

**City of Bowdon**  
**Mayor and Council Meeting**  
**Monday July 8, 2024**  
**7:00PM**  
**Mayor and Council Chambers, 182 Grammar School Road**

**I.- VI. Agenda Items:**

The Mayor and City Council met for a regular meeting on Monday, July 8<sup>th</sup>, 2024. The meeting was called to order by Mayor Randy Saxon at 7:00PM.

The invocation was led by Councilmember Jan Johnson and was followed with the Pledge of Allegiance.

Members present: Mayor Randy Saxon  
Councilmember Jan Johnson  
Councilmember Wes McEntyre  
Councilmember Bobby Elliott  
Mayor Pro-tem Marty Johnson

Staff present: City Clerk Susan Pierce  
Police Chief Mark Brock  
Main Street Director Jan Gibbs

The minutes from June 10 and June 17, 2024 meetings were approved with no objections. The agenda was approved with no objections.

**VII. Public Comments**

None.

**VIII. Business Session**

A. Appointment of Pat Hannon to the Industrial Development Authority  
Motion by Councilmember McEntyre to approve the appointment of Pat Hannon to the Industrial Development Authority; second by Mayor Pro-tem Marty Johnson; motion carried unanimously.

B. Water Line Project bid award – Mayor Saxon read the 3 bids received as follows:

|                             |   |                                                     |
|-----------------------------|---|-----------------------------------------------------|
| HD Excavations & Utilities  | - | \$1,896,785                                         |
| Crawford Grading & Pipeline | - | \$2,136,150 (\$1,942,150 with suggested adjustment) |
| RDJE                        | - | \$2,461,865                                         |

Mayor Saxon noted that Tim Keeton, Public Works Director, recommended going with Crawford Grading. City Clerk Susan Pierce noted that the 2 line items which were cut from the Crawford did not reduce the number of valves included in the project as council previously thought.

Motion by Councilmember Elliott to award the project to the low bidder, HD Excavations & Utilities in the amount of \$1,896,785 for the water line project; second by Councilmember McEntyre; motion carried 3-0, with Mayor Pro-tem Marty Johnson abstaining due to lack of information of the project/bid process.

C. Gymnastics Building bid award – Mayor Saxon read the 3 bids received as follows:

|                        |   |             |
|------------------------|---|-------------|
| Calm Water             | - | \$1,399,000 |
| RaLin Construction     | - | \$1,216,861 |
| Caliber 1 Construction | - | \$1,320,652 |

Motion by Councilmember Jan Johnson to award the project to the low bidder, RaLin Construction in the amount of \$1,216,861 for the Gymnastics Building project; second by Mayor Pro-tem Marty Johnson; motion carried unanimously.

- D. Consideration of a Resolution to Call for a Referendum Election to Authorize Sunday Package Retail Sales of Alcohol – Mayor Saxon reported that he had asked City Attorney Kevin Drummond to look into adding Sunday sales of alcohol to the ballot of the next election. Mr. Drummond said that for retail package stores, there is not a very big issue. According to the Alcohol Statute the **call** must be issued at least 29 days before the election and the Election Statute requires the call to be issued at least 90 days before the election (**if it is the general Presidential election**) and to publish once a week for the 4 weeks immediately preceding the election date. So for package sales, you would need to vote tonight because the **call** would need to be issued by **August 7**. For sales by the drink, it is more complicated. The Election Statute requires the call to be issued at least **90 days** before the election (if a Presidential election). However, the Alcohol Statute states the **call** must be issued **no earlier than 10 days and no later than 60 days** after the Council approval and the **election to be held 30-60 days after the call (conflicts with the Election Statute requirement of 90)**. You must publish once a week for 2 weeks immediately preceding the election date. The only workaround for this conflict is to conduct the special referendum completely separate and apart from the state-wide general election with different ballots or voting equipment, facilities, paperwork, and poll workers (not practical).

After discussion, Mayor Pro-tem Marty Johnson submitted a motion.

Motion by Mayor Pro-tem Marty Johnson to approve a Resolution to Call for a Referendum Election to Authorize Sunday Package Retail Sales of Alcohol and have it added to the ballot for the citizens to vote; second by Councilmember Elliott; motion was tied, with Mayor Pro-tem Marty Johnson and Councilmember Elliott voting in favor of the motion and Councilmember Jan Johnson and Councilmember McEntyre voting against the motion; Mayor Saxon broke the tie by voting to approve the motion; motion carried by a 3-2 margin.

- E. Audit Status/Engagement of New Accounting Service – Ms. Pierce informed council that we had let Rick Hartley know that he would no longer be the accountant for the city of Bowdon. We have contacted Scott Akins who will take over our accounting needs.
- F. Scarlett Place Infrastructure Agreement – final draft – We received the final draft from Kevin Drummond, which was agreeable to Mr. Satpal Rathie as well. The agreement gives ownership of the streets in Scarlett Place to the City of Bowdon. Mr. Rathie's company, Better Investments LLC, is giving the city \$50,000 in place of a maintenance bond.

Motion by Councilmember Elliott to approve the Scarlett Place Infrastructure Agreement as presented; second by Mayor Pro-tem Marty Johnson; motion carried unanimously.

- G. Founder's Day Overview – Ms. Gibbs reminded everyone that Founder's Day is on August 3. The run and parade will be at the same times and on the same routes as last year. We will have vendors and fireworks as well.
- H. Mayor's Reports – Mayor Saxon received an email from Clayton Homes asking if they could rezone or apply for a variance to have more density for their proposed development. They had also asked for an adjoining piece of property to be annexed into the city for the development. Councilmember Jan Johnson said that density was the problem (as discussed at previous work sessions by the council). She wants the zoning to stay R-2 Residential.

The minutes from 12/18/2023 reflect an approval by council to spend up to \$20,000 to purchase picnic tables and a sign for Watts Park. Mayor Saxon said we need 2 signs, one on Mitchell Street and one on McElroy Street. The signs have been ordered at a cost of about \$10,000. Councilmember

Elliott noted that a fence/cable had been discussed to go along the property line between the park and Smokin Pig. We also need to contact Smokin Pig about obtaining permits for the car shows. After more discussion, it was decided that the walking trail should be completed first, then picnic tables and benches.

Mayor Saxon next said he had been in contact with AT&T again about moving the overhead cables at the intersection of Hwy. 100 and Hwy. 166. They have a plan that will put all of the cables underground. Councilmember McEntyre asked about the wall in front of the old Bowdon Inn. The mayor said he had informed the engineers looking at the sidewalk project about the wall. Mr. McEntyre also asked about the purchase of the new truck for the police department. Mayor Saxon told him it was delivered today.

- I. City Manager Reports – none.
- J. Department Reports - no questions.

**X. Financial Session**

- A. Property Tax Unpaid Balance Summary – no questions.
- B. June Financial Reports – no report yet due to CPA change. Councilmember Jan Johnson asked about the budget amendments. Ms. Pierce said that Mr. Triplett was working on the end of year amendments and would probably submit them at the next meeting.
- C. Cash Balances as of 07/01/2024 – no questions.

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

**XI. Executive Session**

Motion by Councilmember McEntyre to exit Executive Session; second by Councilmember Elliott; motion carried unanimously.

Motion by Councilmember McEntyre to offer the office of acting City Manager to Jan Gibbs for \$1500 extra compensation per month; second by Mayor Pro-tem Marty Johnson; motion carried unanimously.

Motion by Councilmember McEntyre to offer the position of Bowdon City Manager to Jeff Reese for \$85,000 per year contingent on starting November 1, 2024; second by Councilmember Elliott; motion carried unanimously.

Motion by Councilmember McEntyre to adjourn the meeting; second by Councilmember Elliott; motion carried unanimously.

**X. Adjournment**

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Mayor Randy Saxon

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City Clerk Susan Pierce