



DRAFT Minutes

July 8, 2025

Cochran City Council

Regular Session @ 6:00 PM

City Auditorium, 102 N Second Street, Cochran, GA 31014

City Council

City Staff

Billy Yeomans, Mayor	Richard Newbern, City Manager
Trecia Gardner (District 1, Post 1)	Candace Summerall, City Clerk
Gary Ates, Council Member (District 1, Post 2)	Jim Elliott, City Attorney
Carla Coley, Council Member (District 2 Post 1)	
Lonnie Tedders, Council Member (District 2, Post 2)	
Dianne Lester (District 3, Post 1)	
Shane Savant, Council Member (District 3, Post 2)	

I. Call to Order by the Mayor

Mayor Billy Yeomans called the meeting to order at 6:01 PM.

II. Invocation

Invocation was led by Council Member Ates.

III. Pledge of Allegiance

Pledge of allegiance was led by Council Member Gardner.

IV. Attendance

Present: Mayor Billy Yeomans, Council Members Gary Ates, Carla Coley, Trecia Gardner, Dianne Lester Absent: Council Member Shane Savant, Council Member Lonnie Tedders

V. Adopt Agenda/Minutes

1. Approve Minutes from June 10, 2025, Regular Council Meeting

Motion: Council Member Ates moved to approve the minutes from the June 10, 2025 Regular Council Meeting

Second: Council Member Gardner Vote: Unanimous approval

2. Approve Minutes from June 3, 2025 Special Called Meeting

Motion: Council Member Ates moved to approve the minutes from the June 3, 2025 Regular Council Meeting

Second: Council Member Lester Vote: Unanimous approval

3. Approve Agenda for July 8, 2025, Regular Council Meeting

Agenda Item Clarifications: Council Member Coley noted that agenda items 5 and 6 were listed as "public hearing and consideration of" but had been postponed. City Manager Newbern and City Attorney Elliott clarified that these items were listed on the agenda as a courtesy for those who might have come for the advertised public hearings, but they had already been discussed among council to be postponed.

Agenda Amendment: Mayor Yeomans announced that agenda items would be switched: Item 7 (road resurfacing bids) would be moved to Item 1, and Item 1 (department head reports) would be moved to Item 7.

Motion: Council Member Ates moved to approve the July 8, 2025 agenda as amended Second: Council Member Lester Vote: Unanimous approval

VI. Public Comments

Mayor Yeomans clarified that those planning to speak during the public hearing on the variance request did not need to sign up for public comments, as the public hearing would provide that opportunity.

Ken Land (DDA)

- Thanked City Council for supporting the July 4th celebration, specifically acknowledging help from fire department, police department, and public works department
- Called it a "team effort" and expressed gratitude on behalf of the DDA
- Reminded everyone about the Bleckley Bullseye promotion where someone will win \$2,500 worth of Bleckley Bucks gift cards (doubled from last year's winnings)
- Announced Second Saturday event this Saturday from 6:00-9:30 PM with band starting at 7:00 PM
- Mentioned providing a packet to City Manager regarding T-SPLOST progression for any council members not present at yesterday's work session

Joe Meadows initially approached to speak but realized this was not the public hearing portion and deferred his comments to the appropriate agenda item.

Sammie Thomas, John Jacobs, and Jeff Tuck all indicated they were present for the variance public hearing and would speak during that agenda item.

VII. Agenda Items

1. Consider award of two (2) bids from The Scruggs Company for resurfacing under the Georgia DOT LMIG and LRA funding programs

(Note: This item was moved from Item 7 to Item 1 per Mayor's agenda amendment)

City Manager Richard Newbern explained that Jared Darsey was asked to attend on short notice and introduced the project:

- First bid: Paving 0.65 miles of roads under regular LMIG program, originally up to \$139,000, revised down to \$116,000
- Second bid: 0.67 miles under LRA program for \$111,000
- Only one bid received from The Scruggs Company despite wide advertising

Steve Raffield (The Scruggs Company) explained the bid reduction:

- Originally submitted bid but were able to secure a subcontractor at lower cost than in-house work
- Reduced first bid from \$139,000 to \$116,000
- Timeline: Work should begin within 3 weeks to 1 month

Council Vote: Motion: Council Member Coley moved to award the two bids to The Scruggs Company for resurfacing under Georgia DOT LMIG and LRA funding programs for the amounts of \$116,000 and \$111,000
Second: Council Member Ates Vote: Unanimous approval

2. Public Hearing and consideration of a request from HWB Properties, LLC for a variance to create three (3) buildable lots on a parcel located at the corner of Ann Street and Tenth Street

Public Hearing Opened: 6:20 PM

Mayor Yeomans provided detailed background:

- HWB Properties LLC requesting variance to develop three lots subdivided prior to city's original 1984 zoning ordinance
- Three pre-platted plots on 1.15-acre tax parcel (B38080808A) facing 10th Street
- Joe Meadows, realtor, presenting variance application
- Public hearing published in Times-Journal-Post on June 19th with sign erected on property
- HWB Properties wants to build three houses facing Ann Street on substandard lots
- Development can meet R1 lot size, coverage, and setbacks requirements
- **Issue:** R1 zoning requires 180-foot lot depth, but these lots are only 150 feet deep
- Without variance, owner could only build one house facing 10th Street
- Area is R1 low-density residential with many houses meeting 180-foot requirement, some built on multiple substandard lots

Speakers in Opposition:

Sammie Thomas - 163 10th Street:

- Property runs 335 feet along side of variance property
- Argued no hardship exists for owner
- Corrected frontage measurements: first house facing 10th Street would be 150 feet, but other two facing Ann Street would only be 105 feet (requirement is 180 feet)
- Concerned about setting precedent that could lead to "24 cheap apartments"
- Argued development would lower property values in McVay Estates

John Jacobs - 166 Tenth Street:

- Lives directly across from properties in question with wife Dawn for 25 years
- Home sits on 2½ acres
- Expects city to enforce existing deed restrictions
- Opposes variance as attempt to "circumvent" and "bend the law"
- Concerned about permanent impact on well-established neighborhood
- Worried approval would "open the door for others to do the same"
- Argued variance would "destabilize the surrounding neighborhood"

Jeff Tuck - 271 Ann Street:

- Agreed with John Jacobs' comments
- Main concern about setting precedent for other smaller lots in neighborhood
- Explained original lots were purchased by homeowners as "buffers," not for building
- Strongly urged council to deny variance

Susie Gough - 111 Berkeley Road:

- Lives few blocks away but walks neighborhood routinely with daughter
- Argued three houses on small lot "will not fit in with the character of the neighborhood"
- Stated houses would "stand out like a sore thumb"
- Noted most residents have "at least an acre" with land around homes
- Emphasized this would not "conform to anything that's around them"

Speaker in Favor:

Joe Meadows - (representing landowner):

- Acknowledged being "the only one here for that approval"
- Provided historical context: McVay Heights developed in 1960s
- Showed recorded deed page counting 56 lots in neighborhood, with only 6 meeting 180-foot depth requirement
- Argued most houses in area are on "nonconforming lots"
- Explained lots were originally designed for one house each; multiple-lot purchases were buyer choice
- Original deed restrictions required 1,200 square feet; proposing 1,600-2,500 square feet
- Blamed 2020 council zoning changes for creating depth requirement issue
- Confirmed all lots exceed 100-foot frontage requirement
- Lot coverage would be 16-18% (under 25% maximum)
- Promised "nice houses" with upgrades and granite countertops
- Emphasized "we're not developing lots...we're just utilizing what's there"

Questions and Clarifications:

Lee Rush asked about siding type; Meadows responded houses would be vinyl with brick accents.

Sammie Thomas challenged frontage measurements, leading to clarification from **City Manager Newbern** that the 180-foot requirement refers to lot depth, not frontage.

Dawn Jacobs questioned when the 180-foot depth requirement was implemented:

- **City Attorney Jim Elliott** confirmed the zoning ordinance was completely revised in 2020
- Jacobs noted this created the requirement that now necessitates a variance

Legal Analysis by City Attorney Jim Elliott:

Attorney Elliott provided extensive legal analysis of zoning ordinance provisions:

- **Section 6.4 - Nonconforming Lots of Record (adopted 2022):** "All lots illegally established [and] recorded prior to the effective date of this code or its subsequent amendments" can be built upon provided structures meet applicable design standards.
- **Section 6.2 - Legal Nonconforming Use:** Defines legal nonconforming use as property that existed prior to adoption of zoning ordinance or changes to it, where lot size had not changed but due to code changes could still be constructed upon when deemed "legally nonconforming" or "grandfathered."

Elliott's opinion: The subdivision was platted by Mr. Meadows in the 1960s, and the city first adopted a zoning ordinance in 1984. Since these three lots existed prior to adoption of the zoning ordinance, he believes no variance is required - the property owner has the right to construct upon those properties.

City Manager Richard Newbern confirmed:

- The subdivision has been low density since original adoption
- In December 2020, council adopted new zoning ordinance including R1 (low density) requiring 14,000 square foot lots, at least 1,500 square foot houses, no more than 25% lot coverage, and 180-foot lot depth
- The area has always been considered low density and continues to be largely R1 parcels

Council Member Carla Coley mentioned that Council Member Savant had sent an email to council **Letter from Council Member Shane Savant** (read by City Clerk, Candace Summerall) "Good evening, fellow council members. Over the last few weeks, I've had the opportunity to talk with several homeowners in the area by phone and face to face. Some of them are bordering neighbors of the property on 10th Street and Ann Street and some living in the surrounding neighborhood. With the exception of two residents, all others are in opposition of approving the variance. I felt as a representative of District three, it was my duty to speak to the residents, get their input and be an advocate for them. As you all know, I will not be in attendance Tuesday, but I would ask that you take their thoughts into consideration if a vote is held Tuesday evening. I also agree with their stance. Thank you for your consideration. Shane C. Savant, City Council District three."

Public Hearing Closed: 6:43 PM

Council Discussion:

Council Member Coley noted the legal position: "I think the question is, what can we legally do? I mean, can we legally grant a variance? I mean, right or wrong, whether we agree with it or not, I think we have to. We can only do what we can legally do."

Attorney Elliott suggested council could "adopt a motion that you don't deem a variance to be necessary for development."

Extensive discussion occurred about the legal implications and whether the public hearing should have been held if no variance was required.

Dawn Jacobs expressed frustration that the attorney waited until after public comments to state that no variance was required, saying "it would have helped had he not sat there through this whole hearing, knowing that he was going to say that it didn't require a variance, before we all spoke our minds."

Sammie Thomas challenged the attorney's authority: "Did he say that he knows that he doesn't need a variance? Or did he say he don't think he needs a variance?... So he's the judge now... he's the lawyer. It's my legal opinion... He don't make the law."

Council Vote:

Motion: Council Member Ates moved to follow the lawyer's advice that no variance is needed Second: Council Member Coley **Roll Call Vote:**

- Council Member Ates: Yes
- Council Member Coley: Yes
- Council Member Gardner: Yes
- Council Member Lester: No

Motion passed 3-1 to accept the attorney's recommendation that no variance is required.

3. Public Hearing and action on a request from Craig Powers, owner, to annex 126 Moll Drive (Parcel # B37A 111)

Public Hearing Opened: 7:09 PM

Mayor Yeomans explained that Greg Powers has petitioned to annex his 0.92-acre lot at 126 Moll Drive into the city to connect to the city sewer system. The property is contiguous to the city because property across the street is already in the city.

No public comments for or against the annexation.

Public Hearing Closed: 7:11 PM

Council Member Coley asked about well water connection, confirming they would be connected to city water.

Council Vote: Motion: Council Member Ates moved to annex Powers into the city Second: Council Member Coley Vote: Unanimous approval

4. Public Hearing and consideration of Planning Commission recommendation to assign an "R-1" zoning designation to the property owned by Mr. Craig Powers of 126 Moll Drive (Parcel # B37A 111)

Public Hearing Opened: 7:13 PM

Mayor Yeomans explained that the Planning Commission met Monday, June 30th, held a public hearing, and voted to recommend R1 (low density residential) zoning for Mr. Powers' property. He outlined the six criteria set forth in Georgia Zoning Law Procedures that council should consider.

No public comments for or against the zoning designation.

Public Hearing Closed: 7:14 PM

Council Vote: Motion: Council Member Ates moved to approve R1 zoning designation Second: Council Member Coley Vote: Unanimous approval

5. & 6. Postponed Items

Mayor Yeomans announced that agenda items 5 and 6, relating to consideration of annexing eighteen (18) unincorporated island parcels and assigning zoning designations to those parcels, have been postponed until the regular meeting on Tuesday, August 12, 2025.

7. Department Head Reports

(Note: This item was moved from Item 1 to Item 7 per Mayor's agenda amendment)

Police Chief Report: no questions from Council

Fire Chief Report: Fire Chief was absent due to baseball commitments. City Manager Richard Newbern indicated he would convey any questions or comments to the Fire Chief.

Public Works Report:

Council Member Lester inquired about the road paving schedule for Burke Circle and requested confirmation that drainage work orders would be reviewed before paving commenced. She asked about the timeline for pipe installation.

Tiger Odom confirmed that existing pipe infrastructure is in place and noted that timing considerations related to community impact and rainwater drainage would need to be addressed.

Council Member Lester emphasized the importance of reviewing drainage infrastructure before proceeding with paving work.

Code Enforcement Report: Danny Smith, Code Enforcement Officer, was present for questions.

Council Member Lester inquired about an update on 4th Street

Finance Report: Finance Director Bonnie Raffield was present. Council had no questions for the Finance Director and redirected inquiries to the City Manager.

Finance-Related Discussions with City Manager:

Governor's Grant for Park Funding: Council Member Coley inquired about managing revenues from the governor's grant for park projects. City Manager Newbern confirmed that he and Finance Director Raffield are working with auditors to properly balance grant revenues, either on the revenue side or by moving the funds from the general fund to a separate grant fund to avoid the appearance of unusually large amounts flowing through the general fund.

Recreation Department SPLOST Funding: Council Member Coley raised the ongoing issue of establishing a dedicated SPLOST allocation for the recreation department's capital improvement projects. She noted that the recreation department has repeatedly requested a set amount for planning purposes. Originally allocated \$175,200, the department now anticipates \$258,000 in the recreation SPLOST line item but lacks certainty about available capital improvement funding.

Coley emphasized that the recreation department needs a guaranteed amount for multi-year project planning, similar to other departments. Currently, the city could spend recreation SPLOST funds on other projects, leaving the recreation department without assured funding.

City Manager Newbern acknowledged the request and agreed to meet with the recreation director and board before the next meeting to develop a proposed allocation amount for council consideration.

City Clerk Summerall reported discovering that the city pays \$950 monthly for the recreation department's insect spraying services for their fields. This expense has not been considered in calculations of city support to the recreation department.

Council Member Coley suggested that ongoing operational support like spraying fees should be factored into discussions about SPLOST allocations versus operational funding, noting that the recreation department often needs operational funding more than capital improvement money. She emphasized that the recreation department struggles with staffing costs, having only one full-time employee without health benefits.

City Manager Newbern acknowledged that the city council had previously increased the allocation to the recreation complex for operational expenses.

VIII. City Manager Discussion/Items/Updates

City Manager Richard Newbern provided comprehensive updates:

Budget Implementation:

- Appreciated department heads keeping expenses in line approaching June 30th fiscal year end
- Thanked Chief Treywick, Candace, Chief Wilcher, and Willie Farrow for fiscal responsibility

- Bonnie Raffield has loaded the new budget into the admin system

Engineering Report from James Jones (Falcon Design): Newbern reported on seven main areas of capital projects:

1. GEFA Coordination with Wastewater Plant Improvements:

- Using remaining GEFA sewer loan funds
- Covering city's dewatering belt press at treatment plant
- Replacement control panel for generator at treatment plant
- Replacement of bar screen at head works to improve efficiency of solids removal

2. Cochran Community Park:

- Contractor ICB Incorporated completed installation of large double culvert at entrance
- Working on gravel base for parking lot and entrance prior to paving
- Site completion expected by end of July except restroom
- Lead time issues with handicap accessible playground equipment
- Public restroom on order
- Using Elite as subcontractor for site development and Paulk landscaping for landscaping and irrigation
- Substantial completion expected during August

3. Peacock and Lewis Street Stormwater Improvements:

- Project design complete
- Compiling bid package for DOT submittal

4. Downtown Streetscape Improvements:

- Ken Land gave report at council work session
- James working with DDA on concept review
- Coordinating with K.Collins on structural improvements to Dykes and 2nd Street intersection
- All four intersections will be improved
- Dykes and 2nd Street is DOT project but city expected to help fund

5. Willie Basby Park:

- Preliminary design completed
- Utility locates planned

6. Lake Linda Lift Station (Jellystone):

- Engineers working with Smith and Loveless on pump pricing for future development
- Discussing development agreement similar to other developments
- Agreement expected at August 12th meeting

7. Wastewater Plant and influent Lift Station:

- Completing pump replacement pursuant to grant
- Awaiting cost information from Smith and Loveless

Recreation Department Funding:

- Council Member Coley raised ongoing issue of recreation department's need for allocated SPLOST funding amount for capital improvement planning
- Currently recreation department doesn't know how much SPLOST money they can count on for projects
- Originally had \$175,200 allocated, now anticipating \$258,000 in recreation SPLOST line item
- Newbern agreed to work with recreation director and board to propose amount for council consideration at next meeting

Ordinance Review Process:

- Explained approach to ordinance updates: comprehensive review in 2018-2019 with Municode attorneys, then updates as needed
- Currently working on personnel ordinance and business license ordinance updates
- Previous updates included purchasing ordinance amendments
- Full comprehensive reviews can be expensive; most updates are reactive to specific needs

City Clerk

Candace Summerall:

- Praised the July 4th celebration, noting it was wonderful to see everyone celebrating Independence Day together
- Expressed gratitude to see Council Member Ates and Mayor Yeomans present

City Attorney

Jim Elliott: No items to report.

IX. Council/Mayor Discussion/Items

Council Member Ates

- Praised the July 4th celebration
- Extended thoughts to those affected by storms and floods in Texas
- Discussed previous conversation about renaming Martin Luther King Jr. Drive (formerly Harris Road)
- Emphasized council's commitment to making right decisions for Cochran and working together

Council Member Gardner

- Encouraged continued good work in Cochran
- Announced upcoming back-to-school giveaway on July 22nd at Mount Zion Baptist Church
- Urged everyone to stay hydrated, drink water, and check on neighbors and friends

Council Member Coley

July 4th Celebration:

- Praised the event as "really a lot of fun" with good attendance despite heat
- Commended music, fireworks, food, and long lines (indicating success for food trucks)
- Thanked DDA and Chamber for organizing

Community Concerns:

- Noted significant loss in the community, particularly people within 10 years younger and older than her
- Called for continued prayers for families experiencing unexpected loss

Downtown Development:

- Requested discussion at next meeting about supplementing DDA's downtown improvements
- Noted Ken Landon's presentation about potential city assistance
- Emphasized downtown improvements and streetscapes don't happen often (last one 25 years ago)
- Suggested exploring funding options that don't include ARPA funds

Ann and 10th Street Discussion:

- Acknowledged the difficulty of the variance decision
- Explained her position on enforcing rules and regulations even when disagreeing personally
- Shared that her own neighborhood faces similar situation with large lots being subdivided
- Emphasized the need to protect the city legally
- Expressed empathy for affected residents

Council Member Lester

Dianne Lester: July 4th Celebration:

- Confirmed the celebration went well

Administrative Questions:

- Asked about frequency of code and ordinance reviews
- Inquired specifically about when ordinances are updated

Mayor Yeomans

- Thanked community for remembering him and his family during his brother's passing
- Noted that while death is expected, it still comes as a shock
- Expressed gratitude for prayers and thoughts

Community Philosophy:

- Emphasized biblical teaching about loving neighbors
- Extended concept of "neighbor" beyond immediate vicinity to include everyone
- Called for prayers for Texas storm victims
- Requested prayers for God's will regarding his health rather than just for healing

Meeting Reflection:

- Expressed being torn up by the public hearing situation

- Acknowledged the difficulty when council cannot help concerned citizens
- Noted the challenge of trying to do what's right when people are speaking from the heart

Mayoral Appreciation:

- Called being mayor of Cochran "an honor and a pleasure"
- Expressed love for the city and its residents
- Thanked council and attendees for their dedication

XIII. Announcement of Upcoming Meetings and Events

1. Next Work Session - Thursday, August 7, 2025 @ 6:00 PM
2. Next Regular Council Meeting - Tuesday, August 12, 2025 @ 6:00 PM

XIV. Executive Session

None

Meeting adjourned at approximately 7:46

Minutes prepared and submitted by:

Candace Summerall

City Clerk