

The regularly scheduled meeting of the Mayor and Council for the City of Gray, Georgia was held on Monday, July 11, 2022, at 6:00pm in the D.V. Childs Civic Center.

Present: Mayor Pro Tem James Collins, Council Members David Tufts, Terry Favors, and Terrell Fulford, City Attorney John Newberry, Acting City Superintendent Cheyenne Morgan, Interim Main Street Director Ashley Roberson, City Clerk Cindy Yancey, and Assistant City Clerk Heather Brown.

Guests: Sherri Rollins, Durrett Childs, James Nobles, Malcom Smith, Stelling Nelson, Tyler Cox, Stan Shepherd, Ivy Cadle, Patricia Pitts, Andrea Richardson, Cecil Etheridge, Christopher Johnson, TJ Heath, Debbie Lurie-Smith, *The Jones County News*.

Mayor Pro Tem James Collins called the meeting to order at 6:00pm.

David Tufts gave the invocation, followed by the Pledge of Allegiance.

Councilman Tufts made a motion, seconded by Councilman Fulford, and unanimously voted to approve the July 11, 2022, agenda.

APPROVED 3-0

Councilman Favors made a motion, seconded by Councilman Fulford, and unanimously voted to approve the June minutes.

APPROVED 3-0

Councilman Fulford made a motion, seconded by Councilman Favors, and unanimously voted to approve the June accounts payable.

APPROVED 3-0

Mayor's Report:

- No report

New Business:

Councilman Favors made a motion, seconded by councilman David Tufts, and unanimously voted to close the Council Meeting and go into a P&Z Hearing.

APPROVED 3-0

1. **P&Z Hearing:**

- **Item A:** City Switch II-A, LLC: Requests a variance to allow reduced setbacks on three sides for a self-supporting communication tower. Property is located across from 132 Atlanta Rd. and consists of 1.3 +/- acres, zoned C-2 (General Commercial).
- **Item B:** City Switch II-A, LLC: Requests a conditional use to allow a 250' self-supporting communication tower. Property is located across from 132 Atlanta Rd. and consists of 1.3 +/- acres, zoned C-2 (General Commercial).

Planning & Zoning Director Tim Pitrowski presented the request from City Switch II-A LLC for a variance to allow reduction setback for a new communication tower. Tim didn't have a recommendation for the variance.

Mayor Pro Tem James Collins called for anyone in favor of the variance to come up and speak one at a time.

Stan Shepard Regional Director for AT&T corporate external and governmental affairs team spoke briefly about why they are asking for the installation of the tower.

- Mr. Sheppard stated that even though the variance is from the tower company that AT&T will be the primary carrier.
- Mr. Sheppard stated AT&T's primary goal is to manage cost. Stating that every additional dollar that AT&T spends leasing tower space it is not able to use to expand the nations communications infrastructure including the placement of additional cell sites to improve coverage, capacity, and deployment of both wireless and wireless broadband.
- As part of the wireless capital bill, they would like to be able to continue to deploy 5G Networks, deploy new C Band Spectrum, as well as Band 14 which is Spectrum specifically dedicated to first responder nationwide network know as FirstNet all of which are planned for Gray but are affected by the cost to do business on the existing tower.

Ivy Cadle Attorney in Macon notified council he was here to represent the applicant City Switch II-A, LLC.

- Attorney Cadle stated that as it concerns the conditional use permit and the variance this is an interesting 1.1-acre site owned by Norfolk Southern and considered a lay down yard. Part of the purpose for the tower placement on this piece of property is for Norfolk Southern to have space on the tower to build out their own wireless network as it works to automate its train facilities and make them safer through automation.
- Attorney Cadle stated that the benefits to upgrading this tower for the City of Gray is that AT&T has that upgrading ability to move faster and be more flexible and that additional wireless carriers will also be able to service this area because the 250' cell service tower will have the option for other carriers to locate on it.

City Attorney John Newberry asked Attorney Cadle where this proposed new tower will be in location to the existing tower.

- Attorney Cadle stated it was .3 miles away.

Councilman Tufts stated he felt the bottom line of the installation of the new tower is to save money and is more of self-interest for. Councilman Tufts also expressed that the tower will be against what they are trying to accomplish here within the City of Gray.

Mayor Pro Tem Collins asked for anyone in opposition to come up and speak briefly to council.

Mr. James Nobles stated that he was speaking in opposition of the cell tower.

- Mr. Nobles stated that the tower will adversely impact the community and historical resources and asked that they City Council take the impact into consideration when making a decision regarding the variance request.
- Mr. Nobles stated that the proposed tower location is on a scenic byway and the protection of the byway is left up to the local government.
- Mr. Nobles expressed his disappointment that City Switch II-A, LLC has not bothered to contact anyone in the community.
- Mr. Nobles stated that his property which consists of 15 acres (5 tax parcels) is listed on the Department of Interior, National Park Service of Historic Places.
- Mr. Nobles stated that the National Park Service acting through the State Historic Preservation office listed the property on the National Register of Historic Places since it is a historic dairy farm dating back to the late 1800's, early 1900's.
- Mr. Nobles spoke about several property sites and the importance of the historical preservation of those sites and urged City Council to deny the variance request.

Malcom Smith spoke to council in opposition to the tower.

- Mr. Smith wanted to know how many lights would be on the proposed tower. Stating the current tower already displays lighting into his home.
- Mr. Smith stated how beautiful the City of Gray is and how the proposed tower will clutter the community and asked council to please vote it down.

Christopher Johnson spoke to council in opposition to the tower.

- Mr. Johnson spoke briefly on his concerns for having two operating cell towers near each other.
- Mr. Johnson also spoke on his concerns for the health and safety of the community and urged City Council to deny the request.

Sherri Rollins represented Gray Downtown Development Authority as chairman in opposition to the tower.

- Gray DDA prepared a letter of resolution in opposition which had been provide to council. Mrs. Rollins asked that they take the letter into consideration and all that DDA has done to help with the development of the community and how the proposed tower does not go along with the development and guidelines of the community.
- Mrs. Rollins also briefly spoke on her personal concerns for the tower to be placed alongside Highway 11 and for council to consider the core values of the community as well when deciding.

Cecil Etheridge chairman of the Design Review Committee part of DDA of Gray in opposition to the tower.

- Mr. Etheridge stated his concerns for the height of the tower.

Attorney Cadle quickly updated council that the survey in the current application states there will be three lights on the tower, two in the middle and one on the top that will go to red to be less intense at night. The fall zone was prepared by an independent engineer Saber Industries, Inc.

Councilman Favors made a motion, seconded by Councilman Fulford, and unanimously voted to close the P&Z Hearing and reopen the Council Meeting.

APPROVED 3-0

Councilman Favors made a motion, seconded by Councilman Tufts to deny Item A in the P&Z Hearing to allow the variance. The reason for denial is that the communication tower doesn't meet code sections 100.1.5 & 100.1.6 maximizing use of the existing tower

DENIED 3-0

2. Reschedule July's All Committee's meeting to Wednesday July 13th, 2022, at 3:00 pm

Councilman Tufts made a motion, seconded by Councilman Favors, and unanimously voted to reschedule the All-Committees meeting.

APPROVED 3-0

3. Appoint Assistant City Superintendent Cheyenne Morgan as Acting City Superintendent with compensation as discussed in the executive sessions held on June 27, 2022.

Councilman Tufts made a motion, seconded by Councilman Fulford, and unanimously voted to approve.

APPROVED 3-0

4. A Resolution of the Mayor and Council of the City of Gray, Georgia authorizing the mayor to execute a credit application authorizing indebtedness and security between the City of Gray and Bancorpsouth Bank, a division of Cadence Bank, and for other purposes.
 - City Credit cards

Councilman Fulford made a motion, seconded by Councilman Favors, and unanimously voted to approve **Resolution 22-R-033**.

APPROVED 3-0

5. Approval of quote from Bennett Heating and Air in the amount of \$9,207 to replace non-working air conditioner.

Councilman Tufts made the motion, seconded by Councilman Fulford to approve the quote from Bennett Heating & Air.

APPROVED 3-0

Public Comments:

- No comments.

There being no further business to discuss, the meeting was adjourned.

Assistant City Clerk