

Council Meeting
August 2, 2021

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Walter Cowart, Vivian Sharpe and Jody Greene.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chad Castleberry and members of the public.

Invocation was given by Councilman McClain

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of July 19, 2021 as presented. Councilwoman Sharpe seconded with all in favor.

Public Hearing (Rezoning Request - J. Santos Gutierrez): Councilwoman Sharpe made a motion followed by a second from Councilman Paige to enter into a public hearing to gain input on the rezoning application filed by J. Santos Gutierrez. All were in favor of entering the public hearing. The application requests that property located on Washington Post Rd., Map 0039C Parcel 016, be rezoned from (GB) General Business to (R8M) Residential. Mayor Duke noted there was no recommendation from the Planning Commission included with the application. Ophelia Gutierrez spoke on behalf of the application stating they had been saving up with plans to put a nice double wide mobile home on the lot. Scarlett Gutierrez, daughter of Ophelia Gutierrez, addressed the council stating they (her parents) have owned the lot for about 10 years. She is now 23 years of age and will be the one living in the mobile home. She is trying to get started on her own. Councilwoman Sharpe asked if the rezoning is for 1 home; not a mobile home park or apartments? She was advised no, the lot is only a 150 x 150 lot size. Celestine Hayes addressed the council, stating she is on the planning commission, and it was their recommendation to approve the request. William Bush, owner of property behind the parcel submitted for rezoning, spoke against the application. He stated that on one side of the parcel in question is two new brick homes, with two additional homes across the street that have been purchased. The rezoning and placement of a mobile home would degrade their property. His second issue is that last month they made a request to rezone his property to residential. That request was denied. It appears that if the proposed parcel is rezoned, this would be a first class example of spot zoning. How can you approve one and deny another? You should be consistent and fair to everybody. Mayor Duke asked if Mr. Bush's request was to rezone from (GB) General Business to (R-8) Residential, to which he replied yes. Ms. Mora, who lives next door to the proposed property, stated she was not against rezoning if they would build a house there, but she does not want a mobile home because it will take away from the value of her property. There was no further discussion and the public hearing was declared closed.

Ord. #21-03: This ordinance, rezoning property from (GB) General Business to (R8M) Residential on Washington Post Road, was read for the first time.

Advanced Cylinder & Tank Response: Bruce Roberts, General Manager of Advanced Cylinder & Tank, was asked if he had a response for the council concerning odor control mitigation at his facility. Mr.

Roberts advised that he had been asked to develop and implement a plan. He has done that and submitted a plan in writing to the city. It was in place as of this morning. He is attacking the concern using three different methods. He has been spurred to think outside of the box and he expects terrific results from the plan. It will be tweaked, accordingly, as needed. City Manager John Flythe read the plan out loud.

Executive Session: Councilman Paige made a motion to enter into executive session to discuss potential land acquisition and litigation. Councilwoman Sharpe seconded with all in favor.

Following executive session, there was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
