

CITY OF EUHARLEE
RESCHEDULED CITY COUNCIL MEETING MINUTES
APRIL 11, 2023

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

Mayor Craig Guyton stated that a motion, seconded, and a vote was needed to revise the agenda. A couple of things were taken off after the published agenda. Council Member David Duncan motioned to approve the revised agenda. Council Member Greg Free seconded the motion. The motion was carried with all voting favor.

Approval of Minutes

Council Member David Duncan motioned to approve the minutes for the City Council Meeting, 03.07.23, and City Council Work Session, 03.21.23. Council Member Joe Turner seconded the motion. The motion was carried with all voting in favor.

Executive Session - Real Estate

Council Member Greg Free motioned to go into Executive Session at 7:02 pm. Council Member David Duncan seconded the motion. The motion carried with all voting in favor. The Mayor and Council returned from Executive Session at 7:57pm after the discussion of Real Estate. No votes were taken, and no further action needed to be taken that evening.

UNFINISHED BUSINESS AND NEW BUSINESS

2nd Reading Minimum Lot Size Ordinance - Mayor Craig Guyton

Mayor Craig Guyton stated they had discussed three weeks ago and months prior, the minimum lot size attached to sewer in R1 is 15,000 square feet, and the proposal is taking it down to 10,000 square feet inside the city limits in Euharlee for sewer only. If the property remains on the septic system, it will remain at 26,000 square feet.

Council Member Joe Turner said he does not think a house should be built on that small of a lot. Children need a backyard to play, outside buildings, and it increases the number of houses the developer can build. He does not like the idea. They have a PUD on Cliff Nelson with small homes. At some point, people will have children and want to move into a bigger house with a backyard. He would like them to move into larger houses in the city. The larger lot size will give people the opportunity to have more space for a storage building, and a place for their children to play.

Mayor Guyton shared most of the housing at Cherry Glen with the PUD, are four and five bedrooms with smaller lots but bigger houses. Peter Piliero agreed with Council Member Turner and thinks 15,000 square feet would be fine.

Jim Thibault asked if there was a burning platform to why it was being discussed at that time. Is there something in the community happening, and a decision has to be made at that point in time or is the council waiting on a developer to submit a plan like the other neighborhood? He was curious to know what was driving it.

Mayor Craig Guyton stated they have been discussing it for about six to eight months. It is not something that is burning today. They have discussed meeting the market where it is right now; trying to control and maintain some integrity in the city of Euharlee. The surrounding areas in the county are building 7,500 to 8,000 square foot lots, and no one on the council was interested in that; however, to do something that would not discourage residential development, and at the same time, encouraging somewhere in between. The city of Cartersville has three levels; 10,000 square feet is their medium density, and down to 7,000 square feet as their high density.

Council Member Abbott stated there is privately owned land in the city, and after hearing from the Economic Development Director from Bartow County, with the businesses growing around the city, the landowners will consider selling. They could wait or get ahead. He would hate to see the outskirts of Euharlee petition to annex out of the city into the county because the county is allowing 7,000 square feet. If 10,000 is proactive, he would like to be proactive, and not ignore impeding people that are going to move closer, consider Euharlee, and owners will want to sell.

Mr. Piliero stated that would be a reason to stay at 15,000 square feet to limit the number of people moving to Euharlee. He did not understand the rush to get people to move to Euharlee. People moved to Euharlee because it was not crowded. Council Member Abbott stated growth is coming. The council prior to him agreed to spend two million dollars to build a sewer on the basis to have economic development. He agreed with that assessment, but there is no gain from that decision at the current time. Mr. Piliero said the ballpark was built for the same reason, and it is not doing anything for the city. He would have more respect for them to say a mistake was made with building the sewer.

Mayor Guyton disagreed with what Joe Cowan Park has brought into the town, it brings a lot of visitors, and they spend money. Mr. Stephens stated the park was not a profit center.

Council Member Greg Free, regarding the sewer system, stated he was not a part of that council. The Development Director of Bartow County discussed it during the summit at Euharlee, there are very few reasons for a municipality to run a sewer; expecting growth, attracting growth, or wanting people to tie into it. A lot of the older neighborhoods are on septic. The sewer project was a bold move to spend taxpayer's money and there is nothing to show for it. As a taxpayer, he questioned why they were running a sewer downtown; with a sewer you must attract growth. The concern now is look at the growth outside the city that is going to be on the same sewer line running to the city. If they suck up the capacity, we have a sewer the city is paying for that is not usable and a real possibility that should scare them as taxpayers. You have to find a balance which is not an easy task, and they do not take it lightly. Euharlee cannot bury its face into the sand and do nothing. Growth is there, and if the expectation is Euharlee will never grow, that is an unreasonable expectation. They can figure out ways to positively navigate to what will best benefit Euharlee citizens. The choice to do nothing is a bad choice.

Ron Hartman stated maybe he did not understand, the budget states the debt service is zero. James Stephens, City Manager answered, the debt service Mr. Hartman was referring to in the general fund has no debt. The sewer is funded by the SPLOST service with a monthly payment of \$10,000 and some change. Mr. Hartman said he did not understand the drive for more revenue. The budget for the city is \$2.5 million dollars with about six months of revenue. What was the budget goal for the next 2 to 5 years to operate the city? It would change the quality of life for long term residents, impact infrastructure, schools, roads, and resident's security. Mayor Guyton explained it is not about revenue, it is about staying ahead of the growth that is already coming. It is already coming up Euharlee Road, on the opposite side of Euharlee, and for him it is about having a happy median. He would rather not wait until a developer requests 8,000 square feet, but to say the council decided to go as low as 10,000 square feet which is a happy median.

Jim Thibault said he would not want to be in the position, but admired, and appreciated, the council.

The part he struggled with was the perception, if they bury their heads in the sand, it is going to come there, and did not understand the risk with 10,000 square feet. If he understood it, he would say, get out in front of it. If a developer asks for 8,000 square feet, it can be denied. So, what is the risk?

Mayor Guyton stated there is a parcel of land that is up for sale on the outskirts of the city, but inside the city limits of Euharlee. If the council is not interested in moving lower, a developer that buys it could go through a de-annexation process. If de-annexation is approved, just outside of the city of Euharlee, they can have 7,000 square feet lots that the city of Euharlee police department will service.

Mr. Thibault stated that just made it crystal clear. He did not realize de-annexation was something that could happen.

Council Member Free stated it is not a revenue thing for him and is why he has put thought into it. It is getting ahead, because the city would get the impact with no control because it is not in the city limits and receive zero benefits. It is a proactive move to stay ahead of what could possibly happen if people decide to be a part of the county.

Council Member Turner asked about the process for the de-annexation, the council would have to vote. Mr. Stephens stated there are multiple processes that can be taken, just as annexation, and the city would not be able to prevent it if there was a legal mechanism over the de-annexation.

Mayor Guyton said that is something they would have to approve.

Council Member Free stated they must prepare for the future with the sewer system and have a proactive plan for usage. It is a very small portion of the city that currently uses the sewer system.

Council Member Turner said the PUD homes are 8,000 square feet and going up 2,000 square is not that much difference. It may not be anything wrong with it, and some prefer to move into that size with no yard maintenance, but children need space to play. Council Member Free shared he has a small child, and he would not want to spend time cutting grass but spend time with his kid with a small yard. Mayor Guyton said he totally understands. The thought process with the younger generation he does not get, but he does not have to live on an 8,000 square foot lot and no one can make him do it.

A citizen asked what the city's forecast for the residents going on the sewer and was this Phase one. Obviously, Phase one with the intent to expand to other parts of the city. If you do not tie people in now you may lose the capacity. Did they purchase capacity or was that part of it? Mayor Guyton stated it was not. He and Council Member Joe Turner were on the council, and the thought process at that time there was projected growth in Bartow County, and for businesses, school systems, and any new residential development would have access to the sewer. If envisioned without it; the city would begin to die. At some point, the existing neighborhoods would have options to tie on. For instance, phase one, if a section of Shaw Woods can get a certain percentage interested to tie on, the water authority director is looking at numbers for them; and any subdivision at some point would have that option in the future. It was phase one with other options to come.

Mr. Piliero stated the Planning and Zoning Commission voted three houses per acre, and why not go with that. He said between a 10,000 and 15,000 median. Mayor Guyton stated he discussed it with many of the members, and going from 15,000 to 14,000, is not feasible, and not smart.

Mr. Thibault had a clear understanding of the de-annexation, and he appreciated it, and asked would it also affect the ability to annex additional property if they do not make the change to 10,000 square feet. Mayor Guyton said not necessarily. Without making the change, they can still annex properties with the proper procedures to annex lower lot sizes into the city, and annex all the way to the Stiles Subdivision,

and the pending grocery store that is coming if the right scenarios were met. It has nothing to do with possible annexation, but if they were interested in annexing 7500 and 8000 square foot lots, it would not make sense to be stuck on 15,000 square foot lots for un-utilized property.

Mr. Thibault stated that is why going to 14,000 square feet does not really change the game, you got to get somewhere that would result in a real hard against the de-annexation.

Mayor Guyton stated if there were no further comments, they needed a motion, a seconded, and a vote or table it to another time. Council Member Abbott stated a lot of the conversations will have to do with their paradigm, and how they see the future. If they view it as the last house that has been sold, he can see why they do not want any more houses, but that is not reality. The reality, land will get sold. He is not in favor of industrial and manufacturing but is in favor of families. He and his family moved there in 2006 and he did not realize the gem into which he was moving. So, his paradigm is Euharlee has a lot to offer, and a lot more to offer at the way of outdoor parks, the river, and some downtown fun and willing to be a little more shoulder to shoulder.

Council Member Tim Abbott motioned to revise the R1 to reflect a 10,000 square foot minimum lot size with sewer hook-up. Council Member Greg Free seconded the motion. The motion was carried with a four to one vote.

Mayor Guyton said thank you to the citizens for their input. Even when they do not agree he appreciates the citizens that come to the meetings.

2nd Reading On-Street Parking Ordinance

Council Member Tim Abbott thanked the staff for their assistance in helping fashion the on-street parking ordinance that would prohibit overnight parking and restrict street parking hindrance for emergency vehicles that could not get through. City Manager, James Stephens read the edits to from the first reading. The first sentence was edited to include the word overnight at the beginning of the sentence and reads, overnight parking is prohibited on any street; unless specifically designated a recorded final plat or otherwise allowed by resolution of the city. The other edit since the first reading was in the second sentence, and daytime was inserted and reads, this shall not hinder the daytime parking of no-resident vehicles during temporary visits to a residence which has all available treated parking space utilized. It provides flexibility for the residents, plus gives the police department a well sound ordinance to work from. He recommended the adoption of the current form.

Council Member Tim Abbott motioned to approve the On-Street Parking Ordinance as written. Council Member Greg Free seconded the motion. The motion was carried with all voting favor.

Sewer Easement - James Stephens

City Manager, James Stephens stated the sewer easement they had before them was a legal description of the sewer easement they worked with SA Land in pursuant with the PUD land that the council approved in October 2022. This is the formality to record the transfer of the legal description. Mr. Stephens recommended the adoption by the city council. Council Member Greg Free motioned to approve the easement for the sewer. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

Manager's Report - James Stephens

City Manager James Stephens provided council with an overview of the following:

- Chief Matthews had two position openings, Sergeant position and the Administrative Assistant position and they both have been filled.
- The Community Development Director is following up with a third party that has inquired regarding the development of the 17-acres owned by the city. Additionally, she is working with

Tom Sills on a traffic study for Euharlee. He provided some resources to work with and they anticipate coming before the council at the May 2nd meeting to have traffic study approved at that time.

- The council is aware of the interested parties for the old museum.
- The bids for the road restriping are scheduled to be opened tomorrow morning at 10:00 am in the city hall court room.
- The P & Z Commission worked on a sign ordinance in their meeting this evening and will continue at their next meeting. The sign ordinance is ongoing with potential amendments.
- Frankie Harris Park is going well. The sewer installation will be finished within two weeks with cooperative weather. The amount billed through March 30 is \$239,000, with approximately one million left to be installed and billed which is funded by SPLOST.
- The design of Osborne Park is ongoing. The electrical is currently under design. The project should be ready to bid by mid May. The city was contacted today by the Department of Natural Resources and will be bringing an amendment to the Flood Plain Property Protection Ordinance in the next two meetings that need to be passed that relate to the location of the amphitheater. He stated it was appreciated all the help they can get from the community on items of that nature. It is budgeted to be a 1.2-million-dollar project on schedule to be bid in mid May.

Council Member Joe Turner said Mr. Stephens mentioned public opinion; why do not they have a public meeting related directly to Osborne Park. Mr. Stephens stated they have had three meetings. Council Member Turner said it was a long time before they started it. Mr. Stephens said, out of due respect, it was as they started it, but they did have three public meetings before starting the process.

Public Comments

Resident Peter Piliero asked about the RV's and how many will be on sewer and how is it being paid for and will you have to pay it back. Did they come up with a figure of \$59 per night and how did you derive that figure? The concern is how they will maintain the operation. He also asked about using the ballpark for entertainment rather than building an amphitheater. It was explained, the RV's will all be on sewer, the project is paid for by SPLOST and a projected \$250,000 return to support park operation. The nightly rate was determined by comparisons and can be adjusted if necessary. Joe Cowan Park has tournaments scheduled from February through November.

Council Member Greg Free motioned to adjourn. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

With no further discussion the meeting adjourned at 8:45 pm.