

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
JUNE 07, 2022**

Mayor Craig Guyton called the meeting to order, Council Member David Duncan 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.

**Public Hearing – 2<sup>nd</sup> Reading of rezoning 933 & 937 Euharlee Road**

Resident of Euharlee, Debra Miduski had concerns about being able to afford housing if they removed the trailer park and built apartments. She explained her income was barely enough for her necessities and she had nowhere to go. She has been a resident for three years, shared the condition of the trailer park and the repairs needed. If they build an apartment complex the problems will increase. She asked them not to approve it because she had nowhere else to go.

Resident of Euharlee, Raymond Freeman mentioned starting over again with the rezoning. He asked what the requirements were for the Department of Transportation and hearing they are going to do it like it is in Rockmart or a turn lane. He stated, Mr. Crawford that works for the Department of Transportation and Superintendent over the bridge in Euharlee, said they did a traffic count in 2021 when many people were working from home and not going into the office. The number of cars during the morning rush was 5255 and evening 5500. According to the highway capacity manual states, 2650 per hour for a two-lane road, which means it doubles the capacity. He gave the number per second and wanting to add cars. He stated, there is no way they can add cars. The capacity should be for a four-lane. He stated he was reading documentation from GDOT design policy and shared the capacity levels. The ideal capacity on a two-lane roadway was 1752 per hour. He said, they are adding more people to a system that is at capacity. When the bridge is rebuilt, it will be only for two-lanes. He continued sharing information about the two-lane traffic in Euharlee, over capacity and adding more cars. He does not think anything should be added that would increase the traffic. He loves every citizen in the town, and they deserve to be protected.

Johnathan Jones, on behalf of Pak Eagle stated he pulled up the information that Mr. Freeman read, and the Georgia manual said 2600 trips per day for capacity between 7-9 peak hours. Whether this is proof for zoning or not, it will have to meet the criteria in a traffic study. He knows and states they would definitely have to put a left and right turn lane, with possible four lanes built on the dollar of the developer. From a traffic standpoint, he travels a two-lane road that carries about 15,750 per day.

Mayor Craig Guyton concluded the Public Hearing.

**Approval of Minutes**

Council Member Greg Free motioned to approve the City Council meeting minutes, 05.03.22, Called City Council meeting minutes, 05.17.22 and Called City Council meeting minutes 05.24.22. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**UNFINISHED BUSINESS**

**2<sup>nd</sup> Reading - Rezoning of 933 & 937 Euharlee Road – James Stephens**

City Manager James Stephens stated if approved it would be an amendment to the zoning map and in order for a vote. He said, he did not believe the gentleman in charge of designing the bridge communicated accurately with Mr. Freeman. He thinks there must have been some type of

misunderstanding. With that being said, what Mr. Jones stated is accurate, if the rezoning is approved, the future development will have to comply with all the city regulations and state regulations.

Mayor Craig Guyton stated not only do they have to comply with all local ordinances, but state and federal ordinances at the same time.

Council Member Abbott asked for Mr. Stephens to state the rezoning. Mr. Stephens said rezone to C1 and R3 from R6 for the two addresses.

Council Member Greg Free said it was the first rezone since he had been on council. He stated they are strictly voting on the zoning, not on the plans; nothing was presented. The vote is just on rezoning of the property. Mr. Stephens said that was correct.

Council Member Tim Abbott motioned to approve the re-zoning for 933 Euharlee Road to C1 and R3 from R6. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

Council Member Tim Abbott motioned to approve the re-zoning for 937 Euharlee Road from R6 to C1 and R3. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Osborne Park Master Plan Select Design Firm – James Stephens**

City Manager James Stephens stated he followed up from the last work session, and the Bell proposal does include a walking trail around Osborne Park. It does include to protect all the oak trees, as much as reasonably possible, go from gravel to asphalt for approximately \$75,000 which was not a bid number and incorporated easily into the process. He recommended the council engage Allen Bell for the master plan in the amount of \$106,000 which includes them putting together bid documents and advertisement. Council Member David Duncan asked if it was included in the document they received. Mr. Stephens said yes for \$106,000.

Council Member Joe Turner said, he was disappointed they were not honoring the vote and the agreement with the middle school, and simply to him did not make sense. He said, they made a commitment. The two representatives from the council met with the school board and apparently, according to the elementary school coach and the principal, they were told the commitment would not be honored, will not maintain the fields, not going to maintain the tennis courts, and the only thing left was for them to go to Joe Cowan. He said it was a contentious meeting. The principal and the coach were not happy as they thought they were. Mayor Craig Guyton asked if he said the elementary school and Council Member Turner said he meant the middle school.

Council Member Turner stated the council was elected to represent everybody in the city. The money they are spending there, the lower end of Milam Bridge Road and Covered Bridge Road needs paving and for the last three to four years he had been trying to get the lines striped in the city. There are about five to six roads, and the distance on them you cannot see the yellow line or the middle line. They have been talking about building a structure on top of the grist mill and rented for money for the city. If he did not misunderstand, Mr. Stephens stated the government had changed their attitude toward what they could spend the money for. The money the council plans to spend on the park, they could do a lot of good for the city to even buying police cars for the Chief. He said if they were willing to go out and look at some of the playground equipment and put in that park, because he does not believe it is the best way to spend the money.

Council Member David Duncan stated basically on the same line as Council Member Turner. He said they start programs and do not complete them before they start something else. If they are going to spend that type of money, he would rather it go to Frankie Harris RV Park that they have started, and not put it

on the back burner. He would like to see one project completed before they start spending that kind of money on something else.

Mayor Craig Guyton stated they both said a lot of things and he would like to address them one at a time. He said, the city is pretty large and capable of taking on more than one thing at a time.

Secondly, the project at Frankie Harris is not on the back burner, it is funded, and no extra money needed. It is not on the back burner. The construction will start in the Fall, after the POW WOW so they do not interrupt that event which he thinks is favorable to everybody involved.

The roads that need paving will be paved, and that money has nothing to do with that. The striping that Council Member Turner was talking about, in 2007 they re-striped the roads and one of the things was brought to the council at that time was to use the new technology to stripe, because it lasted longer but would cost \$15,000 more dollars than the price to paint using the regular road paint. At that time, and he stated he could pull the minutes if needed, but Council Member Turner did not want to do it. And now they need to have it done again, where the extra \$15,000 to do it correctly the first time, would have precluded from doing it another time.

With all that said, he could appreciate Council Member Turner not wanting Osborne Park to change. The fact of the matter is, the Superintendent, School Board, Principal, and the Athletic Director at the middle school are not only happy, but they are thrilled with the way things have gone.

Council Member Turner said why did he tell him it was programmatic. Mayor Guyton said, he did not know who told him that. Council Member Turner said the coach at the school. Mayor Guyton said there are about 5 or 6 different coaches. Council Member Turner said he assumed it was the head coach because he came in with the principal. Mayor Guyton said if it was the football coach, they have their own field. The athletic director and principal said they were extremely happy the way it went this first year. The council is not backing off any agreement they have made with school or school board. They asked them to update it, and now they are enjoying it and completely pleased with the arrangement. Council Member Turner said the school board does not put up with carrying kids back and forward. Mayor Guyton stated the school board pays the bill everywhere else except for Euharlee, because the city does not charge them a dime to use it.

Council Member Free stated that was the part of the meeting he and Mr. Stephens were a part of on behalf of the city. It was a great meeting with a lot of ideas shared. A representative on the school board from this area was present, the principal and a representative from the central office. They all had concerns up front and were addressed appropriately. The coaching staff and school board were comfortable at that time. After this year, and he has a kid that plays on a team that uses Joe Cowan Park, their coach said they like the facility and were appreciative. He felt it was easier for them to control the gate and make money for the school for their programs, whereas at Osborne they had no gate and could not collect money for the program. Council Member Free said, if they constantly focus on the negative, they will always find the negatives. They must realize there are a lot of positives to those situations. In the discussion with Osborne Park and the schools, as Osborne Park evolves into this new family area, the school will have an input on what they see to be a benefit, because it is in their back door. The council has tried to be good stewards to that relationship, and make sure they include them as things change. They like the fields at Joe Cowan Park, this year was a success for them, and he is glad they made the choice. Council Member Joe Turner said he would like for the council to postpone the decision until the next meeting and invite the principal and the coach to talk to them. Mr. Stephens said they have a school board member in the building.

Council Member Free said to take the school part out of it and go back to the very beginning to the meeting they had with the all the stakeholders in the city and the key people involved with the city. The number one thing that came out of that meeting, was Osborne needs redeveloping, it is not properly being used. He said it did not come out of his mouth, but everybody in that meeting. They need to include the people who help make the city successful. A lot of the citizens that go to Food Truck Friday want the same thing. Imagine it being better. It is in the center of everything. If they keep pushing it off, it will never get done. If they keep kicking the can down the road, they will not accomplish anything. The council was elected to listen to the people and do what is best.

Mayor Guyton said a couple of weeks ago the last day of school, Council Member Free, the representative Mayor Worthington and the council had chosen, went to have a meeting with the principal and the athletic director just to ask how it went. They are not trying to go back to Osborne Park.

Council Member Turner said why would one come out with a different opinion than another person if they went in and asked the same question.

Mayor Guyton stated he did not know which principal he talked to, but if it was the football coach, he probably does not care one way or the other.

Council Member Free stated some were excited about some of the amenities at Osborne Park and the school being able to use them and their input was valuable. He would be honest if they were not happy.

Council Member Turner said he does not know why the principal stood there and asked him why they abandoned the promise that was made 10 years ago.

Mr. Stephens said he would love for them to make a decision on this, but he would not have a problem if they wanted to invite him to a meeting and clear that up.

Council Member Abbott said they cannot speak for someone who is not there, it is not fair to them. He said to Mr. Stephens he believes they had three submissions for an architectural engineering plan for Osborne Park, Mr. Stephens has a recommendation and why.

Mr. Stephens recommended the council to engage Bell and Associates to do the master plan, bid documents, and bid advertisement for the master plan at Osborne Park for a total cost in the amount of \$106,000. He believed them to have the working experience with governmental projects, which could control cost more in-line with a city the same size would need.

Council Member Tim Abbott motioned to accept the proposal from Bell and Associates master plan for the redesign of Osborne Park. Council Member Greg Free seconded the motion. The motion passed with three voting in favor and two not in favor.

## NEW BUSINESS

### **Challenger Field Discussion - Butch Emerson**

Mr. Butch Emerson thanked council for allowing him to come and present to them something that is dear to his heart. He stated he and his wife were blessed to have five children and four grandbabies. Two of the children, are not children anymore, and the oldest three of the children were adopted and God blessed them to be able to adopt. After they signed the letter to adopt, a couple of months later, his wife said she was pregnant with twins. He stated two of his sons are exceptional children. One is in a private facility, and the other one is with them until they can no longer provide care, and his sister Sara will become his care giver. If you ever meet his son Anthony, you will fall in love with him. He is the ambassador of the Emerson family and does a wonderful job.

Mr. Emerson said, years ago, he wanted to get his son involved. A friend of Mr. Emerson's started what they call a challenger league. It allows children with special needs to play ball. They do not keep score or line the field; a lot like T-ball. He said, it was the first time his son was on the field and was able to play baseball with other children. When he thinks of three of the limitations society placed on children he cries. He shared that his son hit a homerun, and he has that green ball on his desk today and it reminds him of the joy that was on his face.

The league has grown into a tremendous league. They have a challenger field at Hamilton Crossing Park, and he is blessed to be a part of. He sat with a group when it was presented to Commissioner Taylor. They play on Saturdays and has grown to where it requires two games. The younger first and the older children play second. There are children that are blind, in wheelchairs and parents push them around the field. It brings joy to them and even more so to the parents. It allows them to escape the restraints, allows them to play ball, and enjoy the same as others.

He stated, he heard some of the comments about Osborne Park and the community. What better idea; you have the land that you own free, and clear and you have been given federal monies to use as you will. You have a baseball field already, go in and take off all the grass, re-grade it and put the turf down. It is manufactured to allow children in wheelchairs to maneuver across the field and not slow down and does not cause children walking to trip and fall. Points he made; it already has the dugout, fence and would need upgrading. He reached out to Commissioner Taylor and Greg Hite and the price tag was \$625,000 to \$800,000. He also mentioned the field at Joe Cowan Park that could be used and re-vamped. He referred back to Osborne Park, the children in the community and schools could use it.

He encouraged them to visit on a Saturday when they are playing, click on the link he sent to them, and it will give them a better understanding what he presented to them of what the miracle fields, the challenging league is all about. He re-visited the current field at Osborne Park. They can use it for multiple use, include under the recreation department and call it the exceptional field at Euharlee. The old adage of a baseball movie, "Build a Dream," build it and they will come. The Hamilton Crossing field started attracting people from other counties. On this side of town, you will draw people from our community, schools, and even have tournaments and multi-use. He is asking them to build the miracle field, challenging field, exceptional field, whatever they want to call it; but to look into their hearts and build this field so that children like his and other children like his son, can play and be equal and not be inhibited by their disabilities.

Mayor Craig Guyton said if you happen to be a sports coach, they accept volunteers so that the parents can sit in the stands. He said his softball team would sign up twice a year to do so.

Council Member Tim Abbott stated when you watch the video, one thing that captured his heart, was there were volunteers, cheerleaders, and teams. The community came out to push them, run with them and the laughter and the tears. He said the macro of the family, and the community that came together to volunteer.

Mayor Guyton stated they have the field at Hamilton Crossing and the one at Rome Braves, which are 20 to 25 minutes from Euharlee, and both have Saturday morning leagues, would that not take away from the existing fields if one is added in Euharlee.

Mr. Emerson answered yes and no. He said opening day at Hamilton it was packed. He shared with a colleague about his presentation, and she gave her blessings and stated they need another field. A lot of the kids are aging out, his son is aging out. The younger children are first and then the older children. He was hoping for a junior and senior league. There are a lot of children in the surrounding area driving to Hamilton Crossing and it is too far for them. This will also be an opportunity to have a Euharlee League.

There are endless possibilities when thinking outside the box. He is trying to open the door and get them moving in that direction; his honest opinion, if you build it, they will come.

Council Member David Duncan stated he knew Mr. Emerson and Anthony both very well. He is an exceptional child. He will and can do anything, only limited at times. Since the council has already approved Bell and Associates architectural plans for Osborne Park, that basically knocks out the ball field, and he knew it was not set in stone. The main question would be, if the open field, soccer field at Joe Cowan Park would work.

Mr. Stephens stated in preparation for the meeting, Ms. Pruitt had already visited the field at Hamilton Crossing, and she believes it could be a viable alternative if they did not incorporate it into Osborne Park.

Council Member Duncan said that would probably be the best spot since they have already vested and committed to the other park. He said he was aware of what it would take, and to build dugouts.

Mr. Emerson shared, with ADA regulations you would have to put in fencing and guards. The field is flat and fully turfed. He said they have an extraordinary opportunity in front of them from Joe Cowan Park to Osborne Park. He digressed and shared, he is on the school board and understand commitments, but you can amend anything, documents are documents and can be amended and you have to do what is right for the city of Euharlee and he respects that. He is asking to put an exceptional field in Euharlee, and he guaranteed, they would be bringing joy, laughter, fun and revenue to the city of Euharlee for many years.

Council Member Abbott said to Mr. Stephens as a statement of record, the approval of the master plan, does that prohibit them from making selections about what goes into the plan. Mr. Stephens said it does not, and all amenities are on the table.

Council Member Abbott said his young daughter just started and will continue as a paraprofessional in a special needs class in the city school. Her first observation was they do not really have a safe place to play. As he thinks about the surrounding schools, it sets his heart on fire and he would even try to work up some sponsors.

Mr. Emerson said he appreciated Council Member Abbott, and the school system could benefit from this as well. He said again, it would be a great opportunity for Euharlee where you can make a tremendous impact for years to come.

Council Member Joe Turner said that was something he could support instead of the dog park. He would rather see the field turned into something of that nature, than to a dog field.

Mayor Guyton stated that he would like for Mr. Stephens and Ms. Pruitt to do some investigating and to include Bell and Associates about what it does to add to Osborne Park or Joe Cowan Park at the soccer field number three. Also, to include Peter Olsen in the discussions and his opinion, as well.

Council Member Joe Turner stated there are always kids, and coaches on the extra soccer fields practicing when soccer games are taking place on the weekend. The field is used a lot.

**1<sup>st</sup> Reading Animal Control Ordinance – James Stephens**

Mayor Craig Guyton stated they have before them two amendments to the Animal Control Ordinance that have been approved by the county in April 2021 and February 2022. This is considered the first reading and was passed by the county on the 14<sup>th</sup> day of April of 2021, and 9<sup>th</sup> day of February 2022, and added to the city of Euharlee ordinance. The 2<sup>nd</sup> reading will be on July 5<sup>th</sup>.

Council Member Tim Abbott stated that it was brought to his attention by a citizen of a dead deer, and he realized he did not know what to tell them. After looking through the ordinance, he asked if the ordinance addressed the relationship or who would take care of it.

Mr. Stephens said over and above the two ordinances, the city has an intergovernmental agreement in place that dictates who would pick up a carcass. The staff typically gets many of them in the city limits. The intergovernmental agreement dictates the city to update the ordinances to be consistent with the county.

**Vehicle Purchase for Police Department – Chief Jody Matthews**

Chief Jody Matthews went before the council requesting to purchase a 2022 Ford F150 Interceptor from Prater Ford, which is on the lot in Calhoun, Georgia and available. They do have a state contract on the vehicles for the best price scenario. He did get some quotes from three different installers. Diversified Electronics provided three different options, and what he presented was the lowest of the three, it fits their needs very well and requested to proceed with them to complete install. He stated the funding would come from the school automated enforcement funds, and the funds were available. He stated he was down to one spare vehicle which is a 2014 Dodge charger. He has three 2016 vehicles and trying to update his fleet. He explained he has one in the shop from a vehicle accident, one being repaired for electrical issues with one spare vehicle.

Council Member Joe Turner stated the request for the vehicle is \$33,000, to install \$9,000 and asked if the city had collected that much from fine monies in the school zone. Chief Matthews said yes, and they have utilized it to pay some invoices, and things of that nature. The F150 they purchased they had it outfitted through Blue Line and the cost of that came from the school zone funds. The \$47,000 is the available balance.

Council Member David Duncan asked if he had the dog unit up and running. Chief Matthews said yes, and it was in the parking lot if they would like to see it.

Council Member Greg Free motioned to accept Chief Matthews recommendation to purchase the 2022 Ford Interceptor. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**Public Comments**

Local resident stated he liked the disc golf course, and it was nice work.

Council Member David Duncan motioned to adjourn the meeting. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

With no further discussions, the meeting adjourned at 8:03 pm.