



City Council Meeting Minutes February 5, 2024

Sammy Hartwick, Mayor	Present
Kelly Knowland	Present
Mark Hardin	Present
Ty Kelso	Absent
Larry Johnson	Present
Richard Weaver	Present
Matt Reynolds	Present

Roll call indicated a quorum was present.

Kelly Knowland made a motion to accept the January minutes as amended, Mark Hardin seconded and all voted in favor.

Chamber of Commerce Report

The Chamber of Commerce is preparing for the awards banquet on March 28 at Legacy Acres. They are preparing the ballot for member voting, taking place this week. They are also working on the Directory for 2024 and are swapping over to Quickbooks for bookkeeping and invoicing. Planning for the eclipse on April 8 is continuing, with entertainment and activities being planned. There will be a ribbon cutting for Three Wise Men Holiday lighting on March 14.

Presentation of 2022 Audit – Searcy & Associates

Mr. Cameron Smith presented the 2022 audit for Searcy & Associates. He presented two audits, one for the general city funds and another specifically for the water and sewer funds. In the audit, they performed a financial audit and a test of compliance of State regulations. The opinion of Searcy & Associates is that the financial statements of the City of Greenbrier are being accurately tracked. There were also no internal control issues with either the general funds or the waterworks department. Both audits were deemed to be good and “clean”. The audit will now be sent to the State for an audit by the government, and will be publicly available on the state website. A motion to accept the presentation of the Audit of the 2022

financials was made by Matt Reynolds, seconded by Mark Hardin. All voted in favor.

Police Department Yearly Report – Chief Gene Earnhart

Chief Earnhart presented the 2024 report for the Greenbrier Police Department. There were \$424,162 in fines collected, and \$276,132.56 deposited in the General Fund. There were 1890 total filings from the police department, with 1439 convictions, and dismissals. Chief Earnhart provided a breakdown of that data based on which were criminal misdemeanors, DWI, Traffic issues, and Ordinance violations. The department has upgraded to a new CAD system for incident and accident reports. This was done in May, and the total incident and accident reports for 2023 was 3983. There were 10 felony arrests and convictions, with 8 more arrests still pending in court. The department has purchased new radios that are currently being programed, they will receive them soon. The department now has twelve fulltime officers, and four reserve officers.

Fire Department Yearly Reports – Chief Josh Woods

Chief Woods presented the 2024 report for the Greenbrier Fire Department. There were a total of 875 incident responses, of which 45 were fire related. From July 1 to December 31, 2023, there were 661 responses, of which 32 were fire related. The department used \$32,000 in ACT 833 funds to purchase an engine that had motor failures. In the next year, they plan to purchase new turn out gear and hope to replace the two current rescue trucks with one new truck equipped with water and four wheel drive. There are two full time firemen on duty at any given time at the Greenbrier Fire Department.

Rezoning 103 Hwy 65 from R-1 to C-2 – Tim Tyler – Ordinance #2024-03

Mr. Tim Tyler represented the buyers of the property, Mr. Zach Dixon. They are requesting an ordinance changing the zoning for the property. The rezoning was presented at the January Planning Commission meeting and passed unanimously. The property, which is against Highway 65, is currently zoned R-1, and is surrounded by properties that are zoned C-2. The proposed use of the property is a south facing building providing retail space. A motion to suspend the rules was made by Matt Reynolds, seconded by Mark Hardin, and all voted in favor. After the ordinance was read by the heading only, a motion to approve the ordinance was made by Mark Hardin, seconded by Matt Reynolds, and all voted in favor. A motion to approve the emergency clause was made by Mark Hardin, seconded by Matt Reynolds, and all voted in favor.

Appeal of Special use Permit Denial – Tim Tyler – Ordinance #2024-04

Mr. Tim Tyler represented the buyers of the property, Mr. Zach Dixon. They requested a special use permit from the Planning Commission for the property to use the land for multi-family housing in a C-2 zoning. The Special Use Permit was unanimously denied by the Planning Commission in January. They are requesting an appeal to the decision by the Planning Commission. Mr. Tyler presented a different plan than was presented to the Planning Commission, with optional access

to the property onto Highway 25. The plan showed 17 proposed lots for triplexes or quadplexes. There were questions proposed by council members about the entrance /exit to the units off of Highway 65. Questions regarding the flood plain because of Greenbrier Creek were addressed. All buildings will be in compliance with county, city, and state flood plain laws. Mayor Hartwick stated that Community Water is upgrading their plant, and has let the Mayor know that approving this development may cause us to be dropped by Community Water while they upgrade, because currently they cannot supply an influx of that capacity.

A motion to suspend the rules was made by Mark Hardin, Matt Reynolds, the vote was four in favor and one against. City Attorney Dustin Chapman stated that the ordinance for the special use permit is written to go with the owner of the property, not the property itself. Council members opened up the floor for comments.

Joyce Johnson, a member of the Planning Commission, rose against the proposal, citing the reasons the Planning Commission used to support a unanimous denial.

A motion was made by Kelly Knowland to table the issue. Richard Weaver seconded the motion. The motion passed three to two. Because there needs to be four votes to approve a motion, the Mayor was asked for his vote. The mayor voted in favor of the motion to table the issue, bringing the vote total to four to table the ordinance, and two against.

Mayor Hartwick introduced Phil Murphy who is running for District Court Judge of Division two. Early voting starts on February 20th and ends on March 5th.

Mayor Hartwick also introduced Randy Higgins, the County Administrator. He gave an update on a fire at the road department, which Greenbrier responded to.

A motion was made by Matt Reynolds to adjourn. The motion was seconded by Kelly Knowland and all voted in favor.

Sammy Hartwick, Mayor

Hunter Thrasher, City Clerk/Treasurer