

**CITY OF EUHARLEE
CITY COUNCIL WORK SESSION MINUTES
MAY 15, 2018**

Mayor Steve Worthington called the meeting to order. A prayer was led by David Duncan 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 (arrived at 7:06 pm), David Duncan, Joe Turner and City Manager James Stephens. City Attorney Boyd Pettit was not present.

NEW BUSINESS

Police Department Weapons & Rifles Policy - Chief Lee New

Euharlee Police Department Chief Lee New stated, he was there to answer any questions the council had in reference to the police department weapons and rifles policy.

Council Member David Duncan had a question about training. He knew it was said it would be a week to get sighted in for the rifles and a week for additional training. He asked, if it would be more than one day of shooting practice. Chief New said, it is more than that. They have 4 or 5 people set up to go to active shooting class in Calhoun. Plus, they will go out and shoot until they qualify. Some people may take longer to qualify than others. But they will shoot until they qualify, under a qualified certified instructor. Council Member Duncan second question was on the fire arms and carrying the weapons off duty and training. He asked, if they would be allowed to go out on their own on public land and shoot rifles. The policy does not state it. Chief New said no. Georgia law gives them the authority to carry a side arm off duty but not rifles.

Council Member Joe Turner asked, if they would include a paragraph to state, any shooting they do outside the department would have to be at a certified gun range and not out in the woods shooting at tin cans with rifles. Chief New said, he would be willing to do that. He doesn't think it would hurt to add anything to it. Council Member Duncan said, black and white is always better. Council Member Turner said you talked about going to active shooting class, would that be with a hand gun or a rifle. Chief New said either. Council Member Turner said, it would incorporate both. Chief New said yes and this is strictly classroom and no weapons are involved. Council Member Turner said, as a hunter over the years he has seen deer approximately our body size. He has seen more than one deer killed with one bullet. It will pass through one and go through the other. He said, the rounds they talked about getting, leaves the gun about 3000 feet per second. He said, the police department chose to go to the 9 millimeter hand guns, why not get the rifles with a 9 millimeter bullet that will not go through two walls or two people. Chief New said, sometimes a 9 millimeter will go through one target to the other. That is part of training. You have to be sure of the background or what's behind the target before you squeeze the trigger. Council Member Turner said, in a school setting there was an incident where somebody pulled the fire alarm. They got all the kids into the hall and then the active shooter shot in the hallway. It is going to be extremely dangerous to shoot one of the rifles in a crowd. He is not trying to tell him what to get and have they already ordered. Chief New said, they have already ordered. Council Member Turner asked if they got 540 or 556. Chief New said, they are 223's. Council Member Turner said that shell leaves a gun barrel at over 3000 feet per second. That was his concern. If the 9 millimeter is capable for what they do on a day to day job, out to 50 yards outside a classroom that bullet is applicable to 1 ½ inch coming out of one of these guns. He don't

understand the need for the bullet that can travel through 2 or 3 things but you have already ordered them.

Council Member Tracy Queen apologized for being late. He asked how many times they are going to shoot per year and train. One time you only stated once a year. Chief New said, that is what post requires. Council Member Queen asked what was he going to require. Chief New said, they were going to try with at least twice a year. Council Member Queen asked him if he would make it mandatory. Chief New said they would try their best. They use Georgia Power and it is a matter of when the ranges are available. Council Member Queen said the reason he asked is because he had spoken with other people, some other counties that have them and military police officials. They seem to think 2 times is the way to go, but 3 or 4 times a year would be great. The cost is the issue, but he would add twice a year. He agreed with the fact they should practice anytime they feel at a qualified range and there are several of them around here. He said, that was the biggest thing he had with the policy. He apologized but he took the policy to a couple of different people and had them to look over it, to include his son who is a Captain in the military police. They all seem to think your policy is pretty good. They all also specified that once a year was not enough. Chief New said, he agreed with twice a year and it is expensive to burn up ammunition like that. Council Member Queen said, even if you do twice a year with 40 rounds a person. You have a lot of guys, but that is still a lot of rounds to pop off. It's the minimum you would do. Most people are shooting 60 rounds to stay qualified and stay familiar. If they are doing it on their own too, that's not a bad thing. He said he was sorry if he offended him that he took the policy out for people to look at that know the policies and give him a good opinion on it. Chief New said, it was fine. James Stephens, City Manager said, if Chief New could get it back with the two edits he would get it out to council and have it on the June agenda.

MOU Covered Bridge Soccer Club - James Stephens

City Manager, James Stephens said he included in their packets a proposed MOU for the Covered Bridge Soccer Club associated with the Three Rivers Athletic Club. Don Varvel, Parks and Recreation Supervisor was present to give more details. The MOU is structured where they will have a spring and fall season. The city will receive a lump sum for each season and in addition to that, they will receive an amount for each registered player that may or may not amount to much but will be better than nothing. They will take care of the background checks of their coaches. It spells out what they will do to the fields and what we will do. He said, the club anticipates many local participants and will increase substantially. It will be a small, but nice revenue stream for the city. The soccer fields are available and will be an ideal utilization.

Council Member David Duncan asked if the soccer nets were standard and certified and do they have to buy new nets. City Manager, James Stephens said, they will provide the nets.

Council Member Craig Guyton asked where Three Rivers Athletic Club was located. Mr. Stephens stated they are out of North Georgia near Dalton, but not a hundred percent sure. Council Member Guyton asked if it would interfere with any other tournaments and people contacting them for weekend tournaments. Don Varvel stated it would not interfere. They currently have none for soccer. Mr. Stephens said, they do anticipate games on Saturday and we would have them on the schedule. Council Member Guyton said, this may be standard operating procedures in a contract, but the contract renews automatically year after year unless they have done something against the contract. He can't foresee anything that would cause them to want to eliminate it. If a future council decided they wanted to have their own recreation department, they would be bound by the contract. Mr. Stephens said, they can edit enumerated item 23 to read more openly. Council Member Guyton said, his preference would be to leave line 23 as it is, but at the beginning of the second page in the very first paragraph to read it renews on January 1 pending a vote from council. His opinion is they should not hamstring future council.

Council Member Joe Turner said, he thinks Council Member Guyton is right. He believes in every lease they have had stated 30, 60 or 90 day notice. Mr. Stephens said, he thinks that will be agreeable to the Covered Bridge Soccer club. Council Member Guyton stated, now that he looked at them both, it doesn't matter to him which way it is amended. The first paragraph or in item 23, strike for violation and it could say a 60 day notice. Mr. Stephens said, he may go ahead and amend both paragraphs. Council Member Guyton said it's okay as long as it is in the city's favor. Mr. Stephens said, he knows in a work session you can't take official action, but this group needs an idea. With the edits, they need to advertise for tryouts, he didn't know if it is anyway for him to get a comfort to tell them it went well or hold until the June meeting. Council Member Duncan said, he didn't have a problem with it. Council Member Craig Guyton stated, with the edits he will vote yes in June.

Cedarcrest Environmental - James Stephens

James Stephens, City Manager said to council he had this item on the agenda for them to give consideration to make the solid waste pick up a city service. They know the resident's contract out on a house to house basis. We require they have a service, but our charter authorize us to have a service and charge a fee for it. Given the current position of each homeowner, a transition might have some growing pains and there may be some inconveniences, but doable. He sees this as an opportunity for Euharlee to make it a government service and possibly down the road transition for the city to provide the service rather than it being a contracted service. The proposal entails it being a contracted service provided by the city. The numbers that Mr. Wilson of Cedarcrest Environmental has put together is what his rate would be for each household and would recommend the council add a \$2 charge over and above. That would generate about half a mill tax currently. Again, down the road the hope would be to get our own equipment, staff and provide the service. Mr. Stephens thinks there is some substantial opportunity to take that avenue and possibly keep them from considering a millage rate in the future. It is something he recommend they seriously look at. This is a good transition. He and Mr. Wilson have been working on this for about 5 months and Mr. Wilson is eager to speak to council. Initially, getting the service on our own, in the absence of URA funds being eligible for the capital equipment, the capital equipment at this time is not ideal, but this half a mill of tax for 4 years puts us in a position to possibly buy our own equipment down the road and provide the service at an even larger margin for our citizens.

Council Member Joe Turner stated the document was just handed to them. Are you proposing to provide a canister for every household? Mr. Wilson said yes sir. They will provide a 95 gallon roll cart container. They are able to stand 40 miles an hour winds. They are stable and the truck will tip them as they come through. They can provide additional cans upon request. They are also willing to keep it, as much as he can, and let the city brand it. As far as the container color and design, it is strictly left up to what is voted in. Also, along with the logo, they will have there can manufacturer design a hot stamp and display the covered bridge. This is what the city is famous for. They will put their name and number at the bottom of the container so they intercept any calls, complaints or special request. They will provide each resident with a container. Any city owned property, churches and the covered bridge with free service. They will pick on a weekly rotation. They also will offer the city what he calls operation clean up. Bring a 30 to 40 yard roll container biannually or quarterly and strategically put it somewhere in the city for unwanted items. It would be a service provided for the city and offer bulk collections. Any resident that have any equipment, they can call and they will assist with getting that as well.

Council Member Tracy Queen asked, if he was currently doing any cities or neighborhoods. Mr. Wilson said no. He was formerly Wilson's Waste and Disposal and they picked up locally mainly in Paulding County. They were looking to get back in business simply because the phones were ringing constantly. The work is there and before they get back with sitting individual cans, they decided to look for a municipal

contract or bulk contract. They reached out to a couple of cities, which was in their business plan that did not have service and kind of brand specifically with a financial benefit. Council Member Queen said, and this is billed per household and Mr. Wilson said yes. Council Member Queen, asked if the city was billing through taxes. Mayor and Mr. Stephens said no. Mr. Stephens stated, this final portion would have to be negotiated. If council is interested in moving forward, he recommended the city handle the billing and they would have the infrastructure in place after the four years. This would require software and administrative cost. However, he is willing to handle the billing.

Council Member Queen asked if they would consider and contribute to the software. Mr. Wilson stated, they use a software called trash flow. It is specifically designed for waste collection. It produces the bills and different financial reports.

Council Member Queen said, his subdivision has 4 companies that pick up. How do you get all the citizens on one page? Mr. Stephens said, that is the growing pains he referenced in the transition. That is part of being an inconvenience for the city. He said himself and the staff can handle the billing. Do you get the commissioners to do the billing for you or you get in some new avenues. He encouraged the council to consider. He believe Mr. Wilson has the background expertise to provide it at a high quality service to our citizens.

Council Member Queen said, you will have to promote this throughout the city. Mr. Stephens said he didn't know how the other companies billed, monthly or quarterly and there will be some aches and pains to work out. Council Member David Duncan said quarterly. Mr. Wilson said that was his idea too. Also, to play it right to get all 1500 cans shipped. They will order extra in case some are broken which is very unlikely. They will have them in stock. He will be ready at the end of the quarter and at the beginning of the quarter, their truck will be there ready to collect. It is not going to be seamless but, seamless as they can make it.

Council Member Queen said this will be voluntary for the community. Mr. Stephens said, the rates are based on close to a 100% of Euharlee participation. The proposal in front of you is based on 1400 customers. If the council decided to make it voluntary, he will need a chance to adjust his rates. Council Member Turner said, some people in the city does not take garbage service. They take it to the county. They are not going to be happy if we force them to do it and pay \$45.00 a month. Mr. Stephens said, that would be quarterly. He asked Council Member Turner if he has any idea how many that don't. Council Member Turner said, he doesn't he just knows everybody doesn't. Mr. Stephens said, those are the type of things as an elected official board need to sleep on it. Council Member Turner said, the fee is \$45.00 and you are suggesting to charge \$47.00. Council Member Duncan and Mr. Stephens said \$51.00. Council Member Queen said it would be more that what he pays. He pays \$45.00 with a military and senior citizen discount. Council Member Duncan said that would be one of his questions, are you going to give senior citizens discounts. He said 4 of the council are senior citizens. Council Member Craig Guyton said he was not requesting a discount. Mr. Wilson stated, they were not but they can definitely go back and look for something for the seniors. Council Member Duncan said, they will ask the question, because they have a lot of seniors in the city. Mr. Stephens said, at one time they thought it was about 1800 customers. The goal and intent at that level, the \$2.00 add on, would approximate to what you are paying without an increase. Council Member Queen said, you can charge the seniors the flat rate without the charge from the city. Mr. Stephens said, he works for the council and when they have the final number he can sharpen even more. He is not telling them it will be at no increase to the citizens, but his objective was to be as close or less to what they are paying even with the revenue to the city. Council Member Duncan said, if it is not close, they will not want to change.

Council Member Craig Guyton said, he is with Council Member Duncan and Turner, but the citizens have also told them they would not prefer to have a millage rate too. What they are doing, is to look for other avenues for the citizens and for the city to make money through services as opposed to a millage rate. He is not saying they have to do one or the other. There is going to be a time when this city can't function

and fund everything they are funding without having some sort of revenue. At that point the citizens will have to weigh if they want a millage at the end of the year with the tax bill or pay a couple of dollars for garbage pick-up. He said, his household would rather pay garbage pick-up. Council Member Guyton said to Mr. Wilson, you will own the cans and the city will not, even with our log on them. Mr. Wilson said, yes and that is a risk he is taking after the 4 years. He will have to pull them all back because his name is on there. Council Member Guyton said, the contract is set up for 4 years and are you willing to do less than that. Mr. Wilson said, they can entertain the idea. It will be about \$300,000.00 up front on his end. Council Member Guyton apologized for them talking about doing it themselves at the same. This is not a new discussion for them. He also said, to answer Council Member Queen's question, other cities make it mandatory too. You pay for the trash service. If you want to take your own trash you still pay for the trash service. He said, the original start date if we said yes, is within a month or so. They will look at an October start date. Mr. Wilson said, yes about the time they get everything settled and set up with administrative.

Council Member Turner asked, how many days of operation will it take with the number of people in the city. Mr. Wilson said, they thought 3 days. Realistically 2 days, but they can cater to the needs. Council Member Turner said, you will operate with one truck. Mr. Wilson said, yes until they get the spare, he has a good friend already in the business off Highway 61 that has a fleet of trucks. They have an agreement worked out in the event something happened until he can get a replacement.

Council Member Guyton said to Mr. Wilson, you said you were working and have talked with other cities; say you got a couple, are you going to be overwhelmed if you get more than one city that says let's do this. Mr. Wilson stated, by far this one is the biggest. The others are only around 200 people and one is unincorporated. He would handle them on the other days he does not pick up in this city.

Council Member Guyton said to Mr. Stephens, in his resume he read that this is something he has done previously and he was the lead person on that. Mr. Stephens said yes he did at the City of Cedartown, they provided the service. They actually handled in-house. There was a combination, a contract with Waste Industries and the staff. Council Member Guyton stated, if the city did the billing and we talked about software, what about personnel. You would need at least one extra person. You would not be able to do it with the existing personnel. Mr. Stephens stated, we moved monies out of the front office to public works. Ideally, an additional person would be great. He said, Mr. Wilson indicated they would collect the solid waste 3 days per week. If we bill it quarterly, it is not a 40 hour job, not including the initial set up. We are fine if they prefer Cedarcrest to handle the billing. It can go either way.

Council Member Guyton said to Mr. Wilson, if they handle the billing they would basically cut the city a check for their portion every quarter. In theory, if we were going to do that 3 years from now, at some point we could transfer the billing with no issues. Mr. Wilson said yes they would cut the city a check at the end of each quarter.

Council Member Turner said, if the cans are going to have the City of Euharlee logo on them and promoted as us providing the service, the bill needs to come to the city. It is going to confuse the general public. The payment needs to come to the city.

Council Member Guyton said another thing they could look at is to let the county do it for us at a later time. He likes Council Member Turner's idea. He would prefer it to come to the city. However, you would deal with non-payment and late fees. Mr. Stephens said, you could bill it through the water service. Council Member Queen stated, if you bill, you are going to feel all of the complaints. Mr. Wilson said, that is right. That is why our number will be on the container to deal with all the logistics. Mr. Stephens said, it is possible that Mr. Wilson's spouse may be willing to contract for the billing portion and set up at the city. Council Member Queen said, it may soften the blow for the citizens if it is paid to the city instead of a contractor.

Mayor Steve Worthington said, another side of the coin, if we let them bill, it will be there responsibility to collect it. If we bill it, if we have 15 non payments, they will expect their money and we will have to go

in our general fund to pay them whether we get our money or not. We will be throwing the city's money down the drain. Mr. Stephens said, that is a valid point. It would be better to bill it monthly rather than quarterly.

Council Member Guyton said, in the future when you have a water payment set up with it, the city can collect the late fees. Those can be substantial in this business.

Council Member Turner said, he doesn't know if they have enough answers to say if they are going to vote on this or not. Mr. Stephens said, he would not see this being a June agenda item at this point.

Mayor Worthington said, we can sleep on it and maybe have him come back for the work session in June. Mr. Stephens said, this is an involved transition. Mayor Worthington said, it is a very interesting proposition. He could see where it can work. If it was coming out of our pockets it could be a lot easier. It is the citizen's tax money and we need to be as frugal with it as we can.

Council Member Duncan said, as it was said earlier, he would rather pay a garbage fee than to pay a mill or two. Council Member Guyton stated, it is easier to pay for a service fee than to pay a tax. He appreciates him coming and able to answer their questions. Mr. Wilson said, thanks for having him and if anytime they have any questions, feel free to contact him.

Mayor Worthington said for Mr. Wilson, to put on his calendar the 3rd Tuesday in June which is the next work session. Mr. Stephens said, they will go home and think of more things and when Mr. Neil has an article they will get more phone calls. He stated that he and Mr. Wilson will be working a lot before the next meeting.

There were no public comments.

With no further discussion the meeting adjourned at 7:48 pm.