore, if Eagle Demolition and Environmental or their representatives fail to comply with any of the before mentioned conditions the company may be subject to a Cease-and-Desist Order and/or appropriate fines.

Mayor Chaffin asked if Mr. Hill (owner) was aware of the stipulations. Gary verified that Mr. Hill was aware and had agreed to the stipulations. Mayor Pro-tem Jan Johnson asked about the fencing, and expressed concern over the setbacks, since they had been parking tractor trailers on the edge of the property close to the road where the elementary school buses line up. Mr. Bullock said that would be part of the ordinances that they would have to comply with. They must fence the whole property.

- D. Ordinance Update to redefine convenience stores and convenience goods – Mr. Bullock said this was discussed at the Planning Commission meeting as well. The commission recommended approval of the updated definitions as follows:

Convenience Goods means basic food, snacks, beverages, and supplies.

Convenience Store means any business that is primarily engaged in the retail sale of convenience goods, gasoline/petroleum products, and has less than four thousand (4,000) square feet of retail floor space. There can be no more than two convenience stores located within any area having a radius of 500 yards from the nearest property line of another convenience store or similar business, not including supermarkets and drug stores.

- E. (Moved to business session)

VII. Public Comments

None.

VIII. Business Session

- A. Family Dollar – Alcohol license – decision.

Motion by Councilmember Marty Johnson to approve the alcohol license application from Family Dollar as presented; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

- B. Zoning Change Request – 249 Eason Street – decision. Mayor Pro-tem Jan Johnson asked for clarity on the number of houses planned for the subdivision. Mr. Bullock said they are proposing 16 lots.

Motion by Councilmember Marty Johnson to approve the zoning change request for 240 Eason Street from M-Industrial to R2-Residential as presented; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

- C. Request for Conditional Use – 325 Kent Rd. – decision. Mr. Bullock called Mr. Chauncey Hill at the recommendation from City Attorney Kevin Drummond so that we would have him on the record agreeing to the stipulations included in the approval. Mr. Hill verified by phone that he was in agreement and would abide by the stipulations.

Mr. Bullock informed the council that he had consulted with the county code enforcement office as well on the stipulations to get their opinion. The county agreed that the stipulations seemed to cover all the necessary requirements.

Ms. Johnson asked about the court case; Mr. Bullock said this was part of the conditions in the case since the conditional use with the stipulations covers the city's concerns.

Mayor Chaffin asked about mud in the road at the site. Mr. Bullock said we had made them wash the road down, and now we are requiring them to pave the driveway in and out of the property. Bobby Elliott reviewed the site plan and told the council that they would have to have, and erosion and sediment control plan approved by the State that the City will enforce. If he has more mud going into the road the city can shut him down until he corrects the issue. Mr. Drummond said the city could cite him on any violations of the ordinance and stipulations.

Motion by Councilmember Marty Johnson to approve the request for conditional use with the stipulations attached for 325 Kent Road as presented; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

D. Ordinance Update – Convenience stores – decision.

Motion by Councilmember Marty Johnson to approve the ordinance update for convenience stores as presented; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

E. Employee Health Insurance renewal – Mr. Bullock recommended that council approve the health insurance renewal with GMA. The renewal premium has increased 19.96%, which is an additional annual cost of \$78,158. The increase was due in part to the lack of carriers in the market which limited the brokers' ability to negotiate rates.

Motion by Councilmember Marty Johnson to approve the employee health insurance renewal with GMA as presented; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

F. Extend Recreation Drainage Contract with Integrated Construction & Nobility – Mr. Bullock asked if the city could extend the Recreation Drainage contract with Integrated Construction & Nobility to include additional deteriorated culvert pipe at the west end of Barr Industrial Ave. The cost is estimated at \$22,923.30. This project will be funded using LMIG and SPLOST funds.

Motion by Mayor Pro-tem Jan Johnson to approve extending the contract with Integrated Construction & Nobility to include the culvert pipe at the west end of Barr Industrial Avenue as presented; second by Councilmember Marty Johnson; motion carried unanimously.

G. City Manager reports – Mr. Bullock said there were lots on West Avenue which were approved for single family homes.

He said that Robert Alley from Waffle House stopped in today; they hope to begin construction in June and be open by next October.

We are also working on updating some more of our ordinances.

The new police vehicle has been delivered and lettered; we are waiting for the equipment to be installed.

The Wastewater Treatment Plant is better. We are still replacing some valves and equipment. We have spent a little over \$200,000 since 2022.

H. Department Reports – no comments

IX. Financial Session

- A. Property Tax Unpaid Balance summary – no comments
- B. September Financial Reports – Ms. Johnson asked about the fees for coin-operated devices in the convenience stores – could we increase the fees? She also asked about the Mayor and Council line item for Computer Maintenance.
- C. Cash balances as of 10/05/2023 – no comments

Motion by Mayor Pro-tem Jan Johnson to enter into Executive Session to discuss personnel and possible litigation; second by Councilmember Marty Johnson; motion carried unanimously.

X. Executive Session

Motion by Councilmember Marty Johnson to exit Executive Session; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

Motion by Councilmember Marty Johnson to adjourn the meeting; second by Mayor Pro-tem Jan Johnson; motion carried unanimously.

XI. Adjournment

Mayor Jim Chaffin

City Clerk Susan Pierce