

**October 02, 2023
6:00 PM**

City Council Meeting Minutes

The regularly scheduled meeting of the Mayor and Council for the City of Gray, Georgia was held on Monday, October 02, 2023, immediately following the public hearing in the D.V. Childs Civic Center.

Present: Mayor Ed Barbee, Mayor Pro Tem James Collins, Council Members Terry Favors, David Tufts, Terrell Fulford, Main Street Director Ashley Roberson, Fire Chief Keith Eisele, City Superintendent Cheyenne Morgan, Assistant City Clerk Christina Morgan, and City Clerk Cindy Yancey.

Guests: Jacob Lee, Patton Hahn, Sherrie Rollins, Matthew Totten, James Nobles, Durrett Childs, DV Childs, Jocelyn Horton and Debbie Lurie-Smith, *The Jones County News*.

Mayor Ed Barbee called the meeting to order at 6:00pm.

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

Councilman Tufts made a motion, seconded by Mayor Pro Tem Collins, and unanimously voted to approve the October 02, 2023 agenda.

APPROVED 4-0

Mayor Pro Tem Collins made a motion, seconded by Councilman Favors, and unanimously voted to approve the September minutes.

APPROVED 4-0

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

APPROVED 4-0

Mayor's Report:

- Mayor Ed Barbee spoke about his recovery and thanked council and the department heads for a job well done while he has been out. Mayor Barbee stated that he is thankful for all the thoughts and prayers.
- Councilman Tufts stated that Council was pleased that Mayor Barbee has returned.

New Business:

1. P&Z Hearing:

- **Item A:** City Switch II-A, LLC: Requests a conditional use to allow a 250' self-support communication tower. Property is located behind the Gray Motel, and consists of 5+/- acres, zoned C-2 (General Commercial).

Councilman Favors made a motion, second by Mayor Pro Tem Collins, and unanimously voted to close the city council meeting and go into the P&Z hearing.

APPROVED 4-0

- Mayor Ed Barbee asked Tim Pitrowski to speak about the planning and zoning item on the agenda.
- Zoning Director Tim Pitrowski presented the request from City Switch II-A LLC for a new 250-foot self-supporting communication tower at 112 E. Clinton St.
- Patton Hahn, Attorney for City Switch II-A, LLC spoke about Mr. Pitrowski's staff report pointing out that the report states that City Switch II-A, LLC meets all of the technical requirements of the city's ordinance.
- Mr. Hahn explained that AT&T wants to relocate off of the existing tower for economic reasons.
- Mr. Hahn said that the landlord of the current tower is a company by the name of SBA, stating that AT&T is on thousands of SBA towers. Mr. Hahn stated that there are many companies like City Switch II-A developing towers and offering significantly less rental rates to companies.
- City Switch Attorney Patton Hahn stated that the longer you are on a SBA tower the higher the rent goes.
- Mr. Hahn presented Mayor and Council with an affidavit from AT&T that went over AT&T's history with SBA and the economic problems that remaining on the SBA tower could cause.
- Mr. Hahn stated that Mr. Pitrowski was concerned about the Downtown Design Overlay, and it being cluttered with too many tall structures. Mr. Hahn stated that there were already two tall structures at this location, and he does not feel that a third tall structure would dramatically change the visual landscape of the City of Gray.
- Matthew Totten, representing SBA stated that he was speaking in opposition to the tower.
- Mr. Totten stated that rumors of the financial dispute are greatly exaggerated and provided Mayor and Council an article to support the fact that SBA and AT&T have entered into a new long-term lease agreement.
- Mr. Totten stated that if Council denied the proposed tower that AT&T has already agreed to stay on the existing SBA Tower. He also stated that he feels that only reason that the application is before Council is because the process was started before the new agreement had been entered into.
- Mr. Totten stated that the current tower is 30 feet higher above sea level than the proposed site and has better coverage.
- Sherri Rollins, with DDA spoke against the proposed tower, stating that the Design Guidelines were put into place for a reason.
- Ms. Rollins expressed concerns that approving the proposed tower may cause other companies to want towers in the downtown area.
- Ms. Rollins also stated that there is a master plan for the property that City Switch II – A is wanting to build the proposed tower.

Councilman Favors made a motion, seconded by Mayor Pro Tem Collins, and unanimously voted to close the P&Z hearing and re-open the City Council meeting.

APPROVED 4-0

Mayor Pro Tem Collins made a motion, seconded by Councilman Tufts to deny the application for a conditional use submitted by City Switch II-A, LLC.

Mayor Pro- Tem Collins stated that since it was an application for conditional use, he would like to elaborate on his motion to deny.

- Mr. Collins stated that there is space on the tower where AT&T currently resides, which conflicts with maximizing the use of existing towers.
- Mr. Collins stated that the proposed tower would be in the downtown corridor in which several businesses chose their location based on the aesthetics of the area. Mr. Collins stated that the proposed tower conflicts directly with the aesthetics of the downtown area.
- Mr. Collins stated that it conflicts with the natural environment of the area, pointing out that the proposed location was at the end of a scenic highway and a tower of that height would be seen from that location. Mr. Collins mentioned that there was currently a tower that could be seen from the scenic highway.
- Mr. Collins stated that he was having a hard time finding anything that wouldn't affect the city guidelines.
- Mr. Collins stated that is the reason he would like to make the motion to deny, he feels like it negatively affects the area, and they (AT&T representatives) have shown in their own discussions that the existing tower will fit their needs and that he does not see it as a necessity at this time.

The motion to deny the application for conditional use made by Mayor Pro Tem Collins and seconded by Councilman Tufts was unanimously approved.

APPROVED 4-0

2. A Resolution of the Mayor and Council of the City of Gray, Georgia to establish a tax millage rate for the calendar year 2023; and for other purposes.

The tax millage rate for the calendar year 2023 is as follows:

14.50 mills
5.00 roll back
 9.50 net mills

Councilman Fulford made a motion, seconded by Councilman Favors, and unanimously voted to approve **Resolution 23-R-024**.

APPROVED 4-0

3. A Resolution of the Mayor and Council of the City of Gray, Georgia to appropriate certain sums of money for the operations of the several functions of the City of Gray, Georgia for the fiscal year 2024; and for other purposes.

Councilman Tufts made a motion, seconded by Councilman Fulford, and unanimously voted to approve **Resolution 23-R-025**.

APPROVED 4-0

4. Approve salary adjustments for department heads as discussed in the personnel committee meeting effective payroll week ending 10/01/2023.

Mayor Pro Tem James Collins made a motion, seconded by Councilman Fulford, and unanimously voted to approve the salary adjustments for the department heads.

APPROVED 4-0

5. A Resolution of the Mayor and Council of the City of Gray, Georgia to reapprove salary caps for exempt positions, and for other purposes.

Mayor Pro Tem Collins made a motion, seconded by Councilman Favors, and unanimously voted to approve **Resolution 23-R-026**.

APPROVED 4-0

6. Approval of an effort by Attorney Newberry to cancel the Waste Management contract.

Councilman Favors made a motion, seconded by Councilman Tufts, to approve an effort by Attorney Newberry to cancel the Waste Management contract. Councilman Fulford voted in favor; Mayor Pro Tem Collins voted against.

APPROVED 3-0

7. Authorization for the City Clerk to close the 2015 SPLOST bank account.

Councilman Fulford made a motion, seconded by Councilman Favors, and unanimously voted to authorize the City Clerk to close the 2015 SPLOST bank account.

APPROVED 4-0

Public Comments:

City Clerk