

**CITY OF EUHARLEE
CITY COUNCIL MEETING MINUTES
APRIL 5, 2022**

Mayor Craig Guyton called the meeting to order, led prayer, followed with the Pledge of Allegiance.

The following were present: Mayor Craig Guyton, Council Members Tim Abbott, Greg Free, David Duncan, Joe Turner, and City Manager James Stephens.

Resolution – Recognition and Appreciation for James Stephens

Mayor Craig Guyton, on behalf of the city council, read and presented James Stephens with a resolution thanking him for his service during his tenure at the city of Euharlee and immense success on his new assignment.

Approval of Minutes

Council Member David Duncan motioned to accept the minutes for the City Council meeting March 1, 2022, Called City Council meeting March 8, 2022, and City Council Work Session held on March 15, 2022. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

UNFINISHED BUSINESS

Covered Bridge Road Bridge Repairs – Leeroy Shepherd

Leeroy Shepherd, Public Works presented a quote for repairs for bridge one and two on Covered Bridge Road during the work session last month. He spoke with Joe Sutton at Bartow County Road Department, who referred the L.C. Whitford Company, Inc., stated they will stand by their work and had never had a problem with their work. Mr. Sutton shared with Mr. Shepherd, if the council had questions, they could give him a call.

Council Member Tim Abbott stated he wanted to be sure about the lifetime warranty. In contractual language especially on a lifetime warranty, you need to determine what is covered in the warranty also to include natural events. James Stephens, City Manager, shared what Council Member Abbott was trying to say, was bridge people will stand by their bridge, and not on their bridge. He wants to make sure they will stand behind them. Council Member Abbott stated it was a large amount of money for them to approve and a choice, but safety first.

Mr. Shepherd stated Mr. Sutton received a letter from DOT with concerns about the condition of the bridge and were they aware of the shape they were in. He stated Mr. Sutton sent Mr. Stephens a copy of the letter. Mr. Stephens said he did not receive a letter. Council Member Greg Free asked if DOT reached out to the county? Mr. Shepherd said yes to Bartow County.

Mayor Craig Guyton asked if there was a way to get a copy of the warranty? Mr. Stephens said if the council would like to approve, contingent upon his review and the city attorney's review of the warranty and the contractual document Bartow County executed when they did the same repair on the bridge on Red Top Mountain Road.

Mayor Guyton asked if they stated how quick they could get to it. Mr. Shepherd said no. They are trying to work the city in with jobs they currently have with the Bartow County Road Department. The county will do the asphalt at no charge to the city.

Council Member Abbott stated it would be his pleasure to see details in a contract with some commitments with projects to start and finish. The contract will cover contingencies to delay it and the warranties. He thinks, it is a big deal, and would like to be more informed before he says yes or no. Mr. Stephens said it was a large expense.

Council Member Tim Abbott motioned to table the item until they had further contractual details. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

NEW BUSINESS

Frankie Harris Park Bid Approval – James Stephens

City Manager James Stephens said after they opened the bids at the work session, there was one firm that was confused about the instructions about the road approach, so he reached back out to all the entities that attended the pre-bid meeting. The company that was present, which was not the low bid, was the only company that had the misunderstanding about his instructions on the road. With that being said, he recommended that if the council was prepared to add the additional sites, and to approve the low bid for the design in the amount of \$44,500. In the work package highlighted in blue, is the construction estimate the design firm has stated the cost for the construction with full sewer hookup would be \$477,000. He thinks it is reasonable the method by which they put it together, believes it to be accurate and not low. He had prepared what would be a worst-case scenario. The sewer hookup is only an estimate. The vote that evening would be on the design in the amount of \$44,500. He stated, realize if you spend that money, be prepared for a total half of a million dollars for the project cost. The construction price bid may be less, but not significantly less than that. The gentlemen stated he would have it ready to bid by the end of August.

Council Member Joe Turner made a statement about \$22,500 for project management, included bid document and construction management; \$22,500 to tell someone where to dig.

Mr. Stephens stated that is one attitude about what that service entails. He added, when the bid opens for the full sewer hook-up, if the council moves forward, which will generate more revenue, construction inspection is much more tedious and the most critical part of the monies they would be approving. It does sound like a lot of money, but not for sewer construction.

Council Member Turner stated he said from the beginning about the construction, he thinks it will make a mess of Frankie Harris Park, and a year ago everybody was on board about building campsites at the seventeen acres.

Council Member Greg Free said then why go over there and do it. He thinks it keeps the integrity over at Frankie Harris Park events, and the POW WOW and enhanced by the campground used the proper way. If the fifteen sites were all rented, the average hook-up in the area is about \$85 a night for fifteen sites for two hundred nights a year, you have generated a quarter of a million dollars. He would rather do that, than to put a tax back on the citizens.

Council Member Turner referred to the seventeen acres for the campsites. Council Member Free stated that the site work on the seventeen acres for campsites was going to be significant task and cost. Mr. Stephens stated if you were going to do more than primitive sites. Council Member Free said of the RV sites, it would be significant to get that right. Mr. Stephens agreed. Council Member Free said he understood to Council Member Turner. They all can come up with ways to generate revenue which is why they got rid of the millage rate and find ways and ideas to generate revenue. It is a create way to do so and bring people to the community and share the history. They must be there to see it, and right now there is nowhere for them to stay. People have been trying to book the eleven sites that are not open yet.

Council Member Turner stated they agreed to see if the eleven sites, the interpretation of what everybody wants, would rent out every night each week. They all agreed to make that effort to try it and see if it worked. Now going by the belief with camping, they have not had eleven campers 52 weeks out of the year yet to get any revenue at all. He prefers the trial and error with what they already have and see what happens.

Council Member Free said one of the hurdles was the dump station and a lot of people will not book where they cannot dump their solid waste. They would have to pull the camper offsite loaded with solid waste. They will see the sites rented once the dump station is installed.

Council Member David Duncan asked, once the dump station is installed for the eleven sites, will it be big enough to accommodate more sites. Mr. Stephens stated, the tap for the dump station that will accommodate the eleven sites, will have a tap that goes straight in through the sewer line at a gravity portion that it will feed to the lift station at the back of the old library. It will accommodate 11 or 26 sites. If you have full sewer hook-up, they will be gravity fed to a different location. They have a lower topography site and all eleven would not hookup and rented for a lower amount. Council Member Duncan asked if they could add full hook-up to the lift station. Mr. Stephens said it would add money to the construction site. Council Member Duncan asked even with the fifteen sites would the eleven still not be able to hook-up. Mr. Stephens stated that was correct based on the way the RFP was written.

Council Member Free said that was really no difference than most campgrounds. They will rent for a lower rate for non-full hookup sites.

Mayor Craig Guyton stated the first eleven sites rented at a lower non-hookup rate and the fifteen sites would be full hookup at a higher rate. Mr. Stephens said the hookup price to the sewer for the eleven sites would prohibit a pay back. It can be written to get an alternate to add it, but it was not requested in the design. Council Member Duncan said he agreed with Council Member Turner, they decided to try the eleven sites first.

Council Member Tim Abbott stated, when he came on council in 2019, he asked if the city had a strategic plan to create economic development growth, and how Euharlee was situated for economic development growth. He found the Georgia Bureau of visitation had a very comprehensive study that identified Euharlee as a beautiful outdoor recreation area that is very under-utilized. He said the city has a great plan, and a great demand. They will not have to worry about the sites being filled. You cannot get in Gatewood Park in Bartow County, and this is not new to the table. At some point, they must make a decision to take a leap into the strategic plan to best use the natural resources. They will regain the cost in a couple of years and create a city revenue stream. Very few cities in Georgia does not have a millage rate, and it would be great to keep it that way. They must do something to engage in revenue streams. They will need to bring people into the city with money for the businesses now, and businesses to be. The longer they debate and hold back puts them at risk of one day having to reinstate the millage tax. He gives it his full support.

Council Member Tim Abbott motioned to accept the proposal for the design for Frankie Harris Park in the amount of \$44,500. Council Member Free stated the federal funds received can be earmarked for the project. Mr. Stephens stated there are (3) potential funding sources for the project.

Council Member Turner said there could be a 3 to 2 vote or 4 to 1 vote. He stated the phrase, go along to get along. He does not want the council to have a split vote spending a large amount of money. He will vote to have the council in full agreement.

Council Member Abbott stated, if any council member had a strategic plan to support the outdoor nature of Euharlee to present, and not closed minded. They had a local supporter for the city of Euharlee that stated the city was behind on outdoor plans. He stated this plan is good for Euharlee.

Council Member Turner said he is not against the fifteen campsites, but he would agree to test the eleven sites. He hopes they will rent every day.

Council Member Free talked about an article in the paper, and the statistics in the county saw over a 100% increase from 2020 to 2021 in their site usage as far as campers. Red Top has devoted a large amount of money to revamp their campgrounds. In 2020 there was an explosion of people who bought campers. The local cities and county are involved in the increase of campgrounds in this area. This will not only be a benefit to our city, but to the county as well.

Mr. Stephens responded, it is accurate the full council did approve the eleven sites and to use SPLOST monies for those sites. What has changed since then, the city received a substantial amount of American Rescue money that is available and puts them in a position to be able to do fifteen additional sites without having to go to the bank. He believes it will be very successful. The county revenue went from \$200,000. to \$400,000. in one-year without one of their sites not open due to installing a full-hookup system.

Mayor Guyton said, the one thing he would like to avoid would be, opening the eleven sites and have to shut down for the additional fifteen sites. He thinks one opening will work fine.

Council Member Tim Abbott motioned to approve the design for Frankie Harris Park in the amount of \$44,500. Council Member Greg Free seconded the motion. Council Member David Duncan asked a question and addressed Mr. Stephens and asked if they would have to pay an additional \$27,000. to pave the eleven sites. Mr. Stephens said the \$44,500 is just for the design but included in the total package to asphalt or concrete the eleven sites and included when the contractors bid.

Mayor Guyton explained that part of the project will not take place at this time, the \$44,500 is for the design work for the fifteen sites. The motion passed with all voting in favor.

Joe Cowan Park Approval to Purchase Mower – James Stephens

City Manager James Stephens said the recreation department asked that the council approve the low bid on a grasshopper mower from Franklin Tractor in the amount of \$9,899. discussed in the previous work session and funded from SPLOST funds.

Council Member Joe Turner motioned to approve the purchase of the mower. Council Member David Duncan seconded the motion. The motion passed with all voting in favor.

POW WOW – Rene Duncan

Rene Duncan, POW WOW representative came before council to request to use Frankie Harris Park for the traditional POW WOW event for October 13-16th, 2022. The POW WOW event takes place on Saturday, October 15th but they will need the additional days for set-up, and clean-up. She mentioned the organizer for the POW WOW, Joey Pierce was not able to be there for medical reasons, however available if needed. Native Heart, Inc. is the actual company for this event with a 501© (3) status. She asked if the construction would take place during the time of her request.

Mayor Craig Guyton stated it would take place after the POW WOW. It will take some time to get the design work completed, and for council to approve to begin the work. City Manager, James Stephens, stated the bid would be ready at the end of August, advertised for 30 days and a start-up period notice before proceeding.

Council Member Tim Abbott motioned to approve the POW WOW for the dates requested. Council Member Greg Free seconded the motion. Council Member David Duncan abstained from voting due to his participation with the event. The motion carried with the remaining council all voting in favor.

Farmers Market Approval – April Lucas

Economic Development Director, April Lucas stated the council had in their package the vendor application she is proposing for all vendors to use for the Farmer's Market and included was a proposed rules and regulations for participants. The information was adapted from other markets in the area, she did not re-create the wheel, however tailored them to meet the city's needs. She requested the market

on Tuesday's at 6:00 pm from Memorial Day to Labor Day this year. Due to her maternity leave, it seemed right for this year. She discussed the fee of \$50 per season for 15 days, or for half of the market, which is popular in Cartersville, \$30 dollars for 8 days. They have a lot of interest from the public, and they are very excited. She received phone calls, and emails daily. She stated there was a lot of interest from vendors who participate in other markets in the area which is why Tuesday was chosen. The other days were taken in the surrounding area. Tuesday would be a good day, and they could come to the city council meeting right after.

Mayor Craig Guyton said thank you to Ms. Lucas for putting this together through her maternity leave. It took a lot of work to do this; something the council and citizens have wanted for some time, and you have put much effort into it already. Also, for creating best practices, even though, you did not have to recreate the wheel, and what works in other places, is a sure sign of success; and based on your efforts, it will be a success.

Council Member David Duncan said he read an email about things they would be able to sell, and he did not see it on the documentation. Ms. Lucas stated the vendor application has a check-off list. The way some other markets do it, they must apply and not just show up, to make sure it does not turn into a craft fair, because a lot of people wants to sell their crafts and products. It states it is not first come first serve, and the city reserves the right to choose the vendors.

Council Member Greg Free asked if they discussed the location. Ms. Lucas said they did not but have decided Osborne Park. The other events have been at Frankie Harris Park and the Food Truck Friday event is successful at Osborne Park, so she thought she would utilize it more. Therefore, proposing Osborne Park.

Council Member David Duncan motioned to approve and get vendors signed up as soon as possible. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

FY 21 Budget Amendment – James Stephens

City Manager James Stephens stated that prior to Mayor Guyton coming on board prior to the election last year, he recommended to the city council a rare budget on his behalf, to approve a \$97,700 deficit budget, for the budget year 2021. He explained to the council at that time, because of the COVID-19 impact on the revenue in 2020, they saw a significant decrease in TAVT tax, a tax generated when people buy new vehicles. There was a significant cut back on people buying automobiles. Also, the city receives an excise tax generated from the power consumed by manufacturers in Bartow County. It also went down significantly because manufacturers shut down totally. He shared with the council he felt it was temporary through the year 2021, so they approved a budget with a deficit of \$97,000. The total expenditures were \$2,095,580.

To be in compliance with the Official Code of Annotated Title 36, Section 81-3, at the end of each year the elected officials are required to make budget amendments compared to operations. In 2021, TAVT and Excise tax both recovered, and LOST recovered and increased significantly. He tends to put conservative numbers together. With that being said, the revenue not counting the \$815,000 AARF funds received from the federal government. He pulled that out because the auditors will show that as deferred revenue. The revenue exceeded the budget over \$130,000. The expenses ran higher because monies were coming in. The actual operation shows an increase of \$11,000. They had a favorable \$108,000. general fund budget based on operations. Based on all of that, he recommended they approve the budget amendment before them.

Council Member Greg Free motioned to approve the budget amendment as presented. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

FY 22 Financial Update February 2022 – James Stephens

City Manager, James Stephens presented the council with a financial statement through February 2022. It was a 12-page detail of the general fund. The report provided year to date revenue, and expenditures totals. The revenue is \$50,000. less than amount received. Many of the revenue items are spread out evenly, and the negative \$50,000. will turn around. The expenses were \$275,962. The budgeted expenditures for that period were \$362,000., which indicates a favorable variance of \$86,000, which shows a year-to-date favorable variance of \$35,000. between revenue and expenditures. If the fiscal year ended that day, it would increase fund balance by \$35,000. because they presented a zero budget.

Mayor Craig Guyton understood him to say, that would be a report he would give the council every council meeting for the previous month. It is nothing that needs a vote or approved, just a matter of information. He asked if anyone had any questions, and if they needed to review it, they could bring it back up during the work session in 2 weeks.

No Public Comments

Executive Session - Personnel

Council Member David Duncan motioned to go into Executive Session for Personnel. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

Mayor Craig Guyton stated, council returned from Executive Session at 8:39 pm, no votes, and no actions taken, but as a result of that meeting, they had additional city business to do.

Mayor Guyton read a letter from James Stephens to withdraw his resignation scheduled to finalize on April 6, 2022. Mr. Stephens shared in the letter, that as he continued to diligently work, he realized he could still be an asset to the city of Euharlee. Mayor Guyton opened the floor to the council for discussion or to obtain a motion.

Council Member David Duncan motioned to approve James Stephens to withdraw his resignation. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

Council Member Tim Abbott motioned to offer a contract to Mr. Stephens that will run through December 31, 2025. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

Council Member David Duncan said to Mr. Stephens he was glad he reconsidered and stayed.

Mr. Stephens stated he was grateful they allowed his to reconsider and promised they would not be disappointed. He apologized for the roller coaster. He believes the steps of a good man, are ordered by the Lord. Not to sound overly religious, but believed he was supposed to stay there and was grateful to Mayor and council for permitting it.

Council Member Tim Abbott stated he was happy about him staying, but he believes Mr. Stephens is good for the city of Euharlee which was the basis of their decision. He is glad they got that done and happy for the citizens and the city going forward.

Council Member Joe Turner motioned to adjourn. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

With no further discussion the meeting adjourned at 8:47 pm.