

**CITY OF EUHARLEE  
CALLED CITY COUNCIL MEETING MINUTES  
OCTOBER 16, 2018**

Mayor Steve Worthington called the meeting to order. A prayer was led by Council Member Craig Guyton followed by the Pledge of Allegiance.

City Clerk Carolyn Banks called the roll and the following were present: Mayor Steve Worthington, Council Members Craig Guyton, Tracy Queen, David Duncan, Joe Turner and City Manager James Stephens. City Attorney Boyd Pettit was not present.

Mayor Steve Worthington read the Proclamation for Red Ribbon Week requested by the Mitchell County Young Marines. He proclaimed the week October 23 - October 31, 2018 as Red Ribbon Week in the city of Euharlee and encouraged citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but also throughout the year, making a visible statement that we are strongly committed to a drug-free lifestyle. Council Member Craig Guyton motioned to approve the proclamation. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

**Health Insurance Renewal - James Stephens**

City Manager James Stephens provided council with a document outlining the medical renewal analysis. The first column represented the current coverage with Humana with an expiration date of 11.30.18. The cost to the city annually was \$123,850. The next column was the renewal, an identical policy with a renewal increase total of \$138,648. The agent felt like it would be something council would not approve and got some other options. The column on the right is United Healthcare which is why we called the meeting because it will take more time when changing a carrier. The annual cost for the city would be \$118,615 which is about a \$5,000 under the current annual cost and \$20,000 less than the renewal policy. The main difference in the policy is the deductible goes from \$3,000 to \$4,500. The prescription drug benefit is better and the co-pay for doctor visits is also less. If they recall, they had a similar situation and he asked the council to consider funding the difference of the deductible for the employee. At the time of the renewal that was acceptable to the council but when the budget the following year came up the former Mayor cut it out of the budget. He would like to ask the same for council to fund the difference only when the employee hits over \$3,000 of the deductible. It would take 13 employees for it to cost the city what the renewal would have been staying with Humana at \$138,000. Last year there were 3 employees that hit the \$3,000 deductible. He asked the council to consider funding it. Even if the council does not, the 3rd column is still his recommendation. The total cost for the city will be \$118,615. They would change to the United Healthcare. The network and the providers are covered so it would not be a situation where employees would have to change medical providers. He recommended the 3rd column and asked that it be approved in a form of a motion. If the council so wanted to include the deductible he requested, but understands they may not choose to do so.

Council Member Tracy Queen asked if it would decrease the cost for the employee. Mr. Stephens stated the city pays 100% for the employee. They currently don't have any employees that are taking family coverage.

Council Member Craig Guyton said in the event the council decides to refund the balance for the deductible we would just put it in a fund and at the end of the year the unused balance they can allocate to something else. Mr. Stephens said that is correct or leave in place and reallocate for another year. Council Member Guyton said if he is remembering correctly, before they did not have to pay hardly anything out of that. Mr. Stephens said they actually after subsequently finalizing the budget, Mayor

Thayer, not throwing dirt at him, but it did not survive the budget process. Council Member Guyton said he thought they had done it the year before. Mr. Stephens said they approved it when they approved the renewal. But when the subsequent year finalizing the budget fell in place, that money was cut which was understandable. Council Member Guyton said it was not just his fault they voted on that. It was the nature of the beast. He thought one year they did fund it. But if we had funded it, you said we would have only had three employees reach the deductible.

Council Member Queen asked the total funding they would set aside. Mr. Stephens said at the most it could cost \$18,000 if every employee reached the deductible which would have been the same cost to stay with Humana. Council Member Queen said so it will be \$1500 for each employee. Mr. Stephens said yes.

Council Member David Duncan motioned to accept United Healthcare and to fund the additional amount of the deductible. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

### **Tag Cameras - Tracy Queen**

Council Member Tracy Queen said he did some investigating on the tag cameras. They are used in White and Emerson and he is sure they are used in other counties. It automatically detects the license plate and detects right away if the driver is insured or not insured, if the license is suspended and if they have a warrant. It can be detected in less than 30 seconds. Mayor Steve Worthington asked how the camera knows who is driving the car. Council Member Queen said it does not. It runs the owner information. When it does, it gives the police officer a reason to pull them over if something is found. It does generate money. City of White paid for their system in 2 1/2 months and Emerson paid theirs off within 30 days and the rest generated revenue for the city. It increased revenue around 30% and increased city revenue with the camera system.

Council Member David Duncan said several years ago they had one and tried it out. He does not know why they didn't keep it then. Council Member Queen said they can do it on a free trial for 30 days and cost the city nothing. They can put it on the car for 30 days at no charge and generate revenue for 30 days. If we generate revenue it would be crazy not to put it on one car at least. Council Member Duncan asked the cost. Deputy Chief Bill Yee said around \$17,000 for single system. Council Member Queen said the new system you can move from car to car. When shift change, you can transfer the camera to another car. There is at least one car running the system per shift. They do not need more than one. Deputy Chief Yee said they do not transfer anymore. He said you drop the camera and then you have to have it repaired. You have to check the warranty. You pick a car and leave it on there and run the system. They will cover the warranty and mount it during the trial period.

Council Member Duncan asked if there is a monthly fee. You have different financing ways to pay for the system. Deputy Chief Yee said it is tied in to new system New World.

Council Member Joe Turner said he researched them and asked how they are going to mount them. He saw some on the roof and some on the side. Deputy Chief Yee said on the back trunk lid.

Council Member Duncan said can you get front and back. Deputy Chief Yee said yes depending on how the camera is mounted.

City Manager James Stephens said he appreciates all the work but they do not have highway 411 and 75 coming through the city and don't expect a 30% increase, but with a 30 day free trial you can get a feel for it. He said they work in Polk County.

Council Member Craig Guyton said he has a touch of knowledge with this system. He is personally opposed to this type of generating revenue. The police department does a phenomenal job of protecting the city. Their job is to protect and serve and not generate revenue. However he knows the

system will do that. It may even get one or two people throughout the course of the year and it has potential of putting some undo pressure on someone who doesn't deserve it. Like the Mayor said, how do you know who is driving the car. He personally understands its but he is opposed to it, giving them a reason to pull somebody over.

Mayor Worthington said the idea of saying the police department is going to make more money runs chills up his back. If he sees a police officer out trying to make money for the city of Euharlee, he will do his best to get his job. He had a brother that spent 30 years with the police department and he spent 30 years in public service and that is not the job of the police department to see how much money they can make. The purpose is for them to protect and serve the citizens and not to go out and see how many tickets they can write.

Council Member Guyton said the city's police department does a phenomenal job. Almost every year of his tenure there, they have written more warnings than tickets and he personally loves that fact. They give the people a chance to correct bad behavior. He thinks it is a bad system just for that.

Deputy Chief Yee said let him explain. The system was never for that reason to read tags and write tickets. It only picks up on registration, insurance information and warrants on registered drivers. The system does not do anything the police don't do already. They can run the tag on the computer. The issue is you can't run the tag on every car that comes by. It does it for you. Talking to the representative what it does is report tags. You have a burglary in the neighborhood. For every car in the neighborhood you can go back on the camera. The chief at the city of White said he got somebody that was wanted the first night he was driving home. It does not generate money but it does take somebody who is wanted off the street. The goal is not to generate revenue but to get people without insurance. It is more of an investigative tool. You have a crime you can see which cars where there. Does it cause you to write more citations? It does but they can do that now.

Council Member Turner said technically they have a no chase policy. Even in a department as small as theirs, you have police officers with different personalities and attitudes and he is concerned about an officer turning around and chase. What type of guidelines will be set up to prevent this? Council Member Queen said is there a need for a guide if someone is breaking the law. It is the officer's job.

Council Member Turner said he is questioning the idea of a policy. Depending on what flashes up on a person some of the officers may have more of a tendency to chase this person to write him a ticket. Some that would only chase if they had a serious offense.

Council Member Queen said he would have a problem with an officer that didn't do his job and he saw someone and decided he doesn't feel like writing a ticket today. Council Member Turner said that is not the point.

Council Member Queen said he doesn't know what his point is. The system is to detect someone riding around here that should not be here; people who are riding through selling drugs and catch people with warrants. Those are the people you want to catch. You can give citizens warnings and that is part of their job. He said to generate revenue the system will pay for itself and you will see that after a 30 day trial. Citizen Marshall Aiken said he agreed that it should not be used as a money maker. It can be a tool and depending on how you use the tool; this is where you get to decide how you want to use it. Do you want them to sit at a location using the system or do you want them to patrol the neighborhood. It depends on how you use it. Mayor Worthington said they can discuss it more in November and asked Mr. Stephens and the Chief to get more information.

#### **Conditional Use Permit Application and Ordinance Amendment**

Planning and Zoning Director Charles Reese said back in May 2016 the Planning and Zoning made a recommendation to council to approve an amendment to the zoning ordinance to allow solar panel for a conditional use. It was brought to life for a former applicant who tried to place a solar panel farm in the

community. As a result of that, the applicant dropped out and it has been on hold. Recently they have a new applicant to have a solar panel farm in Euharlee. In order for them to have that as an approved conditional use the council has to decide to approve the recommendation from the Planning and Zoning Commission and approve the draft ordinance. They have a copy and he will answer any questions they may have and then they will move on to the applicant's presentation.

Mayor Steve Worthington asked if they need two readings. City Manager James Stephens said yes it will be the 1st reading. Mr. Reese said the conditional use will be in A1 Agricultural as a conditional use and any request for this type of use will have to go before council for an approved use.

Council Member David Duncan asked a question about the acreage. The acreage on the plat says 44. He said the maximum will be 40. Mr. Reese said the minimum is the 30 and the applicant will discuss the actual amount of acreage they will use and it may even be less than 30. Council Member Duncan said the wording may be wrong because it says maximum and it maybe should say minimum. Mr. Reese said once they go over it the wording can be changed. Council Member Craig Guyton explained, right now they are talking about the ordinance and not the application. The ordinance is behind the application and requires two readings and this is the 1st reading. The application they will get to next.

Mr. Reese presented Mr. Dan Stephenson from Beltline Energy and he will explain what they are proposing. The property is located on Euharlee Road the south corner of Hardin Bridge.

Council Member Guyton said the first letter that was sent out to the surrounding homes had some errors on it and asked if they are going to send out a new letter. Mr. Reese said yes and it will also show the new dates due to the midterm elections they had to move the meeting to a new date. He also explained Mr. Stephenson will meet with some of the neighbors personally.

Mr. Stephenson said he would share some of the background on the project and answer any questions they may have. The project is a maximum of 30 acres in size. They prefer it be closer to 28 but it has not been finalized. They have an application in process with Georgia Power to review and if the project is feasible at the location. They wanted to come before the city to see if it will work per their perspective. All the energy produced by this project will be consumed in this community. The project only operates during daylight hours and shuts down entirely at night. It is comprised of solar panels that are mounted on steel pilings and steels racks with solar panels on top with an entire reflective coating. The project will be set back at least 50 feet from the parcel boundaries which are what is in the draft ordinance. He will meet with the neighbors. He met Scott Costlow which lives to the north of the parcel, and some of the other neighbors to address the visual impact. They will put visual buffers in around the perimeter in the project and to address some those concerns between now and the 13<sup>th</sup> hearing. The project will provide tax revenue to the city and the county approximately \$125, 000 over its life of 30-35 years based on the millage rate. When the project is no longer operational, 30 to 35 years they contracted with the land owner to remove all of the equipment.

Council Member Tracy Queen asked if they bought the land. Mr. Stephenson said they did not. They established an optional agreement with the land owner to lease the land for the project.

Council Member Joe Turner asked how many of these solar panel will there be. Mr. Stephenson it will be closer to 8 to 10,000. He said he know it sounds like a lot but each panel is roughly 3 X 5 feet. Council Member Turner said the visual impact, you drive down the street and you have a 3 x 6 or 5 X 9 panel. Mr. Stephenson said it will be mounted in rows with lots of panels next to each other. He asked council to look at the handout they received; each row could contain approximately 100 to 200 panels.

Mayor Worthington said if the council would like to see one they can go to Floyd County at Highway 101, Padgett Road. There is one on each side of the highway and it is running now.

Council Member Duncan asked if Mr. Stephenson had seen the one the Mayor mentioned.

Mr. Stephenson asked if it is in Polk County.

City Manager, James Stephens said the one in Polk County is in the business center. The one on Highway 101 is identical to the one in the business park in Cedartown.

Council Member Turner said he is thinking of the safety aspect. How much electrical power each will produce? Will there be a chain length fence around it. They are still in the country and kids will get out and play; the safety of touching it. Mr. Stephenson said there will absolutely be a fence around it, the full perimeter and will be less visible from the road. Similar to a substation, there will be a fence around it with a locked gate.

Council Member Queen said according to the ordinance it has to be an 8 foot fence. Mr. Stephenson said that is correct. Again it is similar to a substation and fenced designed to be as safe as they can as all electrical equipment. You have to be careful with it and have it fenced off to make sure people don't wander off into it.

#### **Permanent Markings on All City Vehicles - David Duncan**

Council Member David Duncan motioned to amend the agenda to add permanent markings on all city vehicles. Council Member Joe Turner seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

Council Member David Duncan said he noticed a couple of city vehicles that are being driven throughout the county and there are no markings on them. He personally does not like it. He knows a lot of cities have vehicles with no markings. He is proud of the city and he feels all the vehicles should have markings. There is one public works blue truck, the police department black Jetta and black Ranger pickup, the chief and deputy chief's car does not have permanent markings. He noticed for the first time today that the chief and deputy chief's car have magnet markings on them, but has seen his vehicle in the city without the markings on it. He said, City Manager James Stephens got some pricing for them and it was \$750 or \$775.

Mr. Stephens said that was not a unit price. When he looked further, the police vehicles would be \$280 per car to have Euharlee police permanently put on the car. The other vehicles he is referring to does have government tags on them. It is the vehicle they received a couple of years ago by donation. It will cost \$60 to get decals on like the one Mr. Reese's and the city manager's vehicles have on them. Also, if you want that on the Jetta and the Ranger instead of identifying them as a police vehicle it would be \$70 per vehicle.

Council Member Duncan said he didn't not care about the size of the marking on them, just have Euharlee Police permanently marked on them when you are driving around in the city. He does know the magnet markings can come off and you can lose them. The fourteen years he was there they lost several of them. He didn't know how much it cost. He thinks they should do a one-time spending and get all the vehicles marked. A few years back, they had a problem and had all vehicles marked because of that incident. He thought there was an ordinance and found out it is not. He would like to put in that all city vehicles are marked.

Mr. Stephens said not to challenge him, but you said they had lost several magnetic markings. So what did you all use magnetic decals on? Council Member Duncan said on unmarked cars. The police chief used them and other cars they used they would put a magnetic sign on it. Mr. Stephens said historically the Chief's car has never been marked or not been marked in the last 5 years. Council Member Duncan

said when he first came there the police chief car was marked and they have kind of gotten away from that.

Council Member Joe Turner said they have had permanently markings on the Police Chief's car. He agreed with Council Member Duncan and would like to see all of them marked. The way the Chief's car was acquired it was not actually bought. It did not go through the process of being a police car and marked. He would like to see all the cars marked; the smaller vehicles with city decals.

Council Member Tracy Queen said they have a police truck that is sitting out there that looks bad. It is not being used and on the insurance why don't they get rid of it. It's garbage and doesn't run.

Council Member Craig Guyton said the cars that the parks and recreation use, the Jetta and the cars you want to put the decal on, it does not have to come before city council. If the department wants it on there put it on there, unless the city council wants an ordinance that every car has to have markings. He does not mind the police department having an unmarked car, especially if they have any kind of sting they need to do. The better point would be this council does not need to dictate to the police department what they are going to do when it comes to something like that. If they want to mark the car they do not have to ask, they can do that through their own budget. Unless they are willing to create an ordinance that every car has to be marked there is no need for them to be discussing it right now. If they do make an ordinance that every car has to be marked, he would oppose because he does not think it needs to be an ordinance.

Council Member David Duncan motioned to make an ordinance that all city vehicles are permanently marked. Council Member Joe Turner seconded the motion. Council Member Guyton said since it is a motion doesn't it have to be two readings. Mr. Stephens said yes. Council Member Turner said they have two people with unmarked cars and he is not being disrespectful. You can take the magnetic sign off and drive it where you want and nobody knows it is a city vehicle. Mr. Stephens said it has a city government tag on it. Council Member Joe Turner said he has never seen either of those vehicles in a place they are not supposed to be. Magnetic signs can be removed. Mr. Stephens said it accommodates for an unmarked vehicle if you wanted to have two with magnetic signs. He said if we think the chief or the deputy chief will drive them on vacation we have a fundamental problem. Council Member Turner said that was not his intention.

Council Member Duncan amended the motion for the chief to have one car and use magnetic markings for undercover needs and all others will be permanently marked. Council Member Joe Turner amended the seconded motion. Council Members Duncan and Turner voted in favor. Mayor Worthington, Council Members Guyton and Queen did not vote in favor. The motion was denied.

#### **Lease for the Covered Bridge Store - James Stephens**

Council Member Craig Guyton motioned to add to the agenda lease of the Covered Bridge Store. Council Member Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

City Manager James Stephens said he had 2 gentleman present interested in leasing the Covered Bridge Country Store that became available at the end of October. Mr. Walsh and Mr. Garnigan are both interested. They both had an opportunity to view the store. Mr. Walsh had some meetings with the building inspector and the health inspector. Mr. Garnigan has not had the opportunity. Mr. Stephens wanted the council to have the pleasure of meeting both of them. He knows Mr. Walsh's plan was to serve tables in house. It would require a lot more to modify the building to serve over 25 people. He would have to have a seconded bathroom and bring the existing bathroom to the ADA accessible code. It was more than he wanted to do, but is interested again. Mr. Garnigan was a vendor at the Fall

Festival and puts out a good food product. He wanted council to meet both of them to assist him with some guidance on the possibility of leasing.

Mr. Walsh said they will open a restaurant and serve breakfast and lunch. During the summer days they will serve ice cream. They already checked on the building and it has to be changed a little bit; to add another restroom which would be handicapped accessible and he is willing to pay for that. They have the price and the plumber. They are going to serve country meals, barbeque, sandwiches, biscuits and eggs. They are going to open up at 5:00 am every morning and close at 2:00 pm. If the business goes well they are planning to put a ventilation system in it that is about \$15,000 so they can add more equipment. They did change their minds until they looked into it. He said he lives on Taff Road and not far from there. He is familiar with the restaurant business. He had a business before and has worked in the restaurant business all his life. They looked forward to come to town. They will put in all new equipment. The fire marshal said he can put in 56 people if he adds a new restroom. All he asks from the city is to reinforce the handicap railings on the outside on the ramp and he will take care of the rest. Council Member David Duncan asked when he planned to install the restroom. Mr. Walsh said you have a restroom and an office. He said he would do away with the office and make it a restroom. The building inspector said it would be great. It is big enough. Everything will be brand new. The plumbing company is Moore's plumbing. Mr. Walsh said they plan to participate in all the festivals. They will have a grand opening and they all can come and eat free on the first day. They will also do some delivery service and catering.

Council Member Tracy Queen asked if they will be open 7 days a week and he answered yes.

Council Member Joe Turner said this gentleman is talking about spending a lot of money. If you don't succeed, you need something in the lease. If you attach something to a building it stays. Mr. Stephens said they discussed at 12 month lease, he may prefer a 36 month lease. Mr. Walsh said he doesn't mind a longer lease. If he does not succeed, in the lease include putting it back like it was. The name will be The Covered Bridge Diner.

Mr. Doug Garnigan said he currently operates Oghara Smokehouse. They serve nachos, burritos and Philly sandwiches and tacos. They plan to serve breakfast as well. They plan is to bring the truck and work out of the mobile kitchen they have now and go ahead and build up the currency. They will also update all the things required for the inside of the building, as well as, put the exhaust in and update the bathroom. They will have a name with the Covered Bridge in it. Something like the Covered Bridge Tavern. It will have something like a sports feel to it and include the Bulldogs and the Falcons when they grow to that point. They are excited and have a pretty good fan base already. The prices are really good and the food is pretty amazing. He had a very successful business for 12 years in Florida, Doug's Pork Service. He just moved back in June but he is from Cartersville. He went to school with Council Member Guyton. He is ready to get it rolling and hope he is considered.

Council Member Joe Turner said Covered Bridge Tavern and are you planning to ask for a pouring license. Mr. Garnigan said not at this time. He would like to have some growth and not really considering at this time. He is considering getting the exhaust.

Council Member Craig Guyton said right now you are willing to prepare everything in your food truck and people would go in to eat it. Mr. Garnigan said he actually wants a drive through, especially for the breakfast. Council Member Guyton said so you are not going to use the building for anything. Mr. Garnigan said not to start. I could use it for the bathroom and maybe for condiments to dress the taco. He is really trying to get people to come through for the breakfast crowd.

Council Member David Duncan asked if he had been to their Food Truck Friday. Mr. Garnigan said he had not, but was there the weekend at the Fall Festival.

Mayor Worthington asked if he wanted to start as soon as possible and Mr. Garnigan said yes.

Mayor Worthington said they will meet again on November 13, 2018 and they will make a decision. He appreciates Mr. Stephens getting everything together. Council Member Turner said the council can share their ideas with Mr. Stephens.

Council Member Craig Guyton motioned to adjourn the meeting at 8:12 pm. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

With no further discussion the meeting adjourned at 8:12 pm.