

## **2023 Euharlee City Council Minutes**

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**CITY OF EUHARLEE**  
**CITY COUNCIL MEETING MINUTES**  
**JANUARY 03, 2023**

Mayor Craig Guyton called the meeting to order. City Manager James Stephens 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 Historic District Boundary Amendment**

A citizen asked about the amendment request. Mayor Craig Guyton explained the current thirty-three acres off Cliff Nelson Road is the area where a company is looking to put a subdivision, is currently within the historic boundary district for downtown. The Historic Preservation Commission voted 4-0 to lift the historic boundary for that area. The amendment is to lift the historic boundary in that area. With no other questions Mayor Guyton closed the hearing.

**Approval of Minutes**

Council Member David Duncan motioned to approve the minutes for the Called City Council Meeting, 12.13.22. Council Member Greg Free seconded the motion. The motion passed with all voting in favor.

**UNFINISHED BUSINESS**

**2<sup>nd</sup> Reading Historic District Boundary Amendment - James Stephens**

James Stephens, City Manager stated the council was provided a map that included the amendment. Mr. Stephens said there is a process that involves communicating with the Department of Community Affairs anytime you are going to amend your boundaries in the Historic District and that process has been filed to the letter of the law and to the tee. It was mentioned in the public hearing, the HPC voted on December 17th with a 4-0 vote and recommended to the city council that it be taken out of the Historic District. The thought process and the discussions were, the acreage was attached to a home place that has historic significance, but the acreage itself does not. The home would stay in the boundary but the thirty-three acres, in reality should have not been included in the first place. It is basically taking the thirty-three acres out that was potentially included in error. The recommendation from the HPC and staff that it be removed from the Historic Boundary.

Council Member David Duncan asked about the strip on the fence next to Misty Forest subdivision, is it in the district, and will it be coming out with this amendment or after it is sold. Mr. Stephens stated the amendment includes for that parcel to come out.

Council Member Tim Abbott motioned to accept the recommendation from the Historic Preservation Commission to move the Historic District Boundary on said property. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**NEW BUSINESS**

**Mayor Pro Tem - Mayor Craig Guyton**

Mayor Craig Guyton stated that they select a Mayor Pro Tem every year just in case the mayor is not available for a meeting or has to step away for any reason. The Mayor Pro Tem would conduct the meetings, and act as mayor temporarily. He opened the floor for nominations. Council Member David

Duncan nominated Council Member Joe Turner for Mayor Pro Tem. Council Member Tim Abbott said he didn't see any problem from last year voting Council Member Greg Free as Mayor Pro Tem.

Council Member Tim Abbott motioned to have Council Member Greg Free continue to serve as Mayor Pro Tem. Mayor Craig Guyton seconded the motion. The motioned carried with all voting in favor.

### **Public Comments**

Ron Hartman, resident of Euharlee stated he was relatively new to attending meetings and started back in October and regrets doing so. Mr. Hartman stated he forwarded a list of questions to the city manager and wasn't sure if they had received them. He had five questions and wanted the council to respond to them. Mr. Hartman said he reviewed the last three years of council meeting minutes, budgets and everything that was available on the city's website. He is not interested in running for council, and not interested in being a member of the zoning committee. He is just an interested citizen that will increase the dialogue between the council and the community, for them to be more transparent, and for better communication with citizens to share what they want. The questions and responses are listed below:

Millage Rate - Mr. Hartman had concerns about in 2018 the city set a fund balance surplus to four months which was later modified to six months; dollar limit opposed to calendar/months; current policy, current balance surplus determined by multiple surplus, and the dollar amount when the two mills of tax was voted. Mr. Hartman's view; if maintaining the six months fund balance, there was no need for a mill tax.

Mayor Craig Guyton stated the policy is basically a top bottom policy. The bottom being six months to enact an automatic tax increase to maintain that balance. The top at two million automatically is going to be the rollback for millage rate. Anything in between basically, is a comfort level of the elected officials would set a millage rate based where they are. Mayor Guyton asked Mr. Stephens for the current fund balance.

City Manager, James Stephens stated from the audited figure from 2020, the balance was 1.8 million and equivalent to six months. Mr. Hartman said an automatic rollback is 2 million and it had nothing to do with the number of months. Mr. Stephens explained, if the city gets below four months it does call for an increase in the millage rate. Mr. Hartman asked, why impose a tax on the citizens if you really do not need it. He realizes they are fiscally conservative, and he liked the idea. It was just strange they went ahead anyway and voted a two-mill tax. Mayor Guyton shared that if Mr. Hartman had been there with heart of the discussion, none of them wanted it. Nobody likes taxes, but sometimes there is a necessary evil, and the things they need to do, but do not have the money to do. Mr. Hartman understood the city getting half of the funding from LOST and if they lost it, there is a severe problem; but they are working to increase revenue streams with the RV camp being one of the bigger revenue streams. The \$200,000 from that would cover what they would lose from LOST. So why a two-mill tax. Mayor Guyton said to be perfectly honest, to be proactive. The RV Park is not there, but the decrease in LOST is.

Council Member Tim Abbott concurred with Mayor Guyton increasing taxes without a great deal of thought. The comfort zone for him was, they had a cap not to have greed over surplus as a check and balance. Mayor Guyton said to Mr. Hartman if he thinks of any other questions, he was welcomed to email any of them.

Tilley Farms Residential Update - Mr. Hartman stated he had lost track. Since the meeting, he had not heard anything about Tilley Farms residential project. He quoted, "Mr. Baker said they could have a spade in the ground in a month if the rezone request was approved". Mayor Guyton said they did not have an update at that time.

Mr. Hartman stated, after hearing about the developer for the project, he went online and looked them up for a track record. He asked if the council looked into the developer. Mayor Guyton said they had not. Mr. Hartman asked why not, it seemed logical to him. How do you know if they will do a good job or have lawsuits. Mayor Guyton said they vetted the developer and the developer was first class.

Mr. Hartman wanted to know how they vetted the developer. Council Member Abbott said it seemed that Mr. Hartman wanted a dialogue, and asked him how he vetted the developer. Mr. Hartman shared his detailed online process when he reviewed the developer.

Council Member Greg Free asked if he was referring to the builder or the developer. It was determined it was the builder he was referring to. Mr. Hartman asked if they vetted the builder.

Council Member Abbott shared his thoughts about his current home, and he would not have his builder to build again. The house is still standing, but there are things he did not like. Mr. Hartman said that he would be concerned with the quality of the homes, repairs needed, and possible lawsuits and the same problems will occur. He said that was his description of vetting.

Council Member Free said from all the presentations that were made, one of the things that put him at ease, because he lives there too, was the fact the developer is a member of the community, and is accountable to the community. If something were to go wrong, he would be the one to bump into a citizen at the grocery store. In each neighborhood, you will find someone that does not like the builder. When his family moved there, Covered Bridge Springs was the only neighborhood. As a young man, he remembered people who were not happy with that builder in the early 90's. He said the individual has a good reputation as a developer, not just as a person, but in the business world locally, and a local citizen and that put his mind at ease. If the developer is willing to put this in his own backyard, the developer will have to stand behind it, and he is okay with that. Mr. Hartman said if he had a problem, he would not go after the developer but the builder, the one that would provide the homeowner's warranty.

Electronic Roadside Bulletin Board in the City – Mr. Hartman said the bulletin would be a communication improvement in his mind. Mayor Guyton said the signage would be discussed at the work session on January 17<sup>th</sup>. Generally, when there are ideas, they go before the council at a work session before voting at a city council meeting. Mr. Hartman stated that he and Council Member Free had a difference of opinion for the location. His view would be to put it where you are going to get the most eyeballs, but not too much distraction. It should not be at city hall because citizens do not drive by that location.

Council Member Abbott stated that he, Mr. Hartman, and Council Member Free are in agreement, the city needs better informational signage. He is not an expert but when you put signage on a roadway with 45 miles per hour with no stop signs, you do have to consider the safety concern higher than you would with a billboard and signage where there is a purpose to slow down. He said, Mr. Hartman as an engineer, smarter than he will ever be, but a 45-mph speed limit would have to be considered to determine the type of signage not to cause distraction and unintended consequences. Mr. Hartman agreed. Mr. Hartman said he only found out about the Tilley Farm subdivision, and he lives only a quarter mile from the property, when he drove up and down Hardin Bridge Road multiple times and only saw a couple of signs. The signs were parallel to the road not perpendicular. Unless he slowed down to read the signs, he did not know what they were saying. He found out about the subdivision when he looked at the website. It is a signage problem and people are not having the right communications.

Traffic Flow Study for Euharlee Road - Mr. Hartman is requesting a proposal for a traffic flow study for Euharlee Road because of the Stiles subdivision, Tilley Farms and possibly the mobile home park into apartments. It is not just an issue for the people that live in Euharlee, but for those that have to travel there. It will come a day when the road will not support all of the traffic. He is asking for a study to be

done. He shared many questions that would be included in a traffic study. He would like to know the assessment from DOT. He said the council agreed they needed a traffic study, but are they going to initiate a traffic study. Mayor Guyton stated DOT did a study on the other end of Euharlee Road at the Stiles Subdivision outside of the city of Euharlee. They are in discussion with DOT about how far along they are with the traffic study, and what can the city do to initiate one. They will have more information at another time on that topic. Mr. Hartman wanted to know if they planned to put it on the agenda to request a study, and when it would take place. Mayor Guyton said after they speak with Tom Sills, and it does not have to go on the agenda to request a study. Mr. Hartman said how would the public know a study is in progress. Mayor Guyton said he didn't mean to sound ugly, but he doesn't think the public would need to know a study was going on. Mr. Hartman stated as a citizen, he would like to know what the individuals that represent him are doing to improve his life, and didn't know why he felt the citizens do not need to know. They should share what is going on and why.

Council Member Abbott wanted to know what Mr. Hartman planned to do with the information from a traffic study. He had a hypothesis or theory that a traffic study would prove something not to move forward, and if that was his whole point to do the study. Mr. Hartman explained it is information to have in your back pocket that could be used for future plans. Council Member Abbott said there will be a study, and one page will have the information needed; to Mr. Hartman's point, studies are important. Mr. Hartman shared he requested from CXS about their schedule for informational purposes.

Mr. Stephens said the new equipment that has been recently installed incorporated lines on Euharlee Road, will provide him with information about the number of cars that are traveling the speed at the peak hours. They will have the ability to slice and dice it in many ways, and it is already being accumulated. Council Member Free asked if he was referring the tag readers and Mr. Stephens said yes.

Restripe Streets and Road Repair Maintenance – Mr. Hartman wanted to know the plan to restripe city roads and prioritize maintenance for street repairs. The striping had to be done, there is an opportunity to determine how many need to be repaired, and publish it to the public. Mayor Guyton said every street outside of Milam Bridge and Covered Bridge Road the city is responsible for, will be restriped and repaired this year. Council Member Joe Turner asked for clarification of all streets, and will it include roads in subdivisions. Mr. Stephens said in reference to the courtesy Mr. Hartman gave him by sending an email with these questions, he sent the council a copy of the email and he included an attachment that had the current status of the roads and the striping projects that will be helpful, and it does include the roads inside the subdivisions.

Mr. Hartman stated he was not there to harass them and reject everything they proposed. He wants to work with them, get other citizens to work with them, and be a community of collaborators. He stated he would share all questions with Mr. Stephens, and for him to forward to the council in advance to research and have answers.

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

With no further discussions the meeting adjourned at 7:35pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL WORK SESSION MINUTES**  
**JANUARY 17, 2023**

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

The following were present: Mayor Craig Guyton, Council Members Tim Abbott, David Duncan, Greg Free, and City Manager James Stephens. Council Member Joe Turner was not present.

**JCP Fertilization Program - Becky Pruitt**

Parks and Recreation Director Becky Pruitt stated the council had before them bids for Joe Cowan Park baseball fields, soccer fields and the common area annual contract. She recommended TruGreen for the annual fertilization contract.

Council Member Tim Abbott said this would be an opportunity to expediently improve the appeal. He did not know anything about TruGreen or the other bidder's capabilities so he would trust her opinion. Ms. Pruitt stated it would include all of the common areas which they have not done in the past. She was charged by council to hydro seed and sod some of the red clay areas. She wants to get rid of the red clay as much as they do, and that is the focus this year to get green, and to beautify the park more. Council Member Abbott asked if TruGreen is also the company that can help them with the fields and drainage. Ms. Pruitt said that was something different. They have worked with a gentleman that has helped them with field one. There has been at least fifteen inches of rain over the last three or four weeks, and it has made a difference. They are now working on field three. Council Member Abbott asked if there was one company that could do fields and preparation; it is easier to deal with one instead of two. Ms. Pruitt said she would love to find someone like that.

City Manager James Stephens asked the date on the proposal. Ms. Pruitt said it would start March 1<sup>st</sup>.

Mayor Craig Guyton asked if it was always contracted for the full year. Ms. Pruitt said the four years she has been there they have.

Council Member Greg Free asked if the current provider was currently treating the common areas. Ms. Pruitt said no. He asked if TruGreen would provide irrigation, and if TruGreen were the only one to bid common areas. Ms. Pruitt answered yes. Mr. Stephens confirmed she gave all of them the same opportunity and she said yes.

Council Member Free said he did not know the other companies, but on a professional level he spoke about TruGreen. He used them at one point, and was satisfied with their services in a different profession. They seem to have the man power to get the job done relatively quickly, and their turf management program was pretty good. He said that was the extent of him dealing with them. He agreed with Council Member Abbott, for the ball fields to look their best, and he has seen the staff put in a lot of work. Council Member Abbott stated, he read that one of the bids received included athletic field maintenance and the others did not. What would be the plan if the bid chosen did not include athletic field maintenance. Ms. Pruitt said, they have someone they are working with that does field maintenance, but the staff does most of it. He is also assisting them with taking off the first couple of layers of the dirt, crowning it properly where it drains, and putting in drainage pipes, which is done separately by another person, and had also trained them on the ABI drag machine. They are getting their monies worth. Mr. Stephens said if you have not had a chance to see field one since the work has been done, go take a look. You will be able to tell the difference. Council Member Free said if you look at the bid on field maintenance it is just turf treatment and was named differently.

Mayor Guyton stated it will be on the February 7<sup>th</sup> meeting agenda.

### **Power DMS Contract – Chief Jody Matthews**

Chief Jody Matthews stated the council had before them a contract that would be valid February 1, 2023, through January 31, 2024. Power DMS is a platform the police department use to house the policies and procedures, the SOP, and used for state certification. The police department provided a login, and the administrators and assessors could view it from their office. It is used for training officers with power point presentations and written test. The department uses it for a lot of things, and had it since 2019. He requested a renewal for another year. Mayor Guyton stated it could not be approved until February 7<sup>th</sup> and would it be an issue. Chief Matthews said it should not, it states a net 60 days so it should be fine. He would notify them payment would be issued after the start date. Chief Matthews said he was happy with the program.

City Manager James Stephens said it brings the SOP to life, as a non-law enforcement person, it has helped him. The staff was great, but the software was incremental with them getting the police certification. Chief Matthews added the officers have access from their cars and various places. The most important part, it is a tracker for the police department. Each year the officers have to review the policy and digitally sign off they have read and understand it. Mayor Guyton stated it will be on the agenda for February 7<sup>th</sup>.

### **Road Striping- Barry Atkison**

Project Manager, Barry Atkison stated the council had in their package a road striping summary. He shared a methodology that led up to the results with him being new to Euharlee. He received a list of all the roads and drove them all. He did an initial assessment on paving conditions, striping and other notes with sidewalks and gutters, etc. He also made a note of things that he thought should be on the LMIG list over the next 5 years which led to the scope of work.

He explained the linear columns goes down to Milam Bridge Road and stops, and above that line work needs to be done with a good bit of striping and it applies to everything that has linear footage attached to it. Below the line are intersections and stop marks. Some of them on the scope work include thermoplastic that contains the high base paint. The reason for that was those few roads with the high base paint need the striping, and is almost gone, but they also need to be on the LMIG list. He didn't want the city to spend money on the thermoplastic to turn around and do road work on a few roads.

Mr. Atkison said he had a quote he was working off of, but it appeared to him it was going to be below \$100,000. He would need guidance from mayor and council to proceed with the bid package. He completed the bid package and sent it to Mr. Stephens for review.

The other thing was the timing for the release of the work. A lot of work will be done between two schools. You cannot do thermoplastic unless the temperature stays above 58 degrees. It may be advantageous and not release it, maybe in May, and not do the school zone until May, after Memorial Day when school is out. It will be very impactful. He also needed to know if he missed a road they thought should have been on the list.

Mayor Guyton asked if the timing to release the bids meant to release them later rather than now, because it could be good for only 60 days. Mr. Atkison said in the bid package, they want to give bidders only 90 days to complete. They can start striping in May and finish between the schools.

Council Member Greg Free asked about the items with HPB next to them; are those the items in the next 5 years the county is going to re-pave. Mr. Atkison said, they should be on LMIG, but he would need to make sure. Council Member Free asked if they could confirm that by February 7<sup>th</sup>. Mr. Stephens said, they control most of that, and the column with HPB needs a tremendous amount of research.

Mr. Atkison also mentioned, off Hardin Bridge Road, Milam Bridge, and Covered Bridge in the Historic District needs to be included on LMIG.

Council Member David Duncan asked if it was all high gloss paint. Mr. Atkison said yes, and all the new striping will have the RBM reflective in yellow or white, especially in the school zone.

Mayor Guyton said, even though they have good pricing he would like to bid out to be good stewards with the money. Taking his advice on the bids, Mayor Guyton agreed later is probably better. If they put the bids out in March, receive them back for Mr. Atkison to review them, have ready for council review at the March 18<sup>th</sup> work session, and ready to vote at the May 2<sup>nd</sup> city council meeting if the council so chooses. Mr. Atkison said he was okay with the dates.

### **Jolly Building Updates - Barry Atkison**

Project Manager, Barry Atkison stated with the help of city staff and it has been enjoyable, they did an interior demo in the Jolly building, meaning they opened it up and cleaned it from head to toe. During that time, the HVAC stopped working. They had the HVAC company come out and look at it for repair. The bad news, it was a 1970-year-old system. He invited three HVAC companies to give him quotes. He explained that all the contractor work estimates on the sheet he provided council are real. The electrical quotes are not complete, the plumbing is complete, need two more roofers to review, and the gutter quotes are complete. On the signage he and Chief Matthews discussed it would be nice to identify it as a public safety training building facility at a reasonable cost. The \$35,000 for contractor work is a pretty real number. The in-house work is completed, and only invested about \$600. The next column was the in-house work remaining; and to try and maintain a reasonable cost he discussed with Mr. Stephens, and moved more of the remaining work to the staff. It is stuff they can do, but it does stretch out completion time. He also included items to purchase, and it does include tying into the sewer system. It gives them a very usable building for the future. He is confident they can bring it in for under \$50,000. The only disclaimer he shared unknown was the drainage, the horizontal tee in the bathroom until they open the wall; that is the only thing and he did not have a clue. He does not think it will be a problem, but he wanted to share the only line item not included on the sheet.

Mr. Atkison stated he did not want to spend any more money until he got direction from mayor and council and was at a hold point until a decision was made.

Council Member Tim Abbott said the worst thing you can do to a building is nothing. He will not put that on the city staff, but for whatever reason the council decided to do nothing is why it will cost \$50,000 instead of \$30,000. He would like to be part of the council that is building legacy for the city. He appreciated the thoroughness on every line item, functions in the building, and he supports the project to have functional facilities to help the police to become better to ensure citizens safety.

Council Member Greg Free stated it says police department training center, but will the building be used for anything else when it is redone or do they know what that plan looks like for the future.

Mr. Stephens said he was not as familiar with the equipment they received with the grant. This was precipitated by a grant Chief Matthews got for an active shooter simulator that would go in the building. He doesn't know how mobile it is, so that is the main thing it will be used for. The police department anticipate working with and reaching out to other agencies, making available for smaller agencies or agencies that can benefit from the training. The budget Mr. Atkison has been working on is based on an amount that is already on deposit in the SPLOST account. There is enough in the bank to cover the Frankie Harris Project in full, and to cover the Jolly Building project in full, if they never collected another penny of SPLOST, which is ongoing with a collection for the next five years before it is voted on again.

Mr. Stephens was looking for approval from council to work with the contractors Mr. Atkison provided. The contract work was not a bid environment, but he did talk to multiple contractors and gave them the same information below the threshold of \$100,000. He hoped he would have the latitude to go with the



low bids on February 7<sup>th</sup>. Council Member Free said that answered his next question. Mr. Stephens said if you asked him to bid the entire project for one contractor, he thinks you would save more money by letting him work as the project manager rather than one general contract worker. He definitely has the capability to do it and grateful to have him on board. Mayor Guyton stated it will be added on the February 7<sup>th</sup> meeting.

**Digital Sign - Council Member Greg Free & City Manager James Stephens**

City Manager James Stephens said the quote included he received from Connected Sign. It is not a quote for one large sign, but for multiple signs with one large sign if they pursue it. It included three other inactive signs if there was an interest. One could be put at the Osborne Park, Joe Cowan Park and the sidewalk on Euharlee Road. It is a significant amount of money from what they had discussed, but it was what he was able to put together for the timeframe he was working with.

Council Member Greg Free said it was about a year ago when they discussed electrical signage. The city staff does a good job communicating via Facebook, social media, the website and to those that come to the city hall. He thinks they would agree that the world is moving toward some type of digital sign to get a message out. They do a mailer now, but it would be nice to drive by and see everything on that mailer. The city of Emerson has one that he drives by daily. He also said, Council Member David Duncan mentioned the church in Euharlee may be interested in having a sign. He asked Mr. Stephens about the current sign ordinance and would it prohibit them from having an electronic sign and would it have to be amended it as written. Mr. Stephens said yes. Council Member Free said they need to look into that first. The way it reads, it would prohibit. If it is amended, it would open up for the church, the schools, and for others to apply. Council Member Free said he liked the idea of multiple signs, and if decided to do something like that, start with one and add as needed. Mr. Stephens said with Connect Signs they could. Council Member Free asked if it would be controlled by the city staff for contents and Mr. Stephens said yes. Council Member Free said that is why he wanted it on the agenda because it is a great way to put information out to citizens with events going on in the city. He spoke with Chief Matthews about safety and didn't think it would be good at Covered Bridge and Euharlee Road; it could create a safety hazard. The location would be discussed with council. He further shared, this is the direction businesses, government, and churches are going, and it is an effective way to get information. Mr. Stephens said he will go ahead and assign it to the Planning and Zoning Commission to make it more 2023 friendly.

Council Member Tim Abbott asked for pictures. He shared it is not about signs, but to share information about the city, and events within the city. It is part of how they tell the city's story a little better. The cost seemed high, but if you make it about communication, it is another way to effectively communicate.

Mayor Craig Guyton said his only concern is the placement for viewing. Council Member David Duncan asked about the size of the signs. Mrs. Stephens said one will be ninety-five inches and the other three would be sixty inches. Council Member Free asked about working together with the school system and they both win. Mayor Guyton asked if it was the school or the PTA that approached the city. Mr. Stephens said it was the PTA in regards to COVID funding they anticipated to receive. Mayor Guyton said they need to ask the school or the school board if they are still interested. Council Member Abbott said if they cannot do it safely, it will not be effective at a stop sign or a school zone. Mayor Guyton asked the speed limit for the one located in Emerson. It was shared 35 mph. He said to refer to Planning and Zoning and they will go from there.

**Old Museum Repairs- James Stephens**

City Manager James Stephens said the tenants at the Old Museum have vacated the premises and there is some buckling in some areas in the flooring due to some dripping from a cooler that caused for some

repairs to be made. A gentleman from D & T Construction provided a quote for the labor for the project. It will be a benefit for the city to buy the materials and save the sales tax. They have a potential tenant that is interested in the building. As Council Member Abbott stated earlier, to take care of their assets they have to keep them up. He was looking for approval for that location for D & T to provide the labor and the city to provide the materials. If the amount were to exceed \$10,000, he would contact the council immediately before he spent anything over. Council Member David Duncan asked if it was the same company that did the work at the church and Mr. Stephens answered no.

Council Member Tim Abbott asked if they should consider if that layout is the best for a rental for a business to serve people in some capacity, retail or food and beverage, might this be the time to talk about more than just fixing the leaks. Maybe remove some walls or something of that nature. He asked if they should pause and think about the floor plan for usage to rent. Council Member Greg Free asked would it need to be altered for another business.

Mr. Stephens shared for a brief time it was leased to an entity that had events like birthday parties and the current layout worked. There was a hair salon that had it rented for about six months that worked fine. A potential vendor looked at it, was going to bring a builder to take a look at it for things they may want to do over and above what he was looking at in way of repairs. He is okay to take a break and slow down. He is not opposed to seeing the museum move back into that location at some point in time depending on what they decide. The \$450 rent amount helps, but they could certainly do something with the current Presbyterian administrative building the museum is operating out of. The building had many improvements since the museum originally moved out of it. With the current visitor numbers at the museum, he wished it was at a more historic location rather than the current location. He was not closed to the rental aspect of it, until he sees it more valuable than a museum. Mayor Guyton said now is the time to ask the question. He did not even consider the discussion because the proposal was put together to fix it. He said to pump the breaks on the repairs and discuss it.

### **Public Comments**

Ron Hartman, Euharlee resident had four items to share with the council.

Frankie Harris and Osborne Park - Mr. Hartman said he had a really good conversation with the city manager about Frankie Harris and Osborne Park. He had a list of questions to ask one by one but Mr. Stephens provided the answers. He prepared a 37-bullet point document he would like for the council to take a look at it. It included his recommendations, observations, and concerns. Some are minor, but anything he submits will be a critical issue. He asked council to take a look at it to consider.

Renovation at Osborne Park- Mr. Hartman said there is a lot of confusion maybe on his part, and if public input had been closed for the design. He was under the assumption; he knows they have a contract with a developer, with a preliminary schematic and will come back to present his plans and along with what the city wants. He took the drawing and inserted his own ideas to add additional input to the design. Mr. Stephens has a copy for each council member. He discussed downsizing one of the fields, and he is in agreement not to duplicate Joe Cowan Park. He recommended to use one space of the current field and convert to a little league size field for family. He also included creating a veterans' memorial near the walkway by the creek and allow citizens to contribute. He asked them to review.

Electronic Signs - Mr. Hartman shared to place the signs where you would get the most eyeballs, and not at city hall. He thinks the perfect place will be at one of the schools if the school board will allow it.

Public Confusion with Citations and Cameras - Mr. Hartman said that people are confused about the citations. He asked, when do you get a citation, how much is the fine, and when are you cited when the flashing lights are not operating. He seen a couple of post on social media about citation amounts and the times received. For the record, what are the fine amounts, when cited, and have they ever had a case

when a citizen protested a citation and the record on the camera showed they were properly cited or continue to allow people to complain.

Mayor Guyton asked Chief Matthews about the rates. Chief Matthews said city of Euharlee and city of Emerson use Blue Line Solutions. The first offense is \$75 fine and a \$25 processing fee. Every subsequent event is \$125 and a \$25 processing fee. He shared that people have attested their citation, came to court, found guilty, and the citation was correct. The most they have had to come to court at one time for a citation was three individuals. Chief Matthews shared they have never had someone to come to court and the time on the citation was incorrect. Mr. Hartman asked if the signage for school hours, one hour before and one hour after correct. Chief Matthews said yes. Mayor Guyton shared that the two schools operate at different times, the hour before and after will be different, and the signs cover those times of operation. Mr. Hartman stated he thinks the public misconception is if the lights are not flashing, any speed is acceptable. Chief Matthews said, you can be cited anytime school is in session until those lights stops flashing at 4:30 pm. Mayor Guyton went over the times in the morning; when the lights are flashing, the speed limit is 25 mph. When the lights go off and the kids are in school, it is 45 mph and you will get a ticket if you are driving 56 mph and above. When the lights come back on it drops back down to 25 mph. When they go off after school the cameras go off. He shared two examples of the camera being off on the weekend, and during the week when school is closed. People are posting incorrect information on social media.

Chief Matthews said he posted that same information on the police department social media page and he has not received a comment about a ticket received on a Saturday or after hours. It is always on someone else page. Mr. Hartman asked about times the lights can be flashing and the camera is not on. Mayor Guyton explained it could be a day school is closed, the lights are manually turned off, and a citation is not issued. Chief Matthews explained there is a lock box for the lights. DOT is responsible; however, they are not working those holidays either. The police department is allowed one key. If the supervisor is not working, they cannot turn the lights off. The cameras are set to the Bartow County School Board calendar.

Fred Werner, Euharlee resident had a comment about the digital signs that came up back in 2006. A study was done and some of the council members wanted digital signs, but it was ruled out because it was considered a hazard. A study was done that said most of the traffic was coming from Highway 113. The best location was determined to be the Clock Tower, but it fell through because of the sign ordinance. Mayor Guyton said he was on the council and remembered it.

Butch Emerson, Euharlee resident stated he was representing Georgia Diversified Industries and on behalf of them he said thank you to the city on their support for the 2<sup>nd</sup> Annual 5k run. He thanked Chief Matthews and his staff, Becky Pruitt and her staff, and Katie Gobbi. It was highly successful. Last year they had 120 and this year they had 239 runners. The goal for next year will be 300 runners.

Mr. Emerson also addressed a rumor going around about a possible beer garden coming into the city of Euharlee at the Old Museum. Mayor Guyton said possibly, there is a company looking at it. Mr. Emerson said if they have considered it, he strongly opposed it. He does not think the city of Euharlee needs a beer garden especially across the street from their church. He posed a question; he loved Council Member Abbott's prayer talking about being bigger than we are, servitude, and humility, and asked would you want a beer garden across from your church. They are trying to go to church and worship on Sunday and you have people across the street drinking beer. For him it would be a perfect opportunity to go across the street to testify, witness and winning some souls being the person that he is. If it was a restaurant, further out, and it was contained that would be a different subject. He asked his mayor and council to pray about it. He said people have shared that the decision had been made. He said, when sitting in that seat, he sometimes has to put his personal thoughts to the side and listen to the people who put him in

that chair. Unless it is immoral or illegal, this is a democratic society but is also a republic. He asked them again to pray about it without a preconceived decision. He said God granted each person a voice and we can speak our hearts and opinions. Sometimes we have to stand up, and he is standing to oppose it. It is not needed downtown Euharlee and not across from the church. He is all for progress, but not like this, and they can do better.

David Thornton, Euharlee resident and co-Pastor of Euharlee Baptist Church stated that he loves Euharlee and it is a great place. He said he appreciated Mr. Emerson's comment and wanted to share his thoughts about the rumor of the beer garden. He said as a Pastor and thinking about Euharlee, he thinks about the good things, the children, and the good people in Euharlee, and it is a great community. He watches TV and sees all types of shooting and crime. He said they could not guarantee him, with something like that in the city that morality and problems will not go down, but he can guarantee you that it will. He has seen the influence in his family. What he does in moderation, his children will do in excess. He has seen the influence of a city government that abandon itself for the cause of money and growth. He is for the growth that is going on in the city. He will stand and shout the victory, but cannot on this and his church cannot. He has been at Euharlee Baptist for a year, and they are on the move to influence for the cause of Christ. They are in the school on every Friday with the association trying to bring the kids to a place that says come with us and do something good. He needs as a Pastor, a city council that will go with him. He said, he needs to go with the city council that will stand for what is right. He stated he wasn't trying to preach just sharing his heart.

Chief Jody Matthews shared the K-9 received his police vest. He wanted to thank Council Member Greg Free as a business owner publicly for donating it to the police department to keep the K-9 safe.

Marshall Aiken, Euharlee resident stated he was okay with the digital sign as long as the Planning and Zoning amended it. He recommended what they have in Cartersville; a day time and night time illumination with their signs. Mr. Aiken also commented on the beer garden in downtown. He didn't know how they would put it down there at the old museum, because of the setback ordinance for churches, schools, and education centers, with the library being considered an education center. He does not think it is possible to go in there. He said, just to add that to the rumor mill if someone is considering it, they might want to double check the ordinance. It might save a little heartache in the long run.

The question was asked about the size of city of Emerson's sign. It was also asked if the signage would open up the door for billboards. Mayor Guyton said he was not sure about Emerson's sign. Council Member Free said it looked to be the size of a window. Mayor Guyton answered; it could possibly open up the door for billboards. There are consequences to everything, and to be very careful about it. Council Member Greg Free asked if they currently had an ordinance for billboards, and would it fall under the sign ordinance. Mr. Stephens said it is currently restricted.

With no further discussion the meeting adjourned at 8:15 pm.

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
FEBRUARY 07, 2023**

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, City Manager James Stephens, and Attorney Boyd Pettit.

**Approval of Minutes**

Council Member David Duncan motioned and approved the minutes for City Council Meeting 01.03.23, and City Council Work Session 01.17.23. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**TruGreen Chem Lawn – James Stephens**

City Manager James Stephens stated the council had before them a copy of the quote from TruGreen for fertilization of all the fields at Joe Cowan Park and the common areas at Joe Cowan Park. The total annual quote was \$11,900, and the amount included in the 2023 budget. TruGreen is the company the staff recommended for approval.

Council Member Greg motioned to accept the bid from TruGreen for turf treatment at Joe Cowan Park. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**PowerDMS – Chief Jody Matthews**

Chief Jody Matthews said in the work session he shared they used PowerDMS software for certification and for the policy and procedures. The contract renewal was \$4,507.83 annually, beginning February 1<sup>st</sup> and concludes on January 31<sup>st</sup>, 2024. He recommended approval to renew the contract.

Council Member Joe Turner motioned to accept the PowerDMS contract. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Police Department 2022 Year-end Review**

Chief Matthews at that time briefly discussed the Euharlee Police Department 2022 year-end review. A copy was provided for each council member. He shared the statistics for 2022 to include calls for service and traffic stops which increased and a decrease with the number of speeders. The traffic stops increased because they are out trying to deter crime. There was a decrease with incidents, accidents, and arrest reports, as well as a decrease in citation and warnings. He also shared crime statistics were down, but an increase in domestic /family violence cases. The K-9 yearly stats reflecting from April to December 2022 asset value of seized drugs and property totaled \$41,898.00 with 60 deployments conducted combined between Officer Page and the K-9 Baloo. He also shared the GACP state certification for the Euharlee Police department is from 2022 to 2025. Council Member David Duncan asked if he was fully staffed. Chief Matthews stated he was short one police officer.

Council Member Greg Free asked if the number of citations take into account the school cameras or just officers. Chief Matthews said just officers. Council Member Free said the department is doing a great job not in just policing. He received feedback from citizens on how the officers engage in the community in a positive way communicating with residents. It has a huge impact not just for adults, but children to know it is okay to talk to the police.

Mayor Guyton and Council Member Free said thank you to the police department. Council Member Tim Abbott asked Chief Matthews to share the dates for applications for the citizens to get involved. Chief Matthews stated they will be taking applications on March 9<sup>th</sup> for the Citizens Police Academy. They will meet once a week on Thursday at 6:00 pm for 10 weeks. The information is available on the police department website and includes the application. There is no cost to citizens. Council Member Abbott said thank you to Chief Matthews for having the training. It is great involvement for the citizens.

Council Member Joe Turner mentioned the Explorer Program for the youth and how some went on to becoming police officers. Chief Matthews said there is a great program at the College Career Academy.

#### **Jolly Building Upgrades – Barry Atkison**

Program Director Barry Atkison stated the council had in their package a spreadsheet that was made available during the work session. He stated nothing really changed on the worksheet. The demolition is completed and ready for the rebuild. He continues to obtain and get competitive quotes on anything with a contract. He stated everything is still within budget. There are a few problems but will continue to work on them. He asked for approval up to \$50,000 for the building.

Council Member Joe Turner asked if they planned to change the look of the outside of the building. He said the building was a part of history for over 100 years. He was also concerned about the floors. Mr. Atkison said there are plans to do some exterior work, but wanted to get everything completed inside so they can get the simulator equipment set up. Mr. Atkison explained the old floor covering was off, and the floor was dryer than he expected. The moisture barriers will go down before the flooring goes down. He assured him there were no changes on the exterior walls.

Council Member David Duncan asked about the amount being \$50,000, but the documentation was \$47,500. Mr. Atkison explained some of the line items could go up, some could go down, and he had not been able to obtain quotes on every line item.

City Manager James Stephens said the \$50,000 will be funded through SPLOST and it is money already in deposit in the account along with the funds to cover the Frankie Harris project.

Council Member Tim Abbott motioned to approve the Jolly building renovation and the cost not to exceed \$50,000. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

#### **Comprehensive Plan - Katie Gobbi**

Community Development Director, Katie Gobbi stated the council had a copy of the resolution to adopt the updated joint Bartow County Comprehensive Plan. The plan was originally adopted in 2018. It is a ten-year plan, half way through with a five-year update. Council Member David Duncan asked if it was revised every four-years. Ms. Gobbi said the goal was to get halfway through the decade, and see where they were since a lot happened since 2018. The pandemic shifted some of their focus, progress on different work programs, and goals for municipalities. It is part of the legislation that is a requirement of the plan. Council Member Turner asked if feedback was received from other municipalities. He didn't want the city to stand alone. Ms. Gobbi explained each city had to draw up a resolution to adopt the joint plan. It has been a month-long process with all the different cities in Bartow County.

Council Member Joe Turner motioned to accept the resolution. Council Member Greg Free seconded the motion. The motioned carried with all voting in favor.

#### **Public Comments** – No public comments.

With no further discussion the meeting adjourned at 7:18 pm.

**CITY OF EUHARLEE  
CITY COUNCIL WORK SESSION MINUTES  
FEBRUARY 21, 2023**

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

The following were present: Mayor Craig Guyton, Council Members Tim Abbott, Greg Free, David Duncan, and City Manager James Stephens. Council Member Joe Turner was not present.

**MADD Presentation – April Martinez**

Mothers Against Drunk Driving (MADD), representative April Martinez presented Euharlee Officer Andy Page with the Officer of the month certificate for the month of January 2023 for his leadership in impaired driving enforcement, and education. MADD appreciates his passion to eliminate impaired driving and thanked him for his service and dedication to duty. Officer Page said thank you and he is putting forth the effort to get impaired drivers off the street. Mayor Craig Guyton on behalf of the council said thank you to Ms. Martinez for the recognition, Officer Page, Chief Matthews, and the entire police department.

**Arbor Day Proclamation**

Mayor Craig Guyton read the proclamation designating February 24, 2023, as Arbor Day in the city of Euharlee. The proclamation was presented to the Hoe'n in Euharlee Garden Club members. In return, the members presented a tree to plant that was donated by master gardener Steve Zuber. The garden club will gather at the Euharlee Museum on Friday, February 24, 2023 at 10:00 am and encouraged them to come by. Council Member David Duncan motioned to accept the proclamation. Council Member Tim Abbott seconded the motion. The motion was carried with all voting in favor.

**School Speed Camera Concerns - Tyler Compton**

Tyler Compton shared that Euharlee was great and, on the ball, when it comes to taking care of their citizens. He was proud to be from this part of the world where this kind of community is still essential. Mr. Compton explained he was speeding in the school zone, and received a ticket. He paid the ticket but there was a registration hold on his vehicle. Once the ticket was paid the registration hold should have been lifted. He spoke with Blueline and was told it was a computer error. Mr. Compton explained if he had been pulled over, he would have had an unregistered vehicle in the state of Georgia.

Mayor Craig Guyton explained he would not have received a citation nor arrested. It will not allow you to renew. Chief Jody Matthews said it does not show up as a hold. Mr. Compton said that cleared up most of his concern. He shared and asked the city to take into consideration, when a new system is introduced or put something in place, there is an increased risk surface, which is anything that is abuseable outside of your trusted network. There have been a couple incidents in the area with ransomware. Anytime digital systems are put in, it is information that can be stolen in the surrounding area and people driving though. Mayor Guyton apologized to him. It was a human error, and he was sorry he had to clear it up at the courthouse. City Manager James Stephens stated with Mr. Compton's information it assisted Blueline to improve their processes.

**Event Dates – Katie Gobbi**

Community Development Director Katie Gobbi presented 2023 events to include the Farmers Market, Food Truck Friday and the Fall Festival, with dates and changes for some events due to the progress in projects in the city.

Farmers Market dates are from June through August, and will remain on Tuesday. There will be no market on July 4<sup>th</sup>. There will be a change in location due to the proposed work at Osborne Park, and will be held outside the Welcome Center and Museum. The staff feels it is a win, and beneficial to bring people to the museum on a Tuesday which is a slower day for that facility. It is also a really great corner for visibility for

the farmer's market. The fees would remain the same except with an option, recommended by the vendors, to participate weekly and pay \$5 a week for produce vendors only. This would cost more than a full season, but an opportunity for those who cannot participate for the full season. It is cheaper to sign up for the full season with a guaranteed spot. Council Member Greg Free asked if there was a limit. Ms. Gobbi said she could not tell him at that time. Of course, depending on the weather there are (43) spots at the welcome center parking lot. If it rains, the vendors will prefer to be in the parking lot. Council Member Duncan asked the full season fee. Ms. Gobbi said \$50.00. She shared with council prior to advertisement.

Food Truck Friday recommended dates are May - October. The month of April is not included due to the possibility of it being cold and possible sleet. Also, this year they would be competing with Spring Break and Easter weekend. It would land on Good Friday. Frankie Harris Park is the ideal location and Osborne Park will be under construction. In May, Frankie Harris Park may not be completed, and May 13<sup>th</sup> the city will host the Duck Derby. The shift in dates is from April through September to May through October. The recommendation was to have the May event at Joe Cowan Park. Ms. Gobbi said she had a quote for the stage in the amount of \$2500.00. She would seek a sponsor to cover the cost for the stage. She felt comfortable to do so without tapping into sponsorship for other events. The rest of the months the event would be in Frankie Harris Park. They are looking to blackout some of the campsites to accommodate vendors. A heads up would be provided for those who would be booking to camp. Ms. Gobbi those were the plans for this year. The last Food Truck Friday held on October 13<sup>th</sup> would lead right into the Covered Bridge Fall Festival to be held on October 14<sup>th</sup> at Frankie Harris Park, and already are working on vendor set-up.

Mayor Craig Guyton asked if she envisioned the option for vendors to come Friday night as well. Ms. Gobbi said it was being discussed. Most vendors on Friday are just setting up their tents and tables, but everything is under discussion.

Council Member David Duncan asked if they would move back to Frankie Harris Park from Osborne Park. Ms. Gobbi recommended to stay in Osborne Park permanently once the redevelopment was completed with the amphitheater and food truck spots.

Council Member Duncan asked if the RV park would be completed by June. City Manager James Stephens said weather permitting, they proposed to be finished by the Memorial Day weekend.

Council Member Tim Abbott said no questions but thank you for the hard work. Thanks for bundling Food Truck Friday and the Fall Festival. People need the outdoor break.

Mayor Guyton said before getting sponsors for the stage, make sure Osborne Park will be moving dirt by May. Mr. Stephens said it would not. Mayor Guyton suggested to keep the event at Osborne for May, and work with the advocates to better both events. He knew the space was needed for the duck storage, but if there was a way to store them on the ball field and leave the pavilion open, it could be a good collaboration. The city could advertise their event, and on the advocate's website, advertise a duck derby concert. It was a possibility before spending \$2500.

Council Member Greg Free said with the number of people on that Saturday do you see in the future half of day on Sunday. Ms. Gobbi said eventually yes. It is something that has happened in the past 10 years. A half day Sunday focused on gospel singers with kind of line up to match the day. However, the vendors love the one-day event. Once they see how it is going to work with the campground, then they can look into expanding. Council Member Duncan said he remembered Saturday and Sunday. Mayor Guyton remembers a Friday, Saturday and Sunday event. Ms. Gobbi said she and Ms. Bailey have been reviewing it, and one concern is enough volunteers and staff to do it well. Mayor Guyton said they will vote on the event dates at the March 7<sup>th</sup> meeting.



### **1<sup>st</sup> Reading - Amendment Land Subdivision Ordinance – Katie Gobbi**

Community Development Director, Katie Gobbi stated the council had before them the 1<sup>st</sup> reading to amend the table in section 1-2-8.5 of the Land Subdivision Regulations Ordinance regarding Minimum Street Right-of-Way and Pavement Width. The current table and the proposed changes are both listed with the changes in red. The original ordinance was written in 2003 and amended in 2006. In the near future there is a need to address other sections in the ordinance to update. This was pertinent for the timeline of developments to review the specific part of the ordinance. During the most recent site plan review, the city's ordinance for the local street pavement width is in excess of Bartow county's requirements. By changing it to 22 feet local street with curb and gutter, and 20 feet local street without curb and gutter, it will make them consistent and less impervious surface causing less run off and less potential for flooding. City Manager James Stephens stated the table is from page 168 of the Zoning Ordinance. This would be considered the 1<sup>st</sup> reading if the council was comfortable with making the change and to be consistent with Bartow County.

### **Joe Cowan Park Contract Bids – Becky Pruitt**

Parks & Recreation Director, Becky Pruitt stated council had before them a proposal and detailed document for the dugout, and bleacher coverings at Joe Cowan Park. She explained in 2019 three bleachers were recovered by a company that went out of business before completing all the covers. In 2021, the remaining three bleachers were recovered by Complete Concrete, and are still under warranty. The 2022 ice storm in December damaged the three covers and the three dugout roof coverings. The quote she presented included six dugout coverings, and six bleacher coverings using aluminum to match the covered pavilion in the stadium field. The staff recommended the quote from Complete Concrete. The surrounding city and county parks all have the metal awnings, dugouts and bleachers. Ms. Pruitt was concerned about heat, but she was reassured it was good. It will also be less maintenance. The total amount of the quote is \$33,075 which includes \$11,175 taken off of the final bill due to the warranty. Mayor Craig Guyton stated they will take that up at the March 7<sup>th</sup> meeting.

### **Land & Water Conservation Grant Resolution – Becky Pruitt**

Parks & Recreation Director, Becky Pruitt stated the LWCF grant is specifically for outdoor recreation projects and wanted to apply it towards the Osborne Park project. A 50% match is required, and the request will be for \$500,000. The match will come from the American Rescue Funds for the Osborne Park project. The resolution is just a step in the pre-application and is needed before the next to step to apply. The grant is not awarded until the fall of 2024, and it is a two-year grant cycle.

City Manager James Stephens said the matching monies would be out of the Osborne Park project with the American Rescue funds. It is a large amount of money, but the ARP funds they are using on Osborne would be used in the application as the matching funds. Mayor Craig Guyton asked with the council voting on March 7<sup>th</sup> would that leave enough time to apply. Ms. Pruitt said yes, it starts in April.

### **Manager's Report - James Stephens**

City Manager James Stephens reminded mayor and council on March 6<sup>th</sup> there will be a Euharlee Priorities Day to set priorities for the remainder of 2023 going into 2024. It will be facilitated by Tamara Brock of Georgia Power, Economic Development. Georgia Power has a data tool, and, on that day, they will be able to tell the city how many people attended the Fall Festival and the counties they came from. The data will also be available for Food Truck Friday. It is based off of technology through location services on cell phones and it is not 100% accurate. As part of the school camera proposal, the police department received two free tag readers. He will be using that technology to collect data internally related to the traffic flow, and coordinating that information with Tom Sills with Cartersville Metropolitan Planning Organization. Those pieces of information evaluated with Mr. Sills expertise, and possibly James Evans from the Euharlee Planning and Zoning Commission, he looks forward to presenting a request to fund a traffic study sometime in the summer of this year.

Mr. Stephens mentioned the digital sign the council had discussed. There would need to be a requirement change to the ordinance if they decided to do a digital sign. The staff is actually looking for guidance for the next step to take for a potential digital sign.

The PUD development the city council recently approved for rezoning, have submitted plans to the city's third-party engineer, that will use the plans with consistency with the code ordinances, with environmental protection regulations, and land disturbance permit regulations. The developer is in the process of responding to the comments the engineer made. On the March 7<sup>th</sup> agenda a preliminary plat application will come before the city council. The official name for the project will be called Cherry Glen.

The work at Frankie Harris Park has been slowed a little. There are a couple of trees that are in conflict with the sewer route, and working with Georgia Power. The trees are in the fall line of a transformer and Georgia Power would not let the city engage with a third party to remove them. The trees are scheduled to be down by the following Friday. With good weather, the anticipated date for completion for the project will be around mid-May. So far, \$98,000 of the 1.2-million-dollar project that is on schedule, and currently with no change orders. If Georgia Power were not able to get the trees out of the way, the city was looking at some other alternatives, but it appears to be resolved at this time.

Mr. Stephens stated as they all know, in the past there have been plans for Lowry Mills. Council Member Joe Turner who was not present, wants to phase the project for the mill to have an observation deck with the wheel. Currently, it is not an active project. It is inactive.

#### **Osborne Park- James Stephens**

Mr. Stephens shared the updated schematic and the proposed discussed amenities with Osborne Park. The significant change from the first presentation was a second bathroom. He is still unhappy with the location of the second bathroom to the left of the amphitheater, and would like to move it closer to the playground area. If recalled, there was a small number of parking spaces and now you can see the additional 133 parking spaces. There is a walking trail all the way around the existing property. There are spaces for eight food trucks to be accommodated at that facility along with the amphitheater that will hold close to five hundred people. The final location of the amphitheater is still being worked on. It has been moved a little to the northeast because of the way the sewer line runs through the property. He still thinks it could be closer to the corner of the property. The final location is still under discussion. He would look for approval to go ahead and put the bid documents together. The construction would not start before Mother's Day. Osborne Park and the creek have been committed for the fundraiser with the Duck Derby. After that he is hopeful to break ground. Mr. Stephens was not looking for a binding vote but didn't want to put the documents together until they were ready as a council. He was looking for guidance to give Bell and Associates the go ahead.

Council Member Tim Abbott said it was quite an improvement. He agreed they needed to talk about the bathrooms. He asked if there was only one way in and out of the parking lot? Mr. Stephens said the trails are wide enough for a car, but Council Member Abbott was correct. Council Member Abbott asked if there was a plan for mixed use? There are times with high volume walking and would like more than one way to enter and exit. Mr. Stephens said it could be accommodated.

Council Member Greg Free said it definitely took in consideration the information from the shareholders, and the community input. It had been an extensive conversation and that is the best layout of the amenities, the amphitheater back a little bit, and flop the restrooms around. It will be a great use of the park, and it still protects the history. He thinks it is the best version the council has seen. Mayor Guyton reiterated the restroom to be closer to the playground and it leaves a lot of green space for things you would do in a park. Mayor Guyton said to move forward with the bid documents. Council Member Duncan agreed.

### **Public Comments**

Ron Hartman, resident of Euharlee asked if the council had received the copies of the questions he submitted, and Mr. Stephens answered yes sir. Mr. Hartman said the reason he sent it out is because it is important for the citizens to be aware of what is going on, not rumors of what is going on and funds that are pulled out of the city's budget. The items need to be added to every meeting and work session. Mayor Craig Guyton said that one of the reasons Mr. Stephens did the manager's report was to cover Mr. Hartman's questions and plan to do so going forward.

Mr. Hartman asked about the status of the digital signs, when would the council approve the budget, and if they agreed with the cost of \$80,000 for the digital sign. Mayor Guyton shared the council will not approve the budget for the digital sign until the ordinance is changed. You would not approve a budget for a sign that you cannot legally put inside your city. The next step is for the council to discuss a location. It is a big deal if they can't agree on a location. Council Member Tim Abbott said where do you see more information each day on your phone or on signs. He appreciated Mr. Hartman's heart because he wants to be stronger in communicating things to citizens. Council Member Abbott said he doesn't think they know enough at that time to render a decision, and if \$80,000 is the best way to improve communication in the city of Euharlee. Mr. Hartman said the signs would be to bring attention to the city to draw people and let them know what is going on. The events discussed would be perfect information to put on a sign.

Mr. Hartman also asked about the Tilley Farms subdivision. The council responded the official name is Cherry Glen. Mayor Guyton explained it is in the engineering phase.

Mr. Hartman's said he walked Frankie Harris Park and he was concerned about spaces five and six electrical outlets.

Mr. Hartman asked about the beer garden. Mayor Guyton said there was no proposals but would be discussed in a public meeting. Mr. Hartman recommended a poll to go out for public opinions of a much larger number of people. There are good points to made about the beer garden, as well as, the bad points. Council Member Abbott said he wants to change the conversation from a beer garden to the next best business in downtown Euharlee and build off that to serve the citizens. He liked the idea of a survey, but when you look at the number of people that vote in Euharlee, they will not complete the survey. Council Member Abbott said he gets the beer garden, but as a council member he is looking to bring establishments that will attract others and enjoyment.

Council Member Greg Free said he put it on social media and got a great number of responses. He said it goes back to Council Member Abbott's point. The technology of soliciting responses from people is working. It is not full proof, and not everybody has social media accounts, but his point was exactly right. They can all debate the word beer garden a thousand times. They haven't heard or seen anything and should be about what business will be the best for Euharlee; read thee Facebook comments and you will get your answer. There are a gamut of ages and backgrounds that responded. But if everybody had to weigh in on every single thing, nothing would get accomplished which is why you elect people to hear your concerns to get those things accomplished.

Mr. Hartman asked what happened to Jo Jo's market. Mayor Guyton said they are rebuilding.

Marshall Aiken, resident of Euharlee shared some history about the mill when it was rebuilt. It was not an actual water mill, but turbines and two are out back under some tarps. He was curious what it would take to utilize them for a display at the museum.

With no further discussion the meeting was adjourned at 7:58 pm.

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
MARCH 07, 2023**

Mayor Craig Guyton called the meeting to order. City Manager James Stephens 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.

Council Member David Duncan motioned to approve the minutes for the City Council Meeting, 02.07.23, and City Council Work Session, 02.21.23. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**Land Water Conservation Grant Resolution- Mayor Craig Guyton**

Mayor Guyton reminded council the document was reviewed in the work session. The resolution will give the staff approval and authorization to apply for the grant.

Council Member Greg Free motioned to adopt the resolution. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

**Joe Cowan Park Bids- Mayor Craig Guyton**

Mayor Craig Guyton stated, the Parks & Recreation Director Becky Pruitt discussed the bids at the work session. It included six dugout coverings and the six bleacher coverings. Several were under warranty, and with that amount removed the total would be \$33,075, and will include a warranty.

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

**2<sup>nd</sup> Reading -Amendment Land Subdivision Regulation Ordinance- Katie Gobbi**

Katie Gobbi, Community Development Director stated the council had the same chart before them that was reviewed at the previous work session. It is the 2<sup>nd</sup> reading to amend Section 1-2-8.5 of the land subdivision regulation ordinance, regarding minimum street right-a-way and pavement width. The current table requested two changes. Council Member Greg Free asked if the change would bring the chart in line with most other municipalities. Ms. Gobbi said yes, and stated the city's current ordinance was more than Bartow County. Ms. Gobbi shared the previous information dealing with curb and gutter, and proposed the 26 feet wide minimum width for local street with curb and gutter to 22 feet, and 24 feet without a curb and gutter down to 20 feet which is in line with Bartow County.

Council Member Tim Abbott motioned to approve the 2<sup>nd</sup> reading of the amendment land subdivision regulation ordinance. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Preliminary Plat - Cherry Glen- Katie Gobbi**

Katie Gobbi, Community Development Director stated the council had the preliminary plat application before them. The staff recommendation is for approval of the preliminary plat, and is reflective of the PUD approval from city council back in October 2022. The applicants were present if anyone had further questions. Mayor Guyton assured the questions from the engineers going back and forth have been answered. James Stephens, City Manager answered yes. Council Member David Duncan stated he had a question about the driveway but Ms. Gobbi answered prior to the meeting.

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

Council Member Tim Abbott asked Adam Baker how they came up with the name of the subdivision. Mr. Baker said it was the marketing department that came up with the name and he did not know.

#### **Event Dates - Katie Gobbi**

Mayor Guyton stated the Farmer's Market would run June 2 - August 29 except for the week of the 4<sup>th</sup> of July, and will be held at the Welcome Center & Museum due to the downtown construction that will take place. Food Truck Friday will be held May - October. The first one will be at Joe Cowan Park, and the remaining will be held at Frankie Harris Park this year. The Covered Bridge Fall Festival will be Saturday, October 14<sup>th</sup> at Frankie Harris Park. Katie Gobbi said per the mayor's request at the work session, she met with the advocates about partnering the Duck Derby and the first Food Truck Friday at Osborne Park, and another meeting will be held on the 16<sup>th</sup> to confirm the partnership.

Owner Zack Tyree asked if the time could be extended for the Farmer's Market to 7pm to allow those getting off an opportunity to attend. Ms. Gobbi said she spoke with several vendors, and they felt 7pm was too long of a day. Another option discussed was 3pm -7pm, but not sure that would be beneficial, but Ms. Gobbi was open to try it.

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

#### **Change Order Frankie Harris Park- Barry Atkison**

Barry Atikson, Program Manager stated the change order they had in front of them showed the details of the proposed totals. He explained how the sewer line crossed the creek and a change was needed. It was a net wash but needed to be reflected because they went with another version other than the bid. Also, the concrete headwalls were necessary, and all installed. It was confirmed that none of the vendors bid the work. He said the grading had to do with tree removal. It was on the initial bid sheet but the city paid for it because there were trees that needed to come down that were not included which came to a \$5000 credit on the bid work. And last, the 800 AMP service installed in the park was not enough, so to break the load from the pumphouse that feeds Joe Cowan Park irrigation system to a separate feed. The total net change order came to \$5984. Council Member David Duncan asked about Georgia Power having to get involved. Mr. Atkison said there were trees that were a conflict with the transformer and a Georgia Power pole. The city's tree cutter could not legally remove them, and Georgia Power did take them down and dropped power for safety underground and overhead. Council Member Joe Turner motioned to accept the change order. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

#### **PUBLIC COMMENTS**

Resident Pete Pilero wanted to know if the campsites, at Frankie Harris Park would have a separate meter to monitor, as a separate entity, to determine a profit and loss statement. He thought the city received one combined bill. He asked the same about Joe Cowan Park, and if it was not turning a profit you may need to close the park. James Stephens, City Manager explained Frankie Harris, and Joe Cowan Park both had separate meters with the exception to the water meter at Joe Cowan Park which is served off the meter at the city hall. He stated he was able to track the cost for each facility individually on a monthly basis. He also shared that Joe Cowan Park was not turning 100% profit, and not operated as an enterprise fund. Mayor Craig Guyton explained the park is designed to be used by citizens of Euharlee as a part of the overall state of living in Euharlee. He said the campsites will be profitable. Mr. Pilero also asked about the city's \$100,000 loss that was mentioned in a previous meeting. Mayor Guyton explained it was LOST, local option sales tax, he was referring to. He explained the LOST calculation was

distributed over Bartow County. The Euharlee percentage was decreased from 3.14 percent to 2.95 percent which was a 100,000 loss over ten years. Mr. Pilero said maybe they should not use the word loss going forward.

Resident David Mendoza shared that he was in favor of the downtown use of the old museum. He read about it on Council Member Greg Free's Facebook page. He thought it would be good for the city, a good investment, and he would spend his tax dollars and paycheck at that location.

Resident Steve Gray stated his concerns and shared his opinion on the diagram for the redesign of Osborne Park. He said at the end of the stands, add a retention wall, go back 30 feet, and sod it so people will still be able to see who is speaking at the amphitheater, and use the additional space for family to lounge with blankets or chairs. Mayor Guyton stated what Mr. Gray was asking for, is the actual design set up. There is stadium seating, and the lawn area. People will be able to put up tents, have chairs, and blankets. The design has gone back to the drawing board again. Mr. Gray also suggested using the top of tennis courts and that would save the oak tree. He suggested a ditch for the water to run off, and not on to the amphitheater. James Stephens, City Manager stated the document was schematic and not the real plan. Council Member Tim Abbott stated, with Mr. Gray being a member of the of the Planning and Zoning Commission, allow him to meet with the contractor and designer. He is trying to protect the integrity and the environment.

Resident Zack Tyree, and owner of Euharlee Outfitters mentioned the construction at Frankie Harris Park and the lot behind his business, if it would be leveled out after the park is completed, and if it was still in the plan to do so. James Stephens, City Manager said yes it was, and the city council will receive a cost figure at the next work session. Mr. Stephens was charged by Mayor Guyton to ask Mr. Tyree on a busy day how many cars are parked in that area. Mayor Craig Guyton asked Mr. Tyree to sketch it out and let Mr. Stephens know how many cars there are on a busy day. Mr. Stephens said the work would increase the parking, but the cost is being prepared for the council to consider, and that will take into consideration the contractors, when they are doing the asphalt road, which should be a very competitive price, and add the additional parking. Mr. Tyree stated even if it is not asphalt, just some type of grading, as well as, between the ditch and the road. People try to drive over it, so maybe some type of guard rail to prevent it. It is something he, and the city can discuss and do together. He also shared any business coming to Euharlee will be great no matter what it is. There are a lot of people walking around during the summer, and even in the winter, and it will bring revenue to the city with the Covered Bridge being the highlight in the downtown area. He thinks the people being considered has a good business, and the location is great.

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

With no further discussion the meeting adjourned at 7:34pm.

**CITY OF EUHARLEE  
CITY COUNCIL WORK SESSION MINUTES  
MARCH 21, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Greg Free 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 were present.

**Council Recognition – Mayor Craig Guyton**

Mayor Craig Guyton read the Certificate of Recognition presented to Council Member David Duncan from the University of Georgia, Carl Vinson Institute and the Georgia Municipal Association for Council for his completion of the requirements through the Harold F. Holtz Municipal Training Institute. Council Member David Duncan stated that he worked very hard for the certificate. Each year he has participated, he has taken the classes offered because he wanted to work towards a goal, and not just to go to have fun. He said thank you to the citizens, and the city for allowing the council members to attend the training.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**Campsite Pricing – James Stephens**

James Stephens, City Manager provided council with a document with RV rate comparisons per night. He shared the rates from KOA in North Georgia Full Hook up at \$55, Red Top Mountain – Dump station at \$40, Hard labor- Dump station at \$62, and Sweetwater Creek -Dump Station at \$65 per night. Based on the numbers presented, and the price for a full hook-up he recommended a nightly rate at \$55. Also, recommended a discount for local campers from Euharlee, unless the council would like to extend it in the county, at a rate of \$45.

Council Member Joe Turner said the campsite will be new and suggested a \$45 rate per night for about a year, and then increase the rate to \$55. Mr. Stephens stated the city will be a full hook-up site, and \$55 is a low entry rate into the market. Red Top Mountain is less than the \$55, but not a full hook-up site. They are already full, and have the city on their list of referrals. The \$55 is a low, competitive price.

Council Member Greg Free stated the city will attract people because the other campgrounds are booked out until the end of the summer. The facility in Emerson will not be completed before the city of Euharlee, so the city will beat that crowd. If you are looking at price for full hook-up the city is cheaper than most. In the North Georgia Mountains, you are paying \$90 to \$100 per night for full hook-up.

Mayor Guyton stated the city has Wi-Fi. Council Member Greg Free said the KOA has Wi-Fi. He asked if the county give discounts for the facilities they own, and should the council extend it to all of Bartow County. Mr. Stephens said he was not sure, but does not think so. Council Member Tim Abbott said he would like to keep it with the citizens of Euharlee, veterans, and first responders. Council Member David Duncan and Council Member Turner both agreed with Council Member Abbott. Council Member Free stated when it was discussed a year ago; they were higher than \$55 for full hook-up. They discussed trying to get it off the ground, and attract people by listing it as an overflow facility on other sites. The state has shut down a couple of facilities due to not enough hosts for the campground. Mayor Guyton stated next year it can be revisited, and possibly up the rate. Council Member Free said there should be a discussion after the first year of operation.

**Overflow Parking – James Stephens**

James Stephens, City Manager stated he had been working with Mark Teal since there is a significant amount of paving for the project. The second priority from the retreat a year ago was downtown parking. He received a price from SH Creel who is doing the work at Frankie Harris Park. SH Creel did not have the lowest bid on paving so he continues to negotiate through Mark Teal to try to get the quote down.

Currently, the price comes out to \$58,000 for the area behind the kayak business, but he hopes to have a firm price by the April meeting. He strongly supports it while doing the Frankie Harris Park project, and also considering to include the graveled area at the Commissary, the graveled area at the bathrooms in Frankie Harris Park, and the area by the pavilion.

#### **Old Library /Commissary Flooring Prices – James Stephens**

James Stephens, City Manager provided the council with a document that included the prices for the flooring at the Old Library and the Commissary. The commissary is in desperate need, and the old library flooring was replaced seven years ago with a low-grade carpet, and it would be a tremendous improvement to the building. The cost for the flooring at the Old Library is \$7,203.38 and the Commissary is \$5,307.80. The estimated cost for paint is listed, and does include labor. He thinks the city can handle the painting in-house. The prices will be presented at the April meeting for final approval. Council Member Greg Free stated it falls in line with some of the discussion held before, taking assessment on the facilities that are heavily rented by the public, and bringing them up to value for the cost of the rental. Mr. Stephens said the prices are quoted for high quality vinyl, 20 mil or 50 mil, thick vinyl planks. It will make both facilities look really nice. Mayor Guyton said the prices together come to \$12,574.18, not including the paint.

#### **1<sup>st</sup> Reading Minimum Lot Size – Mayor Craig Guyton**

Mayor Craig Guyton stated the Planning and Zoning Commission was requested to take a look at the R1 that has sewer hook-up available. Currently, the city's minimum lot size is 26,000 square ft. on septic and 15,000 square ft. if you have sewer hook-up available. After the review, the commission recommended 14,000 square ft. a couple of months ago, and came up with the same number at the last meeting. The council was given a document that included other local governments in Bartow County. The lowest for Cartersville, Bartow County, and Adairsville is 7,000 and Emerson is 7,500 square ft. Mayor Guyton stated he was not interested in going that low, but interested in the council changing to what the market is currently selling.

Council Member Greg Free asked if it was R1 land use with sewer only. Mayor Guyton stated that was correct. Mayor Guyton suggested if sewer is not available, the 26,000 square ft. will need space for the septic and field line. In his opinion 10,000 square ft. is a good medium density. Cartersville actually has three different levels with a 10,000 medium, and feels that would be good for the city of Euahlee. Council Member David Duncan suggested changing by 1,000 square ft. and Council Member Joe Turner said he would leave it as it is. Council Member Greg Free said what if it was zoned differently than a PUD, that housing the way it is laid out would be high density, and Mayor Guyton said that was correct. Council Member Free agreed with Mayor Guyton, they have to find a way to come to some type of change in comparison to the county, and other cities; they do not have to follow everything they do, but cannot stay where they are from 30 years ago. If the mindset is they will stop growth, they have already missed that. The city has an opportunity to prepare for the future, and have some control. He is not interested in the 7,000, and 1,000 square ft. reduction.

Mayor Guyton said there are other options, but the only one he is interested in looking at is the R1. Based on the conversations he had with several developers, Mayors, and the County Commissioner, he would be interested in changing the R1 from 15,000 to 10,000, and the width of the building line to 55 and leaving all the side and rear requirements the same. Council Member Free stated the non-sewer lots would not change; it would still be 26,000 ft. If you look at where the current sewer runs, it is not a whole lot of land surrounding it.

Mr. Stephens stated there are at least two tracts, in addition to Cherry Glen that could have immediate access. There is some property on Milam Bridge Road, and another tract on the northeast quadrant where Mr. Gray considered a senior development, off Hardin Bridge Road. He is not sure of the total number of acres. Mayor Guyton said some of that land would require some extension, meaning the sewer is currently running to it. Council Member Turner stated Shaw Woods is the best-looking subdivision in the city, why does the council want to downsize other areas that could build nicer houses with land, is it to try and get



more people in the city? Mayor Guyton said not at all. Cherry Glen, the council approved, are not smaller houses, they are on smaller lots, which is what the market is asking for. Mayor Guyton allowed a couple of citizens to share comments at that time.

Pete Pilero said he did not understand why the council was trying to shrink the lot sizes to bring more people in, and he asked why. He stated most people move there because it is not crowded and on top of each other. He does not want to see all that growth in Euharlee. He is attending meetings to try to stop the growth that the council is trying to force on them. Council Member Turner said it was stated better than the way he said it.

Ron Hartman added there could be possibly four houses on one acre. The average size in the city is approximately ½ acre; on his lot he could have three other houses. You talk about high density what is the purpose of lowering the space, it has to be financially based. You are bringing in more people, increase taxes to keep the general fund safe, and not rely on other sources of revenue. He does not want to be like the rest of Bartow County. He suggested annexation. Council Member Free stated that would just inherit their zoning, so you have to address it now. He asked if the expectation is that Euharlee will never grow. Mr. Hartman stated no, but he wants growth that drives city revenue, and does not come from residential development. Mr. Free asked, where would it come from. Mr. Hartman said it comes from new businesses that suit the culture, and nature of the city. Council Member Free said people visits businesses, and without people it will not work. Mr. Hartman said to give the people a reason to drive to Euharlee. Council Member Free agreed.

Council Member Tim Abbott said they have options for industrial, manufacturing, commercial, but the options they do not have is at McCormick Road, which is not part of the city with no options. The council need to make some decisions, or do nothing, and not wait to see what developers do around them and then the city is under pressure. It is a good conversation, the perfect answer does not exist, but finding the median does. Mr. Hartman said that sounded like a big platitude; they are not going to industrial or commercial.

Council Member Free stated you cannot say they are not. There is a ton of open land on each side of the city, and here is what will happen if nothing changes; Bartow County can plot whatever they want on the land, the city gets the impact, and no benefits. The city will get all the police response, all the people on the roads, all of the infrastructure, and no tax revenue to offset it. Then what does the city do? The people in the city will pay more taxes, because there are not enough people to spread it out, and he does not want that to happen. He would prefer to find a middle ground. Like the Mayor stated, he does not want 7,000 square ft., and he doesn't want regulations that were approved 15 years ago and not relevant to what they have to look at now. As Mr. Hartman mentioned, there is not a lot of land in Euharlee so it should not be an impact. You cannot have it both ways. There is not a lot land to build on, but don't want to change. The city must start a plan because all the land around them belongs to Bartow County. The battery plant is six miles from the city limits; drive out Hardin Bridge Road and see all the land they are knocking trees down for houses. It is going to impact the city surrounded by growth, and discussions are needed to control it, and find the middle ground. Mr. Hartman asked for the solution. The impact is coming from outside the city, is the solution to build more residential property. Council Member Free stated the solution is to have a discussion about what they can change that can help strategically either slow or harness the growth. He said drive out McCormick Road and on the other end of Euharlee Road; when developers start to show up and write million-dollar checks to owners of the land, it will go away. It is not in our city limits, cannot control it, but the city will get all of the impact from it. If it is not believable, go ask the people that live off the Cass-White exit, and all over the county. The council cannot sit and do nothing or leave it the way it is. The council must have the conversations. He agreed with Mayor Guyton, there has to be a happy medium, and this is the long-term discussion to get to that point.

Mr. Hartman shared that the council just provided input to the latest 5-year Bartow County comprehensive plan. In the plan, it stated that nothing would be done with the 17-acres that sits on the river and the creek until 2027. There is an opportunity to draw some income, but you will wait until 2027. There is an opportunity to bring in a business, followed by other businesses, if there is an effort to bring in small business. The discussion is all about residential development. As the 3<sup>rd</sup> largest city in the county, the city should have some political impact.

Mr. Pilero would like to have a sit-down meeting about the discussion.

### **1<sup>st</sup> Reading Overnight Parking Ordinance**

Council Member Tim Abbott stated it was not just about the overnight parking, but also during the day where cars are parked, and provide some restricted access for citizens, and emergency vehicles. In the first reading, the intent is to address street parking can be a danger, a hindrance, and an inconvenience to neighbors. Council Member David Duncan asked if they could change it from overnight parking to any time. Council Member Abbott stated that is what he addressed. It was labeled overnight, but after speaking with Chief Matthews, it was more than overnight.

Mayor Craig Guyton shared the ordinance that was before them was for all the time not just overnight. Council Member Greg Free asked Chief Matthews if it would reference when there is no space in the driveway. Council Member Abbott said if there is space in the driveway they should park there, but cannot park on the street that would cause a hindrance or inconvenience.

Mayor Guyton asked if the ordinance was reviewed by the Planning and Zoning Commission. City Manager James Stephens answered yes, and it is their wording from their previous meeting. Council Member Abbott asked if it needed to be worded, that it prohibits overnight parking on the street for a length of time. He was aware people park on the street as their permanent parking space. He wants to help, and not tie the hands of the police department.

Chief Jody Matthews stated if it is overnight parking it does not address parking during the day, they can enforce. It could be, at the decision of the officer, if someone has family in town and there are no spaces in the driveway, they could park there overnight if they are not obstructing traffic and emergency vehicles. Council Member Abbott stated, if it does not meet the criteria of restricting access, then overnight street parking for any duration of time is acceptable the way it is written. Chief Matthews answered yes. The biggest thing on the ordinance is it does not restrict traffic. If it is a large vehicle that obstructs traffic, even with the state law they can enforce that. It doesn't actually restrict them from having visitors overnight, as long as the driveway is full, and there is no other space available for parking. There may be very few circumstances for that to happen. Council Member Joe Turner stated a fire truck cannot go through two parked vehicles. Chief Matthews stated it is hard for buses during the day.

Mayor Guyton stated if he heard correctly, it does not give the officers any extra than what the state law already allows, and Chief Matthews said correct. Mayor Guyton said he wish not one to add an extra ordinance. Chief Matthews stated state law does not prohibit street parking, it prohibits street parking if it prohibits traffic, and it can stop people from parking in the street. The ordinance will prohibit people from parking in the street, if included, there is no available space in the driveway. Resident Rene Duncan also asked if that would include the parking at the boat ramp and Chief Matthews said yes.

### **Public Comments**

Mayor Craig Guyton stated the regular city council meeting will be held on April 11, 2023 and the regular work session will be held on April 18, 2023.

Fred Werner, resident of Euharlee stated that he came across a social media account where negative, derogatory statements, and rumors were made about the Euharlee Police Department. He responded to the comments along with Council Member Greg Free and Mr. Hartman. He stated he did some research on other city websites to come up with a way to get more information out. Mr. Werner spoke with Chief Matthews; the website needs to be upgraded for special police notice and quarterly stats. He suggested sharing more information on the website, social media does not do everything. The rumors over the years

had died down, and they are disturbing. One stop euharlee.com for information. Some areas on the website can be updated for transparency, integrity, and streamline contact information. Mr. Werner suggested to include more information on the planning and zoning section of the website. Information is golden and will help keep the citizens informed. Mr. Werner also asked for a better audio and video system in the council chambers. It is hard to hear, and it is hard to see the presentations on the wall. The big screen was used in the past. They could follow the council better during the discussions because the citizens do not have the documents the council receives. The two requests were to update the website and the audio/video system in the council chambers.

Steve Gray resident of, and a member of the Planning and Zoning Commission shared the information he learned about the amphitheater for Osborne Park. He had a zoom meeting with the architect and found out the amphitheater was moved further up the hill. It was also discussed, not being able to place field dirt in a flood zone; it can only be moved around. He asked about moving the amphitheater to the ball field adjacent to facing the school because it will be close to the road, and was told it would cost a million dollars to do so. The amphitheater will seat 205 people, include concrete walls for noise abatement, and will cost between \$200,000 to \$300,000.

Pete Pilero, resident of Euharlee stated that outside development is the prime time for Euharlee not to develop, because people will pay the money to live in Euharlee. He lived in Long Island which is the reason he moved to Euharlee. Just like Atlanta, it is getting extremely crowded, and people are moving to the suburbs and commute to Atlanta to work. The point is, there is an opportunity to build nice houses in Euharlee. He would prefer to pay taxes than someone living right next door, and a lot of people may agree with him. Council Member Greg Free said during the summit, presenter Tamara Brock stated Euharlee is growing because Bartow County is the only county with land available, with an interstate right through it, and the Governor has made it attractive for the industry. The companies want somewhere for their workers to live to support businesses.

Zack Tyree, resident of Euharlee, and owner of Euharlee Outfitters stated in reference to the paving, he would love for the city to pay for the budgeted item. He did address the time frame for the project because he is scheduled to open the first weekend in May. If the project date is later, he would like to be informed so he can work around it, and plan accordingly. He also mentioned the entrance, front driveway needing repaired as well.

Ron Hartman, resident of Euharlee apologized for his outburst earlier in the meeting. He reminded council of him bringing a series of questions about the, and feedback on various projects that he thought was important, and the city manager graciously provided input. He had eight issues to discuss. He asked previously for the council to routinely report back to the citizens so he does not have to grill the council at the end of every meeting. He was disappointed it didn't happen. Mayor Craig Guyton stated he told him they would have a manager's report at each council meeting not the work sessions. Mr. Hartman shared the eight issues he had concerns about.

RFP for Osborne Park; Turnaround time for completion and Notice to Proceed - James Stephens, City Manager stated the RFP would go out in April, no completion date, and notice to proceed will go out after May 15<sup>th</sup>.

Cherry Glen Subdivision; Start date and 3rd Party Engineer Questions - James Stephens, City Manager said the preliminary plat was approved at the last meeting. It is a private company, and he does not have a start date. As far as the current land disturbance permit, there are still comments the developer is working through with the 3rd party engineer, before permits will be issued.

Electronic Signs; Possibility to Lower Prices - Mayor Craig Guyton stated the Planning and Zoning Commission is reviewing the sign ordinance. There are concerns about where it should go, because of the way the city is laid out. James Stephens, City Manager states it is on the agenda for the next P & Z meeting. Staff is getting additional information from surrounding areas for comparable purposes.

Beer Garden – Ms. Najarro stated on a social media site that she had submitted a proposal. Mr. Stephens stated that was correct. Mayor Guyton stated others are also looking at that facility, and submitting proposals. Hopefully a decision can be made next month.

Restriping Schedule and List of Street Priority - Council agreed for the priority list for restriping and paving to be added to the website, and note it is subject to change.

Traffic Flow Study Timeline for Full Scope of Euharlee Road- Mr. Stephens said he stated at the February meeting, it would be early summer, but has moved up to late spring. Mayor Guyton said the request will be for Euharlee city limits traffic flow, and ask the county for full scope out to Hwy. 113, but it will be at the county's discretion.

Bartow County 5-Year Comprehensive Plan - Mr. Hartman suggested the link be added to the city website. It is good information for citizens about the future plans for the city. He read through information from the plan. Frankie Harris Campground, Gateway Signs, 17- acres, Osborne Park Redevelopment, Safety on Walkways Five Forks & Euharlee Road and Trail Connect Signage. Mr. Hartman asked for some feedback on a few of those items. Mayor Guyton and Mr. Stephens shared feedback. The gateway signs were an economic development tool. The sidewalks were for the other side of the bridge to provide safety for people walking. The signage would be from one location to the another within the city. Mr. Hartman stated the 17- acres was a gold mine, and the council should not wait until 2027 to develop the property. He also suggested a citizens committee to assist with ideas for the projects in the city.

Feedback from the Retreat - Mr. Hartman said he appreciated council allowing him to attend the staff and council retreat. He suggested the traffic data received from the events in the city should be shared with the public, posted on the website, and used to draw more people to the city.

Fred Werner spoke again and suggested to update the website to include more information to cut down on the time at the meetings. He shared signage was discussed years ago, and the gateway signage would be at the end of Euharlee Road at Hwy. 113, and at Clock Tower, the roadmap to direct people to the downtown businesses to promote the city.

With no further discussion the meeting was adjourned at 8:13 pm.

**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**

**2<sup>nd</sup> 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.

### **2<sup>nd</sup> 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 2<sup>nd</sup> 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.

**CITY OF EUHARLEE  
CALLED CITY COUNCIL MEETING & WORK SESSION MINUTES  
APRIL 18, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Tim Abbott 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.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**Campsite Pricing – James Stephens**

James Stephens, City Manager reminded the council of the discussion at the work session on the campsite pricing at \$65 per night, and \$55 per night discount for seniors, and Euharlee residents.

Mayor Craig Guyton stated the discount would also include first responders and veterans.

Council Member Greg Free motioned to accept the prices discussed. Council Member David Duncan seconded the motion.

Peter Piliero asked questions about the profit that would be made from charging \$65 per night. Council Member Joe Turner said operation would need to start to determine the actual cost. Council Member Tim Abbott stated he agreed with profit, and it was a very good start with a market competitive analysis. If changes are needed, they can be made. Council Member Abbott said he appreciated Mr. Piliero's concern for the city, and Mr. Stephens is an excellent city manager and accountant.

Council Member Greg Free asked Mr. Stephens to share how the campground was funded. Mr. Stephens stated the construction was funded with SPLOST, under the category of facilities in the downtown area, approved by a referendum of a county wide vote, and the city will not go into debt with the campsites. There is a master meter for water and electricity, but not a meter on each campsite. He anticipates the monthly charge, will be a minimum charge for water, sewer, and electricity divided by twenty-six sites, and is far less than \$65. At that time, he did not say the exact amount of profit per site but assured the \$65 was not a loss point. The motion carried with all voting in favor.

**Jolly Building Drop Ceiling Quote – Barry Atkison**

Barry Atkison, Program Manager provided the council with a cost chart for the Jolly Building. The total estimated cost to complete the Jolly building is \$56,497.56 with a \$6,400 deficit for the drop ceiling that was not included in the original estimate presented to the council. The roof is completed, and they did a good job. The HVAC, Plumbing, and the interior disposition are complete. Going forward to be completed is some drywall that is needed, the drop ceiling, if approved, LED lighting, HVAC return, the aspects of flooring, and the interior. Mr. Atkison requested the council to approve the additional cost up to \$60,000 to complete the project at the Jolly building for the drop ceiling, and any unforeseen change orders that may occur. The main concern was the electrical, and to include some equipment to mount the projector. Council Member Turner asked the completion date. Mr. Atkison stated they were shooting for mid-May but will have to extend that date.

Council Member David Duncan motioned to approve the budget from \$50,000 to \$60,000. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**Liability Insurance Renewal – James Stephens**

City Manager, James Stephens provided the council with a copy of the spreadsheet that summarized the general liability, automobile, crime, property, and umbrella renewal quote for the upcoming year. The renewal quote for the liability, auto, and umbrella is \$136,492 compared to last year's \$126,811; in the \$10,000 increase, the property values have increased by 27% for replacement cost in the event of a claim.

The workers compensation quote was \$34,093 compared to \$40,844. The total renewal comes in at \$170,585 which is only \$2,935 more than last year. It is a phenomenal renewal, and he recommended the city council to adopt and approve the renewal with Apex through Starr Matthews. Council Member Joe Turner motioned to accept the renewal. Council Member Greg Free seconded the motion. The motion was carried with all voting favor.

**FY22 Budget Amendments- James Stephens**

City Manager, James Stephens stated each year there are budget amendments to look at. The state Code of Annotated Title 36-81-3(d)(1) requires a city to adopt a balanced budget. In addition, it requires the city to monitor the budget throughout the year, and if any changes are needed it should be brought before the elected board depending upon the level of authority authorized to the staff. The charter allows him to make line-item changes but with him being a transparent city manager, he always presents the full proposed budget amendment before the council even with him being authorized to do it himself. The budget amendments presented to the council totaled \$347,379. He pointed out the beginning year fund balance per the 2021 audit; it was \$889,414 in the general fund, unassigned balance that equates to 4.88 months of annual expenditures. The original budget for 2022 was \$2,172,200. The amended budget totals \$2,519,579 and is compliant with O.C.G.A. 36-81-3(d)(1). In addition to the budget amendments, the city had a favorable operating variance for the year. When the audit report is presented in June, it will include a \$287,400 increase in fund balance which increases the months of unassigned fund balance to 5.57 months which is very healthy. The city increased the balance by more than the tax levy that increased by \$423,000. Mr. Stephens recommended approval of the budget amendments to comply. Council Member David Duncan motioned to accept the amended budget. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

**1<sup>st</sup> Reading – Amendment to the Zoning Ordinance- Katie Gobbi**

Katie Gobbi, Community Development Director stated in the Legislative Session 21-22 the Georgia General Assembly passed HB 1405 which made changes for compliance on the zoning ordinance and the changes were provided to them. It is really looking at quasi-judicial bodies and agencies. In terms of the city's zoning ordinance, Section 14.10.1 will change from 15 days to 30 days for publications for appeals variances for public hearings; Section 14.10.2 the mailed-out notices changed to 30 days instead of 15 days, and Section 14.11.4 for time limits, each shall be granted equal time. Mayor Craig Guyton asked if that would bring them in compliance with the zoning ordinance. Ms. Gobbi said yes, and they have until July 1<sup>st</sup>. It was reviewed by the Planning and Zoning Commission at their last meeting. Mayor Guyton said they will take it up at the next council meeting.

**1<sup>st</sup> Reading – Amendments to Floodplain Ordinance Management Ordinance- Katie Gobbi**

Katie Gobbi, Community Development Director provided the council with a copy of the Floodplain ordinance adopted in 2007. There is an opportunity for the ordinance to be updated, after receiving a call from EPD, to address a call EPD received from a concerned citizen. She highlighted the changes throughout the 28-page document. Some of the changes pertained to adding, and for consideration, requirements for future condition floodplains, as well as, adjacent to future conditions, and to firming up the language throughout the document. There are a lot of changes to be reviewed over the next couple of weeks and addressed during the second reading at the May meeting. Council Member Tim Abbott asked if she had any concerns. Ms. Gobbi stated the document was from a model ordinance that was passed from federal to state legislation and came from the Metro North Georgia Water Planning District, and the city of Cartersville and Bartow County are both a part of it. Ms. Gobbi said in section two there are a lot of highlights that may be helpful.

**Mass Texting/Communication Plans - Katie Gobbi**

Katie Gobbi, Community Development Director presented the council with a spreadsheet listing three companies with many options for mass notifications/texting. Ms. Gobbi recommended Everbridge, which

is also the company, that service Bartow County, and Cartersville. She discussed some of the details to include the cost at two cents per message, and the package quoted to allow the city to send 100,000 messages that will far outweigh the need. It also included unlimited emails and at the same rate to text and for phone calls. The company can also provide public data, only for public safety concerns, to reach residents, however they can opt out. Another benefit is to geo-frame; an example provided was the ability to eliminate phone numbers as needed for protection. Ms. Gobbi did not see that to be something that would be needed, however, to have access to it. Mayor Guyton asked about the cost per message. Ms. Gobbi explained the cost was two-cents for each message. She also shared, the company could provide up to twenty-one-hundred public safety phone numbers and texts local governments have used for the same service. Council Member David Duncan asked if the annual cost would stay the same each year. Ms. Gobbi stated it was not guaranteed to stay the same. She spoke with the city of Cartersville, and Everbridge was easy to work with and very competitive with pricing. Council Member Tim Abbott said what he understood, anybody can option in or out to receiving anything from the city to a hazard, to a meeting or city event, there is a public safety message that is not an opt in or out, and the geo-fencing identification, which identifies phone numbers. Ms. Gobbi added it can be set up as an opt-in or out. Council Member Abbott liked that it allowed citizens to receive what information they want or not want. Ms. Gobbi said they can sign up by text, phone, and email. She further explained the cost per message and the credits received per message. Ms. Gobbi also shared there are marketing packages available from each company to assist with a detailed set-up.

#### **LED Transition for Tennis Courts - James Stephens**

The City Manager, James Stephens, on behalf of Becky Pruitt, Parks & Recreation Director, presented the council with an email Ms. Pruitt received from Clowers Electric. There are lights out at the basketball and tennis courts at Joe Cowan Park. The park has been in operation since 2012, and the recommendation would be to change the tennis and basketball lights to LED lighting. Clowers Electric quoted \$7,200 which includes everything except the lift. The city would rent the lift in conjunction with other items the lift can be used for, at a cost under \$500 and would bring the total to \$7,700. Mr. Stephens stated it is a work session, but if he could get a con-sensus that it would be acceptable to let them know what to tell the electric company prior to the May 2<sup>nd</sup> meeting. Council Member Tim Abbott stated he was not familiar with Clowers and had questions about longevity, replacements, and if it comes with an agreement for maintenance repairs. Mr. Stephens said he did not have the answers and would be willing to wait until the May 2<sup>nd</sup> meeting. Council Member David Duncan asked if the balls hitting the lights could be the cause of the lights not working. Mayor Craig Guyton said with a baseball, but not likely with tennis balls. Mayor Guyton asked Mr. Stephens to get more information about replacement and the life of the LED lights. Council Member Free stated it will be an upgrade, but it was a battle at Shaw Woods with the lights getting knocked out. Mayor Guyton stated it would be discussed at the next meeting.

#### **Public Comments**

Peter Piliero stated from a previous meeting it was said the city was in a good financial standing, and proceeded and asked back-to-back questions about the sewer; what fund pays the monthly payment, the repayment plan, the number of people on the sewer, how will they collect money from the sewer on the new homes, and is the pay based on coming in and going out. Mayor Craig Guyton and Mr. Stephens responded to his questions. The sewer is funded with SPLOST funds, at a cost of \$10,000 per month with a repayment plan not to exceed 20 years or if the council opt to pay it off, and there are currently two businesses with sewer hook-ups.

Mr. Piliero addressed that he was upset at the last meeting because he did not like the results of the vote on lot size. He stated the city council is elected to speak for the citizens and they would have to know what he wanted to vote for. He was disappointed because he did not agree with the 10,000 square feet lot size and criticized the council for making the decision. There should not be four houses on an acre. They put in the sewer, change the zoning for a developer to come in and exploit Euharlee. He thought it

was a personal decision and not one for the citizens. He continued sharing his views about the council's responsibility to the citizens and the growth in the city.

Council Member Greg Free stated back in 1990 when his family moved there, citizens were complaining about the people that were moving to Euharlee because they did not want anybody else to live there. The argument has been happening since the beginning of time. In 1990 he stated his parents were sitting in the same seats saying not to build Misty Forest, they did not want all those houses built. It has been happening forever, it is not new. The argument to be the last house in, no one can make that argument. As much as he would like to think the council controls all of that, they do not. They have limited control. The council is responsible for looking at the market, and what it dictates. It does not mean that anybody is going to come to Euharlee and build neighborhoods. It means that the ordinances that are ten and twenty years old need to be updated. In reference to the sewer, the only reason a city would want sewer is that they know growth is coming, they want to attract businesses and people want sewer. He does not want to pay taxes and there is nothing to offset it, and the citizens should not be okay with it either. It would be paying money for something never used. If the development that is going on around the city takes the capacity to the sewer, the city will continue to pay the debt with no money to offset it. The whole county around the city is growing, and the need is to prepare for the future by having discussions and planning. There will never be a hundred percent perfect scenario.

Mayor Guyton stated the people in this area with property, have a right to sell their property.

Ron Hartman commended the city on the FY22 budget surplus but wanted to know what made up the \$287,000 surplus in the general fund. Mr. Stephens said the largest portion came from Local Option Sales Tax (LOST), which was about 60% of the budget. It exceeded the budget substantially. The city was fortunate enough to receive two local grants from Bartow County which totaled \$47,000; one was for a bridge repair not budgeted and for the construction of the disc golf around Joe Cowan Park. In addition to that they did implement a millage rate that brought in \$264,000.

#### **Executive Session - Real Estate**

Council Member David Duncan motioned to go into Executive Session at 7:58 pm. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

The council returned from Executive Session at 8:50 pm. Mayor Craig Guyton stated there were no votes taken and no further actions needed going forth.

Council Member David Duncan made a motion 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 8:51 pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL MEETING MINUTES**  
**MAY 02, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Greg Free 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, City Manager James Stephens, and City Attorney Boyd Pettit.

Council Member David Duncan motioned to approve the minutes for the Rescheduled City Council Meeting, 04.11.23, and Called City Council Meeting/ City Council Work Session, 04.18.23. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**LED Lighting Joe Cowan Park - Becky Pruitt**

Becky Pruitt, Parks & Recreation Director stated she was requesting to change the lights at Joe Cowan Park with LED lights. There have been a lot of outages in the last year at the park. The recommendation was to replace the lighting on the tennis and basketball courts, to the amount of \$7,200. The LED lights have 50,000 hours, and the current labor is as much as transferring to LED. James Stephens, City Manager stated it makes sense to switch over. The lights will stay brighter longer, and the bills will be cheaper. Ms. Pruitt said there was no warranty, but they have a good relationship with the electrician, and he always comes back and makes things right and the pricing is always the lowest.

Council Member Tim Abbott motioned to approve the LED lighting in the amount of \$7,200. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**Hydroseeding - Joe Cowan Park - Becky Pruitt**

Mayor Craig Guyton stated a motion would be needed to table the item until the next meeting to see if Ms. Pruitt can get another bid. Council Member Tim Abbott motioned to table item #2, hydro seeding at Joe Cowan Park. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Mass Texting and Communication – Katie Gobbi**

Katie Gobbi, Community Development Director stated as discussed at a previous meeting for mass texting, the recommendation would be Everbridge at \$2,035 per year with a one-time \$162.85 set-up fee. It is the most cost effective, and includes contacts for public safety needs, and from day one, to go ahead and reach all households in the city. Council Member Tim Abbott asked what would be day one. Ms. Gobbi stated if approved the quote will be signed, submitted, and scheduled which could take up to three to four weeks to get everybody trained and ready; therefore, day one is still about six weeks away. Mayor Craig Guyton asked how citizens would opt-in for events. Ms. Gobbi said for anything that is not public safety related, there will be a marketing campaign with assistance from Everbridge and send out on social media with a QR Code and opt-in to the mailings or what they would like to include during sign-up. Council Member David Duncan motioned to accept the mass testing through Everbridge. Council Member Greg seconded the motion. The motion carried with all voting in favor.

**2<sup>nd</sup> Reading Amendments to Zoning Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director, stated the council had before them the same information from the last meeting. It will bring the ordinance into compliance with HB 1405; Section

1410.1 of the zoning ordinance changing the publication period from 15 days to 30 days; Section 1410.2 from 15 days to 30 days specifically for the hearing examiner; Section 1411.4 will include a sentence, to allow for components to components, shall have equal time for their presentation.

Council Member Joe Turner motioned to accept the zoning changes. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**1<sup>st</sup> Reading Section 6.18. 2 Height of Grass Zoning Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director provided the council with a copy of Section 6.18.2 of the zoning ordinance that would change the height of grass from twelve to eight inches. It was approved by the Planning and Zoning Commission prior to it being submitted to the city council. Ms. Gobbi shared that it does not include agricultural.

Council Member Greg Free motioned to add the 2<sup>nd</sup> Reading for the Flood Plain Ordinance to the agenda. Council Member Tim Abbott seconded the motion. The motion was carried with all voting favor.

**2<sup>nd</sup> Reading Flood Plain Ordinance - Mayor Craig Guyton**

Mayor Craig Guyton stated it was reviewed and found that the Flood Plain had been voted on in 2014 by a previous council. The signed copy was not located. The exact documentation that was presented at the last meeting was the same document approved in 2014. He recommended a motion for approval to sign the resolution. Council Member David Duncan motioned and approved for the mayor to sign the resolution. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Road Striping- Barry Atkison**

Barry Atkison, Program Manager shared the due diligence that was put forth for the road striping bids that were advertised on April 12<sup>th</sup> with no participation, and he was a bit surprised. After discussing it with the City Manager, James Stephens, he was instructed to go ahead and contact some of the local road striping contractors. He got a good list of contractors from other local governments in the area and sent the contractors a scope of work in the form of an RFQ and they all responded.

The recommendation was to move forward with Peek Pavement Marking to coincide with the RFQ in the amount of \$96,000. Mr. Atkison requested a 5% contingency, so he does not have to come back to the council due to paying them based on actual footage. Also, for their information it is a two-crew mobilization because the size of the contract will be thermo and the other ideal paint. He recommended going ahead and doing the thermo while school is out and painting while they are on budget. Peek also has the machine to determine thermo plastic thickness with the GDOT guidelines.

Council Member Tim Abbott asked if there were any risks before they made a motion. Mr. Atkison shared that GDOT puts out a document that gives specifications with striping. When discussing with the Peek representative, it was obvious he knew the book from front to back which was impressive. In reference to risk, he considered Peek, in this part of the country, as a premier striping company, and no doubt with their ability. It is not a huge job but not a tiny job and they have all the equipment and the ability. Council Member Joe Turner asked when Covered Bridge Road would be painted. James Stephens, City Manager said it was included to be painted. Mr. Atkison shared additional information; through GDOT, one can apply for the push bottom solar hand crossing signals.

An application was submitted for four units and hopefully approved. Council Member Joe Turner motioned to accept Peek Pavement quote, not to exceed 5% above the quote. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**Overflow Parking and Change Order- Frankie Harris Park – Barry Atkison**

Barry Atkison, Project Manager submitted two change orders, #2 and #3. He reminded the council change order #1 was for concrete walls in the amount of \$5,984 approved in February. Change order #2

was never submitted in the scope of the work at Frankie Harris Park. Mayor Craig Guyton stated it was not actually a change order, but additional work. Mr. Atkison stated it will add additional parking near the Commissary building, paved areas in the park, the pavilion, and the largest area between the Euharlee Outfitters, which will tie into the road Creel is currently paving. The total cost is \$85,412 and broken down by location. Due to a few delays dealing with the sewer, the original number of days to complete was forty-nine, with three additional days due to Georgia Power, and now requesting an additional thirteen days if the change order is approved which comes to sixty-five days. The completion date was estimated to be mid-May, but with the additional work the projected date will be mid-July. Council Member David Duncan motioned to approve change order #2 in the amount of \$85,412. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

Mr. Atkison explained change order #3, stating the current outlets are temporary. In December 2022, requested pricing for commercial 50-amp outlets which was some time ago. They are on back order, trying to locate other providers but so far cannot find them, and are expected to be here in December. The good news is they are under warranty until they are installed. The total cost of the outlets is \$9,000. Council Member Greg Free asked about the type of outlets and will it include multiple outlets? Mr. Atkison stated it is the pedestals that are missing, but not what is going to be out there. It will be a pedestal mounted plug. Council Member Free asked if there would be any 120 outlets included. Mr. Atkinson said 120 will be there and are currently on the old ones. This will be for the main power source. Council Member David Duncan asked if it would be 30-amps or 50-amps. Mr. Atkison said there is an adapter that most campers carry that can pump it down to 30-amps. Council Member Free stated the 50-amp is what you are looking for. You can always step down but not up. 50-amps work with no issues. Council Member David Duncan motioned to accept change order #3. Council Member Greg Free seconded the motion. The motion was carried with all voting favor.

#### **Manager's Report – James Stephens**

- \* Bell & Associates continues to make progress on the design work at Osborne Park and expects the documents to be ready to go to bid on May 15<sup>th</sup> which was originally scheduled.
- \* The year-to-date work that has been completed on the Frankie Harris Park is \$333,000 and still over \$800,000 work to be done, not including the change orders approved that evening.
- \* The Community Development Director and the City Manager will meet with a third-party pursuing an interest in setting up a glamping operation on the 17-acres.
- \* Tournament season in Joe Cowan Park has begun and is off to a good start. The drainage work at the park has been successful. It is expected to be a successful Perfect game schedule this year.
- \* The City Clerk is close to completing all the working papers to be submitted to the auditors for the FY22 financial statement and anticipates being presented at the June meeting.

#### **Public Comments**

Fred Werner, resident of Euharlee on behalf of resident Marshall Aiken, asked about the turbines and had a decision been made to clean, preserve, and display that part of history. Council Member Joe Turner stated that he, and Council Member David Duncan felt the same way. He thought when the mill was built, they would keep one in the building, but there had been no other discussion on that topic. Mr. Werner also asked if the city would be spraying mosquitos this year and Mr. Stephens said yes.



Charles Ellis Mendoza, resident of Euharlee asked if the city was still interested in doing the digital sign board. Mayor Guyton said it is still under consideration. The Planning and Zoning Commission is looking at it to make a recommendation to the city council. Mr. Mendoza shared his feedback, and does not look at digital signs. The city of Emerson has one and he goes through Emerson frequently. He is not looking at the sign going down the road, he is watching the road. He does not think that would be a wise investment with citizens tax dollars. He is aware they approved the text messaging and that is huge for him. He will use it extensively.

#### **Executive Session – Real Estate**

Council Member David Duncan motioned to go into executive session for real estate. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

The council returned from executive session at 8:39 pm. Attorney Boyd Pettit stated the mayor and council had been in executive session along with him and the city manager discussing an acquisition of disposition of some property located in the city. During the executive session there were no votes taken, and no actions taken. As a result of the discussion in the executive session, it is his belief the mayor and council do want to consider whether or not to authorize the disposition of a small portion of some city owned property controlled by the URA within the city downtown area for future development and consideration, and that it would be appropriate for a motion to be made authorizing that action be pursued, and would ultimately authorize the city manager, mayor, and city clerk to sign off on documents in connection with any RFP or RFQ that the city manager decides to pursue in connection with such an enterprise and opportunity. Attorney Pettit said he would answer any question but stated what he understood in hearing the members of the council and what they would like to consider. Council Member Tim Abbott motioned to accept the option and recommendation as Attorney Pettit has read it. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor. Attorney Pettit stated with that motion he did not have any other matters with the executive session.

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

With no further discussion the meeting adjourned at 8:41 pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL WORK SESSION MINUTES**  
**MAY 16, 2023**

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 were present.

**UNFINISHED BUSINESS AND NEW BUSINESS**

**Festival of Trees- Loving Arms Organization - Kathy Foulk**

Kathy Foulk, member of the Loving Arms Cancer Outreach non-profit organization shared the interest to re-establish the Festival of Trees in Euharlee. Loving Arms has been in operation for 14 years to assist cancer patients with their needs. Ms. Foulk shared that one of the original founders, Shea Travers, attended the Festival of Trees in Euharlee and she fell in love with it. They checked several locations in the surrounding counties for an opportunity to have the same type of event but never found a location. Ms. Foulk stated it would be an opportunity for a fundraiser for the organization, and to partner with the city of Euharlee. Mayor Guyton asked if they had discussed the operation for the Festival of Trees. Ms. Foulk stated they recently visited the facility, and the discussion began. It may take a year or two for them to match the previous Festival of Trees event. As a 501© (3) non-profit organization, it would be an opportunity to raise money with only an eight percent administration budget, which is low compared to other organizations. Mayor Guyton asked if a name change was considered, and the same model as before. Ms. Foulk said yes, keep the name, and stay on the same track. Council Member Joe Turner wanted to know if the name Festival of Trees was registered or copyrighted by the previous owners. He would love to keep the same name. Council Member David Duncan said he would be interested to see it come back. Council Member Tim Abbott stated to Ms. Foulk, with her being the former mayor, and an interest in the city of Euharlee, he was willing to help. Mayor Guyton stated the council would give it some thought and get back in touch with her.

**Joe Cowan Park Hydroseeding - Becky Pruitt**

Becky Pruitt, Parks & Recreation Director, presented the mayor and council with two quotes for hydroseeding at Joe Cowan Park. Ms. Pruitt received a quote from Mullins Outdoor Service in the amount of \$14,400 which included twelve tanks. The second quote was received from Ladd's Farm Supply with a cost of \$575 per tank and \$8 per bale for mulch. She calculated twelve tanks along with the cost for mulch and estimated total cost to be \$8,500. Both companies will use 1000-gallon tanks. The staff recommendation would be Ladd's for the hydroseeding at Joe Cowan Park. Council Member David Duncan stated Ladd's hydroseed throughout the city and has for a long time to include hydroseeding at Georgia Power. Council Member Joe Turner stated Ladd's have been helping the city for a long time. Ms. Pruitt stated the staff has a great working relationship with Ladd's. Council Member Tim Abbott asked about the commitment to follow through. Ms. Pruitt stated the germination rate would be at 85%, and staff would follow up and water along with Mother Nature. Council Member Greg Free asked about the slopes and a trench of rain not washing all the seeds. Ms. Pruitt stated that was the goal and her major concern; the city staff will prepare the area to better stabilize before the hydroseeding. Mayor Craig Guyton stated the Styles subdivision was red clay, now grass due to hydroseeding. The item will be presented at the next council meeting.

**1<sup>st</sup> Reading Zoning Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director presented Section 7.11.5 of the zoning ordinance to the mayor and council. It covered the C1 commercial district zoning in section 7.11 with the change

(excluding to including, processing, fabrication, and manufacturing). It is also in relation to the Alcohol ordinance changes.

#### **1<sup>st</sup> Reading Tobacco/CBD Specialty Store Ordinance- Katie Gobbi**

Katie Gobbi, Community Development Director stated the ordinance described as a tobacco and/or CBD smoke shop retail business store was reviewed by the Planning and Zoning Commission. The ordinance would insert the article in section three of the zoning ordinance for Tobacco/CBD Specialty Store, primarily looking at retail businesses with electronic cigarettes, metal bowls, vaporizers, and things of that nature. Section 6.34 insert article governs additional regulations for certain uses and sets forth distance requirements from certain institutions to include churches, day cares and schools, and existing stores permitted by the city. Mayor Craig Guyton asked if it was a recommendation from the Planning and Zoning Commission and Ms. Gobbi answered, yes. Council Member Joe Turner asked about the 3,000 feet from stores. Ms. Gobbi stated, so the stores are not right next to each other.

#### **Alcohol Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director stated the alcohol ordinance was up for review and re-adoption with no changes since 2010. The document changes were highlighted in blue ink and presented to the council. It addresses package sales, Sunday sales, and allows for a microbrewery, as well as several administrative changes for compliance with the state and local processes. Ms. Gobbi asked the mayor and council to review and address any questions before the next meeting. Council Member Greg Free asked if it would bring the city in compliance with both state and county changes. Ms. Gobbi said the Assistant City clerk deals with processing, and most of the administrative changes come from her detailed review and from training. Mr. Hartman was allowed to speak and stated he had six pages of recommendations he would like to submit to the city manager and the council to review and take into consideration.

#### **Temporary Parking Boat Ramp - Greg Free**

Council Member Greg Free stated he heard from several citizens that over the weekend the boat ramp was very full. He also knows some changes on the bridge will be years from now. In the meantime, citizens have mentioned getting tickets for parking on the grass, in a restricted area, and nowhere to park. To alleviate some headaches for the chief, his staff, and citizens he asked the city manager, if possible, to include more crush and run, until more parking is at Osborne Park, down to the rock or any available property. James Stephens, the city manager stated he would get with the city and county staff and come up with a schematic to send to council to see available options. Mayor Craig Guyton stated when additional parking was added it caused a lot of standing water. When discussing with the school about overflow parking and it being illegal to walk across the bridge, it was suggested for them to walk to the edge of the river, and someone could pick them up and bring the kayak across the bridge. Marshall Akins, resident of Euharlee mentioned the additional launch at Osborne Park and the parking downtown. He suggested some temporary signage would help the overflow prior to any construction that takes place at Osborne Park. Ron Hartman, resident of Euharlee asked if there was any further discussion on the bridge. Mayor Guyton stated there has not been any further discussion. Fred Werner, resident of Euharlee stated those driving with trailers were the problem vehicles and dangerous. Council Member Joe Turner mentioned the discussion of the boat ramp launch at the 17-acres. Mr. Stephens said yes and wanted to make sure no opportunities are lost at the existing boat ramp, but there is still interest for the joint boat ramp at the 17-acres due to all the logistics.

#### **Public Comments**

Ron Hartman, resident in Euharlee had a recommendation for the council to provide documentation to the public of the recommended changes being made to ordinances for citizens to voice their opinions prior to council voting.

Mr. Hartman emailed a list of questions to the city manager and forwarded it to the council. Below are the summarized questions presented by Ron Hartman during public comments and addressed by the council.

- Status of Beer Garden Proposal - Still on the table.
- Businesses or small retail establishments preferred to be opened in the city. The city has no preferences.
- Written Economic Development plan to drive revenue and growth – The city has no written plan.

Mr. Hartman provided his list of priorities to drive revenue to include Tourism; Commercial Development; Annexation; Internal Development with Existing Assets; Residential Development; Community Events; Facility Rentals; and Taxes. Mr. Hartman stated he would like to see more priority on tourism, small businesses, annexation, and the 17-acres. He identified over the past eight months residential development as the council's number one priority, which he strongly opposed.

- Chevron on Euharlee Road Annex - The owner does not want to be annexed into the city.
- Storefront property Euharlee Road - The city does not own that property or promote business.
- Marketing Plan - The city does not have a written marketing plan. Recommendation to hire outside the city.
- There was no recommendation from the Planning & Zoning Commission presented to the council with changes to the sign ordinance, in reference to the digital sign. The item is currently tabled.
- There have been no plans submitted by the two owners of the mobile homes on Euharlee Road to sell the property, or to build townhomes or apartments. Due to the change in the zoning, as people move out the mobile homes, they cannot be rented again.
- There is still an interest in the 17-acres for glamping sites. The husband of the glamping business viewed the property, and the city is waiting to hear back from the couple which currently has four other locations. The council would have to receive and review a proposal from the owners to move forward.
- The RFP for the Historical survey will be utilized for updating the inventory of the historic buildings in the community, it is a requirement to continue to have an active status as a qualified local government, and it is an opportunity to have a 3rd-party to conduct the survey at a minimal cost to the city and matching in-kind on the grant. It is funded by a grant not directed to an individual, and the advertisement is in compliance with the state code required with the grant that funded the survey.
- Recommendation for a Saturday night at the movies event - The mayor stated that it was already on the list of events considered by the staff for the new amphitheater at Osborne Park.
- Cherry Glen Subdivision - Approved to begin construction is currently active and moving dirt in the area.
- The Food City grocery store will be in the Stiles area with no known construction date.

With no further discussions the meeting adjourned at 8:00 pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL MEETING MINUTES**  
**JUNE 06, 2023**

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

The following were present: Mayor Craig Guyton, Council Members Tim Abbott, David Duncan, Joe Turner, and City Manager James Stephens. Council Member Greg Free was not present.

Council Member David Duncan motioned to approve the minutes for the City Council Meeting, 05.02.23, and City Council Work Session, 05.16.23. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**RFP Opening – 118 Covered Bridge Road - Old Museum Property**

City Manager James Stephens stated that the city received two sealed bids in response to the RFP. The first bid received on 05/31/23 at 5:20 pm was from Drowned Valley Brewery Company. The proposal is to purchase the land at 118 Covered Bridge Road with the intent to open a community friendly craft brewery. The official bid for the land for sale is \$50,000.

The second proposal received on 06/06/23 at 3:32 pm was from Dolly and Victor Najarro. The proposal is to lease the property, included was a business plan and an executive summary.

Mr. Stephens stated that both parties were present and prepared to address the council. The proposals will be evaluated, analyzed, and prepared for a decision to be made at the June 20<sup>th</sup> called meeting after the work session.

Drew Kimberly, a three-year resident of Euharlee and co-founder of Drowned Valley Brewery, stated he fell in love with the city. There is a ton of potential which is what drew them to look at the property and to bring their vision for the brewery in the space that is available. One of the biggest things for them is community. He invited anyone who had not visited the brewery in Cartersville to do so. It is not just a place to drink beer, but to visit the food trucks and bring the family to enjoy. They want the same thing for Euharlee, and growth, but not mega growth. It is not a massive product but one they can call their own and for people to come and hang out with friends and family. Mr. Kimberly shared a drawing of the potential location for a high-quality outdoor venue for the area. He and his business partners believe they will be great tenants and will be an asset to the city.

Council Member David Duncan asked about the plans for the building that is already at the location. Mr. Kimberly said they were not interested in the facility, and it would be up to the city.

Council Member Joe Turner asked why they chose that location, where did they get information, the city wanted to sell, and will they move the building. Mr. Kimberly stated he mentioned the idea when he saw the land for lease, and to move the brewery to this location. Purchasing the land would eliminate the city from going back and forth, with an option to make something nice in downtown Euharlee. There is so much potential in the downtown area for tourism and to bring people into the city.

John Winnenberg, the designer for the project, stated the current building probably cannot be moved again, they did some very close examination on it. It would probably not be a candidate to be moved because the current condition of the structure is pretty bad. The building would not be of any value, and probably demolished. Mr. Kimberly added they like to reinvest in communities, donate to local charities and to businesses. It is also an opportunity to assist with the vision of Euharlee.

Victor Najarro thanked the city for reviewing their proposal. Their desire is to lease the property and occupy the building with the city making the repairs, and to run a successful business and not to take away from history. The goal is also to have a family friendly establishment and attract local visitors to spend their

time and money in the city as the visitors explore the beauty Euharlee has to offer and stay for food and drinks in the city. Also, to promote and work with local businesses and to experience success in creating the culture, and to promote Euharlee. He stated they have a large fan base. Dolly Najarro stated they have been working on the plan for over a year. The city and the history are dear to their hearts. It is a great space and a dream. Council Member Turner asked if they had experience in running a business. Mr. Najarro stated they have experience of running this type of business, but do not own a business. Council Member Duncan asked if they want to lease the building and upkeep the property. Mr. Najarro said yes and repairs for them to open, and some minor repairs for the outside area. Ms. Najarro said to keep the charm of the building.

#### **Festival of Trees – Kathy Foulk**

Kathy Foulk stated she spoke at the last meeting about the Loving Arms Cancer Outreach organization and the desire to rent the Granary. She introduced the Co-founder Shay Traylor to answer any questions the council had. Ms. Traylor stated she is the co-founder and Chairman of the Board of the 501© (3) cancer outreach organization which started back in 2011 assisting cancer patients with financial needs. They provide \$1000 per patient which was an increase from \$600 per patient. The financial assistance is in form of assisting with utilities with payment straight to the vendor and gift cards for gas and food, as well as emotional support. They serve seven counties and wanted to engage more in Bartow County and the Festival of Trees would be an opportunity for them to do so. She visited the Festival of Trees several times and fell in love.

Mayor Guyton thanked Ms. Traylor for sharing the information. Council Member Tim Abbott motioned to table the item until the June 20<sup>th</sup> work session. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

#### **Grieving Sarah - Cat Tull**

Cat Tull, founder of the non-profit organization Grieving Sarah came before the council to request to use the venue for an annual memorial candlelight with flames and many precautions. Ms. Tull started the organization after losing her daughter to suicide, searching for peace and the desire to help others find peace. She has had the candlelight services for over 9 years, and consistency in the grieving world. It gives comfort and a break from the holiday hustle and bustle; she provides help in her own community to support grieving families with this event and events to come. She shared that she previously worked for Kaiser Permanente, and has worked with many other organizations, to include suicide awareness; she is a homeowner and has a licensed business. Ms. Tull provided pictures for the council to view her ceremony. Mayor Craig Guyton stated it does not require a vote because there is a policy in place for 501© (3) organizations and Mr. Stephens will reach out to her soon.

#### **Hydroseeding Joe Cowan Park – James Stephens**

The City Manager stated it was a follow-up to the work session. The professional staff recommended Ladd's Farm Supply for approval for the hydroseeding in common areas for improvement at Joe Cowan Park that has been reviewed over the past several years. The total estimated cost is \$8500, which is \$600 less than the next closest bid. Council Member Tim Abbott made a motion to approve the proposal for Ladd's Farm Supply for hydroseeding at Joe Cowan Park in the amount of \$8500. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

#### **2<sup>nd</sup> Reading Grass Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director stated it was the 2<sup>nd</sup> reading for Zoning Ordinance Section 6.18.2 that lowers the height of grass or vegetation acceptable in residential, commercial, or industrial from twelve inches to eight inches. Council Member Tim Abbott asked if that number could be six inches. City Manager James Stephens stated the Planning & Zoning Commission received the request to review, deliberated for quite awhile, and settled on eight inches. If the city council prefers six inches the ordinance

can be amended. Council Member David Duncan motioned to approve the change as presented. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**2<sup>nd</sup> Reading - Section 7.11.5- Zoning Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director stated it was the 2<sup>nd</sup> reading for Section 7.11.5 of the Zoning Ordinance to change the word excluding to including, processing, fabrication, or manufacturing with no changes from the 1<sup>st</sup> amendment. Council Member Joe Turner motioned to approve the change. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**2<sup>nd</sup> Reading Tobacco/CBD Specialty Store Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director stated it was the 2<sup>nd</sup> reading and would add the definition for tobacco or CBD specialty stores on Section 3.2.94 of the Zoning Ordinance and in Section 6.34 will add restrictions and regulations for such a business to include the distance between the different institutions. No changes from the 1<sup>st</sup> reading. Mayor Craig Guyton asked if the recommendation came from the Planning and Zoning Commission and Ms. Gobbi said yes. Council Member Tim Abbott stated it puts a safeguard between the stores and institutions, as well as distance for conditional permitting. Council Member David Duncan motioned to accept the ordinance as presented. Council Member Tim Abbott seconded the motion. The motion carried with all in favor.

**2<sup>nd</sup> Reading Alcohol Ordinance - Katie Gobbi**

Katie Gobbi, Community Development Director stated there have been changes since the 1<sup>st</sup> reading specifically adding a definition and type of license for a beer garden in Section 20-3-11. It also constitutes the fee for that type of license in the amount of \$900.00. There is a change in Section 20-68 that allows for food trucks and mobile trailers to count towards the food percentage needed for food sales, along with several typos that were cleaned, and a few conflicting items added. Council Member Tim Abbott asked how the 45 percent of sales is monitored, and Council Member Joe Turner asked how the food trucks are monitored included with the 45 percent. James Stephens, City Manager stated the percentage will be monitored quarterly. Mayor Craig Guyton stated it is reported the same as restaurants. Mayor Guyton suggested changing to read, at least 45 percent of its total annual sales be the sales of prepared meals, food, or merchandise. Ms. Gobbi said non-alcohol items.

Council Member Turner shared when he had his store, he witnessed an event with a family in reference to alcohol which is why he does not like beer products, however, he understands where the city is going. Council Member Joe Turner motioned to approve the alcohol ordinance. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

Council Member David Duncan motioned to add items number 8 and 9, police department vehicle purchase and network server to the revised agenda. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

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

Chief Jody Matthews presented the council with a package that included quotes for vehicle purchases. The department recently dealt with a no-fault vehicle accident which totaled the vehicle. The vehicle was an older vehicle and a spare, and the department will need a replacement vehicle. Wade Ford in Smyrna has three of the vehicles that Chief Matthews wants in stock in the amount of \$43,811, which were special ordered by the dealership and includes \$3,428 in upgrades. These vehicles were not in stock at the other dealerships. He shared that one of the vehicles in the departments fleet has high mileage and he would like to go ahead and plan due to the difficulty of finding vehicles in stock. Chief Matthews requested to purchase (2) 2023 Ford Explorers from Wade Ford utilizing SPLOST funds to pay for one vehicle, and the other vehicle purchased from the Blue Line school zone funds. He also shared that the insurance company will also reimburse for the equipment installed in the totaled vehicle. Council Member David Duncan

motioned to approve the purchase of the two vehicles from Wade Ford. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**Network Server Replacement – James Stephens**

City Manager James Stephens stated that two times in the last month the eight-year-old server went down. It took four hours of attempts for TDS, Inc. to get it running temporarily. The replacement quote is in the amount of \$6,783.44. He strongly recommended it, and it will be funded out of the general fund. Council Member David Duncan motioned to approve the purchase of the server. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**Manager's Report – James Stephens**

- Frankie Harris Park Project – Project continues to progress. The electrical panels will be in next week not December as stated in a previous meeting. \$355,000 was spent on the work completed, and \$750,000 for the work to be completed. The anticipated date of completion will be in July not before the holiday.
- Osborne Park Project – A non-mandatory pre-bid meeting was held last week, and the bid opening was pushed back for another two weeks for the participants to have more time to get with the engineer. The opening date is June 29<sup>th</sup> and read at the July meeting. Council Member Joe Turner stated that he would be interested in attending the meetings in the future.
- The financial statement year to date though April 2023 reflects a favorable net variance of \$90,000. There was an unfavorable revenue variance for 4 months in the amount of \$1,600, and a favorable variance on the expense side of \$91,000.
- The city will co-sponsor a July 4<sup>th</sup> event with the Euharlee Baptist Church held on July 2, 2023, opened to the public. They will have bands, food trucks, activities for kids and a firework show. Council Member David Duncan, a member of the church, stated they were excited and grateful for the partnership.

**Public Comments**

James Thibault asked the amount of revenue the city expects to raise on the current millage rate. City Manager James Stephens stated 2023 will be the second consecutive year and will generate a tax levy of approximately \$261,000 to the city.

Jon Winnenberg shared his thoughts on the city providing the citizens the opportunity to help develop the downtown area. He looks forward to the downtown development. He also shared he would be in support of a different tax rate to continue to allow the city to grow.

Ron Hartman shared that he submitted to the city manager a list of 18 questions he was going to ask at the meeting, but Mr. Stephens responded to the questions. Mr. Hartman had a concern about a response, not tying up the meetings. He stated that he is entitled as a citizen to ask the questions under public comments and the council is obligated to answer his questions.

He made a recommendation for them to share information they receive for discussion and to make decisions with the public during the meetings for the citizens to view as well. Mayor Guyton stated it was taken into consideration to share more information. He forwarded Mr. Stephens six additional questions.

Council Member Tim Abbott motioned to adjourn the meeting. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

With no further discussion the meeting adjourned at 8:10 pm.



**CITY OF EUHARLEE**  
**CITY COUNCIL WORK SESSION MINUTES & CALLED CITY COUNCIL MEETING MINUTES**  
**JUNE 20, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Tim Abbot 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, City Manager James Stephens, and City Attorney Boyd Pettit.

**Festival of Trees – Kathy Foulk**

Kathy Foulk, member of the Loving Arms Cancer Outreach Organization hopes the council had time to think about the organization taking over the Festival of Trees in Euharlee. She proposed since they are a 501© (3) organization, the council would consider leasing the Granary to them for \$1.00 per year. Council Member Joe Turner asked the rate charged to the previous lessor. Mayor Craig Guyton said \$150 per month. Council Member Greg Free asked Mr. Stephens about the condition of the building. City Manager James Stephens said work is needed on the second floor, on the top support floor beam and it will be ready. It is comparable to what it was when the former Festival of Trees was in operation. It has held up better than other property they lease. Council Member David Duncan asked if they could do it for \$1.00 per month, and Ms. Foulk answered yes. Mayor Craig Guyton stated since they are only renting it for half a year this year, lease it for \$1.00 per month to help them get started, and assess in January. Council Member Turner agreed with Mayor Guyton. Ms. Foulk said it is another way to get the people in the organization in Bartow County involved and to market the city. Council Member Free stated that he thinks everyone in the audience would agree that the Festival of Trees was always good in Euharlee. Sometimes you just revamp things, even in our own personal lives, and put it out in a different format. He is excited that the organization decided to step in to try something. Ms. Foulk said it was one of her favorite events and hated to see it just go away. Council Member Tim Abbott asked if she was okay with a short lease to start, and she said yes. He said thank you for caring enough to keep the Festival of Trees in Euharlee.

**Public Comments**

There were no public comments.

**Executive Session – Real Estate**

Council Member Greg Free motioned to go into Executive Session for Real Estate at 7:07pm. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

The council returned from Executive Session at 8:04 pm.

Attorney Boyd Pettit stated as part of the work session council voted to go into Executive Session for the purposes of Real Estate. They have been in executive session for the purpose of discussing real estate and no votes, no actions were taken. He did not know of any action that would be taken as part of the work session from tonight's executive session. He pointed out after the work session there is a called city council meeting and there is an item related to real estate on the called city council meeting agenda.

With no further discussion the work session was adjourned, and the council entered the Called City Council Meeting.

**Festival of Trees - Kathy Foulk**

Council Member Greg Free motioned to lease for the Granary to Loving Arms Cancer Outreach 501© (3) organization for \$1.00 per month for 2023. Council Member David Duncan seconded the motion. Council Member Tim Abbott requested to amend the motion to allow the contract to go through February 2024

due to the breakdown of the equipment. Council Member Greg Free amended the motion to February 2024. Council Member David Duncan seconded the motion. The motion was carried with all voting favor.

#### **Historic Survey RFP – Katie Gobbi**

Katie Gobbi, Community Development Director stated at 10:00 am that morning they opened the bids citywide historic survey RFP. The council received the top sheets from the two bids. The recommendation was to accept the bid from Impact7G, Inc. in the amount \$12,750 for the purpose of conducting the historic resource survey.

Council Member Tim Abbott asked if she had any concerns and if the Historic Society had any concerns. Ms. Gobbi did not have any concerns and due to the time of the opening of the bids, they did not get a chance to look at the bids. However, the chairman has been apprised of the process and the commission members have been kept up to date and comfortable with moving forward with Ms. Gobbi's recommendation and the council's vote.

Mayor Craig Guyton asked when the survey would start. Ms. Gobbi said the survey will begin with notification to proceed within two weeks. The firm is out of Iowa, but they have a person in Georgia and will communicate via zoom, as well as, in person with the Georgia employee. The grant that this survey is a part of is due to be completed on August 15, 2024. The timeline in the proposal reflects that.

Council Member Joe Turner asked the difference between \$8,000 and \$14,000. Ms. Gobbi shared the \$8,000 in the bid she recommended with two different versions of the proposal. The \$8,000 is with lesser resources and the full \$12,000 package is the one needed. She stated she is comfortable with both bidders they were highly recommended. A citizen asked if the project was to be paid for by a grant. Ms. Gobbi shared the grant applied for in February 2022 is a 60/40 matching grant through the state funded by the federal government. Council Member Joe Turner motioned to approve staff recommendation. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

#### **Vehicle Disposals – Chief Jody Matthews**

Chief Jody Matthews presented the council with information on the two vehicles that are no longer on the line. One is a 2014 Dodge Charger that has costly electrical issues and high mileage and a drug seized 2010 Volkswagen Jetta. Lieutenant McNelis drove the vehicle, and he hit a deer, and it was not worth repairing. They both will be sold at the auction on GovDeal. Mayor Craig Guyton asked how long it will advertise. Chief Matthews said one week. Council Member David Duncan motioned to sell the vehicles. Council Member Greg Free seconded the motion. The motion passed with all voting in favor.

#### **118 Covered Bridge Road Proposal - James Stephens**

City Manager James Stephens recommended the city council adopt and accept the proposal from Drowned Valley Brewery for our request for proposal. Attorney Boyd Pettit stated in order to comply, the city published the RFP in the newspaper in order to be able to dispose of public property; approximately one acre located at 118 Covered Bridge Road. Council Member Greg Free motioned that the council agree to sell the property at 118 Covered Bridge Road pending contract. Council Member Tim Abbott seconded the motion. Citizen Ron Hartman made a public comment. He stated his understanding at the last meeting Drowned Valley was going to purchase the property and give the city the building for disposal, demolition, or move it. Is the city planning to spend forty thousand dollars to move the building or demolish a historic building? Mayor Guyton stated the city is planning to demolish it. The motion passed 3-0. Council Member Joe Turner and Council Member Duncan abstained from voting (per city charter equivalent to a yes vote).

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

With no further discussion the meeting adjourned at 8:15 pm.

**CITY OF EUHARLEE**  
**CALLED CITY COUNCIL MEETING MINUTES**  
**JULY 11, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Greg Free 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.

**Approval of Minutes**

Council Member David Duncan motioned to approve the minutes for the City Council Meeting, 06.06.23, and Called City Council Meeting/ City Council Work Session, 06.20.23 Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

**NEW BUSINESS**

**1<sup>st</sup> Reading Stormwater Management Post Construction Ordinance – James Stephens**

City Manager James Stephens stated the 3-page document the council had in front of them, is required by the state to be in compliance with the city's stormwater management construction proceedings. It is considered the 1<sup>st</sup> reading, and the 2<sup>nd</sup> reading would be finalized on August 1<sup>st</sup> with all the captions updated to reflect the city of Euharlee.

**Traffic Study – James Stephens**

City Manager James Stephens stated a two-page document was included in the council package titled task order. It is an agreement put together by EXP engineering, which some may have met at the GMA conference. As the council continues to study the possibility and the need for updated traffic study information, he received a proposal from EXP. It takes the four corridors of the city and will impact traffic based on ongoing projects and other speculative items so they can speak to traffic concerns in an educated fashion for future developments. For city wide, the cost would be not to exceed \$40,000, and approximately \$10,000 per location. If the council decided to wait, an EXP representative could be at the next meeting for further details. It is a significant amount of money but believe it is information the city will need. He recommended tabling until the next meeting to speak with a representative.

Council Member Tim Abbott stated he liked that the city is doing it and not depending on the county or GDOT and recommended the traffic study. Mayor Craig Guyton asked after hearing from EXP at the next meeting and it is approved, is there any idea when they could get started. Mr. Stephens said with the increased staff, they indicated they could get going pretty quick. Council Member Greg Free asked what the normal duration of the traffic study was. Mr. Stephens said he was not sure and would refer to the representatives. It is a concise document, but the actual proposal is much more significant. The representatives will be available on August 1<sup>st</sup> to answer any questions and to proceed.

Council Member Greg Free motioned to table the item until August 1<sup>st</sup> meeting. Council Member David Duncan seconded the motion. The motion was carried with all voting in favor.

**Campfire Trail – Council Member Greg Free**

Council Member Greg Free stated that there were conversations about the roads, when the striping was taking place in the city, and the severity of some roads over some others. He appreciated the city for posting the road information on the website which helped clear up some misinformation about exactly what was going on in the city. One of the roads on the list was Campfire Trail and listening to an issue one of the residents mentioned, he asked for it to be an agenda item because the road has seen some better

days. The road was resurfaced in 2017 prior to the completion of Shaw Roads and prior to the weight limit passed in the city. He wanted to discuss resurfacing the road with some immediate attention.

City Manager James Stephens stated a priority list is included in the package, and Barry Atkison was there to help answer any questions. Mr. Stephens added the first survey prepared by Mr. Atkison did have some deterioration quickly. Campfire Trail was labeled as fair but requires work and more than what was done in 2017, which was putting some oil on a squeaky wheel at that time. Campfire Trail was rated as the third highest road and Covered Bridge Road as the highest, but waiting to see what happens with the potential project at Osborne Park. The third item, based on the current condition has moved up to top priority and not to waste money on a road that may need repairs after heavy traffic equipment. Mr. Atkison said he sees it as top priority; the road has deteriorated even more since the assessment in late December. He thinks the one two punch is Covered Bridge Road, Campfire Trail and the third one Milam Bridge. They all need repairs. Council Member Free said Milam Circle falls in the same boat as Campfire Trail. However, not knowing what the future holds for that area and if something is done now, they may have to redo it like they are doing Campfire Trail. It needs something.

Mr. Stephens said EXP is currently working on a quote for recommendations on Campfire Trail. Council Member Free also mentioned Setters Pointe in Hunter's Landing. Mr. Atkison said it was rated as fair but has some significant problems. He called it the 5-year LMIG plan, but hopefully then can look at it in fewer years. Mr. Stephens it will be fewer with the millage funding available. Council Member Joe Turner asked if it could be a small repair and Mr. Atkison said it could be a small repair. Mr. Stephens said that EXP is working on an estimate and the city will have funding from the millage in the budget for road improvements to cover the cost.

Council Member Tim Abbott stated the city should have an annual road plan and it should be ongoing not waiting until it gets to this point; get the roads to the standard they should be and monitor it as it goes. Mr. Stephens added it is also in line with the millage the council had the fortitude to pass last year, which is helping substantially to put in place.

Council Member Turner asked when Covered Bridge Road would be paved and roads striped. Mr. Stephens stated not until the Osborne Park project takes place and is completed. The roads that needed resurfacing will be striped with regular paint and hope to start soon with resurfacing in 2024.

#### **Frankie Harris Park Change Order #4 - Barry Atkison**

Barry Atkison stated change order #4 was for some housekeeping which entails changing some yard hydrants sizing. It is not associated with the campsites themselves, and a change in the sewer size for the lateral. Due to the paving work behind the Euharlee Outfitters resulted in a credit back in the amount of \$473.32. Also, the \$9,000 that was needed for the pedestals that was on back order showed up and is included in the net. Since they are now available, they went ahead and ordered pedestals for Osborne Park.

Council Member Greg Free motioned to adopt the change order. Council Member Tim Abbott seconded the motion. Council Member David Duncan asked about markings and putting a line down the main road. Mr. Atkison stated it was decided to go with signage and not road markings. Mr. Stephens stated that Mr. Shepherd was working on pricing for the overflow parking at the boat ramp. With no further questions the motion was passed with all voting in favor.

#### **Bid Negotiation - Osborne Park - James Stephens**

City Manager James Stephens stated the council received an updated email summarizing the potential funding for Osborne Park. The bids were opened on June 29<sup>th</sup> and the lowest bid was \$3,158,500. He provided options that would utilize the American Rescue Funds, Urban Development construction account balance, and SPLOST downtown development funds. Mr. Bell will explain some of the differences. If the city forgoes with one of the two bath houses in the original design and utilize those categories of funding proposed, they would be able to build the project taking out one bathroom and changing out light fixtures from a very decorative pattern to a basic pattern and there would still be \$347,000 left available for contingencies or for future projects when this is complete.

Council Member Joe Turner asked about the asphalt parking lot and the runoff. Mr. Stephens stated the bid included an asphalt parking lot, deliberated on gravel but hoping to still do asphalt. It will be away from the big field, further away from the water. Zack Bell added there is a retention pond between the asphalt and the creek and will hold the water from the creek.

Mr. Bell continued and shared again that the bid came in at \$3,158,500 with the efforts to look at some cost savings without sacrificing the overall design and looked at value engineering and deductions that Mr. Stephens shared. Removing the toilet house was a savings of \$273,000 and lighting, collaborating with Georgia Power with a savings of \$109,000 with a total project cost of \$2,776,500. Mr. Stephens stated that would be the amphitheater as originally designed and includes the dog park that will be funded by Bartow County. Therefore, \$347,000 is understated because the dog park is included in the bid total. If the council is not comfortable in using the three funding sources, there are other deductions to be discussed. He would love to see them build it as close to the original design as practical.

Council Member Turner, Council Member Free, and Council Member Abbott all shared ideas on amphitheaters that are in other cities that could be cheaper than the current amphitheater. Council Member Free stated it did not have to be as big to save money, but nice and not half done.

Council Member Abbott asked if approving the amount would lock them in if they found an amphitheater deduction, it does not preclude them from paying less or does it; or a change order to reduce cost. Mr. Stephens stated marching orders were needed on what to do. It would be more equitable to the lower bidder if they knew what to scale back.

Council Member Turner shared his thoughts on the location of the amphitheater to be added on the other end of the park. He had a concern that the amphitheater would be too far away from the playground.

Mr. Bell shared the location of the amphitheater is utilizing the slope of the land, connecting to the public sidewalk, great views of the covered bridge, facing to the north to prevent the stage from the sunlight opposed to pushing the amphitheater to the back of the park. Mr. Stephens stated they were not asking to relocate. The mayor and council continued the discussion on the amphitheater, the location, and the purpose.

Mayor Craig Guyton asked if they could go back and remove the topographical concrete areas and leave the stage where it is and make a grass slope or grass venue to see if the cost would be different. Mr. Bell said it could possibly work, but a concern would be the accessibility to each seat. The council continued the discussion and suggested waiting until the August meeting to make a decision. Mr. Stephens summed up the discussion to make sure it was clear for Mr. Bell. He said they are attempting to keep the paving in tack, comfortable with forgoing with one-bathroom, what savings are involved in the topographical artificial turf seating, keeping the riverwalk, and everything else including the dog park. Council Member Greg Free stated the city cannot do this halfway as they have. It has to be done right. If waiting, then to wait until August 1<sup>st</sup> is a good idea to do it correctly.

Council Member Greg Free motioned and tabled the item to see what changes they come back with. Council Member David Duncan seconded the motion. The motion was carried with all voting in favor.

Council Member David Duncan took a few minutes to say thank you to the city of Euahlee on behalf of Euahlee Baptist Church for their support in making the July 4th firework celebration a success. They could not have done it without the support from the city. Council Member Free said he received feedback from citizens that it was a top-notch event and looked forward to doing it again. Mayor Craig Guyton said he was appreciative of the first-class event and the way the church handled it. He stated if they did not want to do it again, the city would be interested in talking about it. Council Member Duncan said he heard from his Pastor they would be discussing it again.

### **Public Comments**

Resident Fred Werner shared in 2012- 2013 there were discussions about Five Forks Road due to an increase in traffic from Joe Cowan Park. It was discussed to handle in three phases including the bridge, the intersection, and further on up at Cowan fields. An emergency meeting was called in 2013 to approve a \$73,000 drainage issue, and years from now there will be an increase in traffic. He feels the need for

them to be addressed. The intersection needs to be corrected and sidewalks added. They have increased vendors for Food Truck Friday, RV Park, Drowned Valley, Farmers Market, and Osborne Park Redevelopment to increase traffic, and need to add it to the list of roads. It is a safety issue, and the drainage has not been corrected. Mayor Craig Guyton added phase one was completed with the drainage, but the other two phases were not neglected, it was due to funding.

Resident Ron Hartman discussed and recommended the following:

**Public Comments.** Mr. Hartman stated he heard there would be a recommendation made by Kathy Foulk in the Planning and Zoning meeting to limit public comments to three minutes per person. He said that three minutes would not allow appropriate input from the public. He recommended three minutes per agenda item.

**District format for elections; four districts for council and Mayoral at-large.** He opposed an at large election. He had a concern about equal representation in the city on the council. Shaw Woods has three members and is a different feature in several aspects, opposed to what the typical city looks like. A possibility exists when a decision has to be made to favor decisions based on where you live, and he is concerned. He would like the discussion to be added to the August agenda with the attorney present for discussion. Council Member Greg Free stated, currently the right to voting act is being followed and he feels a district would not satisfy that any more than an at-large election. Mr. Hartman provided a state code for review, recommended attorney come in and explain the process, and discussed several scenarios for his proposal for district voting. There are cons in this process, but the pros outweigh the cons.

Mayor Craig Guyton added a point in reference to being able to vote for four members opposed to only being able to vote for one person in your district. There will be two votes every two years to one vote every four years and appears to be less of a voice in the government.

Mr. Hartman shared the trailer park would have someone to represent them, no one to represent Milam Bridge and there would be a specific person to go to.

Council Member Free shared some election data, three people until recently from the same neighborhood were members of the council. However, they have had three people on the council that lived within one mile of each other and two in the same neighborhood. This will always be the flow and the great things about municipal elections, anybody can qualify, have a voice and a vote. Surprisingly, Shaw Woods does not make up the number of votes you may think it does. It is not the turnout you think, it is citywide. These are facts and Shaw Woods does not elect the majority of the people. Mr. Hartman said it was a very small number 221 votes, and more affluent people are voters and Shaw Woods can elect the candidate from Shaw Woods.

Council Member Tim Abbott said that could hold true to other subdivisions as well. The point being made does not hold water to the map. Your sentiment about fairness is welcomed, the math and the finger pointing at one subdivision creates division even if it is not the intention. Two brothers-in-law sat on this council for a long time, three members within one mile of each other and are fine. The sentiment is unfair if you look at the geographic area.

**Millage Rate** - Mr. Hartman stated the audit for last fiscal year is needed to decide a millage rate. The recommendation based on the current funds and the number of months of reserve is to roll back to zero. No millage is needed due to the expected revenue from the RV campground, tax from Cherry Wood subdivision and a decrease in taxes.

**Frankie Harris Park** – Mr. Hartman asked when the campground would be in operation. He has a degree in civil engineering, and he knows a little about construction. He visits the park at least twice a week. On the last three visits, he saw only two workers, and the project is 65 days behind. It shows no sense of urgency. He had concerns about reservations, amenities, and future entertainment. He also shared rates for RV parks and feels the \$65 the city plans to charge will not be competitive with the \$45 rates for other campgrounds.

Barry Atkison shared the weather had been the largest issue. Also, Georgia Power has to make electrical repairs and he had been speaking to them on a daily basis for weeks. It also causes them not to be able to do the lower grading on the road with GAB. This week GAB with the pad is supposed to be completed. The

paving was scheduled for the week of July 17<sup>th</sup> but waiting for confirmation. It is concluding. The park was walked prior to the meeting. He had some of the same thoughts about the number of employees, but right now it is heavy equipment work with truckloads of GAB, just finished the paving so it does not require a lot of people. Mayor Craig Guyton asked if Georgia Power agrees to come in the next two weeks what is an expected date for completion. Mr. Atkison stated, with weather permitting, he said it before, August 1<sup>st</sup>.

Council Member Greg Free said he liked the comment about pricing for the RV campgrounds. The prices mentioned are core engineer state park pricing. The privately owned, the city is comparable or cheaper for full hook up.

**Traffic Flow Study** - Mr. Freeman had issues with the way the traffics study is being conducted as a city only opposed to working with GDOT and the county on the entire length of Euharlee Road. The quantity and the flow will impact the city. A document called HCM, abbreviated, traffic and road engineers use, based on stats, shows the city is over the limit for daily recommended use. He is hopeful for the city to expand the traffic study with GDOT and the county.

Mr. Hartman said kudos to Council Member David Duncan for research on a rumor of a new subdivision. It was determined an owner was clearing the land. Mayor Craig Guyton stated this is still America and this city government is not coming to your house to ask you what you are doing on your property. This government will not get involved with asking property owners what they are doing with their own personal property. If a subdivision were being built it would have to come before the council. He apologized to the gentleman and shared he is allowed to clear his property without a member of the government coming to ask him what he is doing,

Resident Peter Piliero suggested using grass instead of spending the money for the seating venue at Osborne Park. Make sure a sprinkler system is installed to water the grass and consider a seating venue in the future.

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

With no further discussion the meeting adjourned at 8:22 pm.

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
AUGUST 01, 2023**

Mayor Craig Guyton called the meeting to order. City Manager James Stephens said a prayer, followed with the Pledge of Allegiance.

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

Council Member Tim Abbott motioned to amend the agenda to add item #6 for Resolution Grant Request. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Approval of Minutes**

Council Member David Duncan motioned to approve the minutes for the Called City Council Meeting, 07.11.23. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

**UNFINISHED AND NEW BUSINESS**

**Package License Application – Dustin Smith**

Dustin Smith, owner, and business partner Lonnie Payne presented an application to open a package store in the city of Euharlee. Mr. Smith is a 15-year resident of Euharlee being raised in Cartersville, Georgia. He is excited to serve the city of Euharlee opening the package store. He believes he will provide great service that will make the city proud. He also stated it would allow citizens to make purchases and not have to go outside of the city. This will also bring revenue into the city. Mr. Smith thanked the city council for the opportunity. Mayor Craig Guyton asked if the application was in order. James Stephens, City Manager stated everything was in order, staff recommendation for approval, and the fees have been paid. Council Member Joe Turner motioned to approve the application. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**2<sup>nd</sup> Reading Stormwater Post Construction Ordinance - James Stephens**

James Stephens, City Manager stated the stormwater program document the council had before them is the 2<sup>nd</sup> reading. It is logistics and if it is not passed the stormwater program is not officially approved. The ordinance has to be passed to be totally in compliance with the regulations for the stormwater management program. Council Member Joe Turner motioned to accept the ordinance as presented. Council Member David Duncan seconded the motion. The motion passed with all voting in favor.

**Traffic Study – EXP Engineers**

City Manager, James Stephens stated this was the firm he met with about the traffic study for four different locations in the city in addition to locations the police department need for their radar recertification.

Higgins, traffic engineer with EXP Engineers, was present to discuss with the council what goes on in the traffic study. Mr. Higgins explained the study is to find out what is going on at the intersection when businesses are coming in and what is going to happen at these intersections adjacent to it. The starting point is always the traffic counts, get a count of the roadways that are in front of these locations of the business and the adjacent intersections. They start with the simplest and least expensive control which is usually a two way stop and then they move to 4 way stops; sometimes they look at signals that generally you do not want to do. The company performs processes to review stop signs, turn lanes, and roundabouts. They provide general processes and recommendations of what is needed based on what is out there and additional roadways.



Mayor Craig Guyton asked if they included residential growth. Mr. Higgins said they look at growth, they will look at the city's growth over the last 10 to 15 years and determine a standard growth rate and build the background growth for the traffic. They will look at businesses coming into the area when, where and will add separately to the intersections which is a one-time thing.

James Stephens, City Manager stated there is a large business located two miles from the city limits on Euharlee Road that is not being built currently and would not show up in the current count. How would that be approached within the process. Mr. Higgins stated they have several resources to access to find out what is being added. They will research the sources as well as speak with the clients to get feedback.

Council Member Joe Turner mentioned several roadways with possible growth to be included in the study and asked how they would present the final product. Mr. Higgins said they will present however the council desires.

Council Member Tim Abbott asked if the study could identify maxed capacity. Mr. Higgins said they are able to provide such information.

Council Member Free asked if the tag readers can be included to provide numbers and Mr. Stephens said yes. Mr. Stephens also shared that the traffic study included four intersections and to be completed individually not to exceed \$10,000 per location for a total of \$40,000. The roads include Cliff Nelson, Milam Bridge, Hardin Bridge, and the Euharlee corridor in front of the mobile homes.

Council Member David Duncan motioned to accept the proposal for the traffic study. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

#### **Campfire Trail Resurfacing – EXP Engineers**

Ryan Higgins, EXP engineer stated the surfaces were reviewed and found two different asphalts. The recommendation would be to build up and resurface the entire roadway. The approximate cost would be between \$25,000 - \$30,000 for the administration work for bidding and selecting the contractor. Mayor Craig Guyton said to add the item to the next work session.

#### **Millage Rate – James Stephens**

James Stephens, City Manager stated that the digest from the Bartow County Tax Assessors office was used to calculate the roll back to 1.72 mills. If the council recalls last year, the city tax levy was 2 mills. If the council approves the roll back, it is not required to advertise a tax increase and the total revenue would equal to \$293,611. The 2 mills would have to be advertised and the total would be \$339,631. The next work session the audit will be presented, but unrestricted fund balance at year end FY22 is \$1,347,189 and equates to 6.2 months of reserved fund balance.

Council Member Greg Free asked what year the city first adopted a millage rate. Mr. Stephens stated it was 2017, 2018, 2019 and then rolled back to zero. The city rolled back to zero based on the policy in place at that time; once reached six months roll back to zero, and the city reached the six months of revenue. The city added 2 mills back in 2022. The policy was updated to 2 million instead of the 6-month threshold and the city currently have 1.3 million of fund balance.

Resident Ron Hartman asked what the total tax the millage rate was based on. Mr. Stephens stated a mill of tax on the current digest equates to \$169,815,518. He explained the growth in the digest will yield a larger tax levy than the previous year. Council Member Tim Abbott stated the increase in Bartow County school tax will equate to an increase in taxes. The council discussed the different measures that affects the tax digest at the county level to help understand how the millage rate is calculated.

Mr. Hartman asked what the risk would be to roll back to zero. Mayor Guyton stated the risk would be using so much of the fund balance could require a higher tax rate of possibly 3 mills or more in the future to compensate.

Mr. Hartman shared his thoughts on current and incoming revenue; the fund balance, the RV camp, the tax digest from Cherry Glen subdivision, and new businesses, granted they do not bring in that much. The purpose is to use the general funds and why not give the citizens a tax break. Mayor Guyton added the Cherry Glen subdivision is not going to be built out and will not bring the mentioned digest next year and the same with the RV park which are projections.

Mayor Guyton stated for this year he was in favor of rolling the millage rate back to 1.729, but to roll to zero would not be conservative in his opinion to keep the city in the good financial state Mr. Hartman just mentioned. Mr. Hartman suggested a roll back less than the 1.729 so there is no tax increase for citizens regardless of the appraisal.

Mayor Guyton stated the 1.729 is a conservative figure and if the things mentioned comes to fruition, it would be a hope to roll it back significantly but for now keep the city in good standing.

Council Member Greg Free added, considering when the city had to implement a tax, as well as the LOST negotiation to decrease every ten years and already a \$130,000 decrease over the next ten years.

Guyton stated the auditors will be at the next meeting. The presentation and public comments will be allowed prior to the council voting on the millage rate. City Manager James Stephens stated the 1.3 million he mentioned in fund balance was received from the auditor.

Mayor Guyton stated that a vote was not needed, and it will be on agenda at the August 15<sup>th</sup> at a called meeting. Mr. Stephens stated he needed instructions to advertise the 5-year digest and the rate of 1.729 would not be considered a tax increase.

#### **Resolution Authorizing Applications Under MPDG – James Stephens**

James Stephens, City Manager stated it is a resolution Bartow County ask to be passed to apply for a federal grant in conjunction with Floyd County on joint application at the federal level. This is in hopes to keep the Euharlee bridge on schedule. Council Member Greg Free motioned to adopt the resolution. Council Member Tim Abbott seconded the motion.

#### **Public Comments**

Steve Gray mentioned Phase I of Osborne Park plan and had several questions about the settlement pond and the bid price. James Stephens, City Manager stated there is a settlement pond near the small ballfield and was included in the bids that were opened. Mr. Gray shared pictures of amphitheaters from other cities. He shared the cities that used sod and turf, loved their amphitheater. He continued sharing specifications he received. He also shared his recommendations in detail to build the amphitheater at a low cost and recommended signage in the city.

Crystal Brown commented in reference to Osborne Park and was concerned about the playground and nothing for kids to do and the safety of the dog park. She was informed the playground would be improved and the dog park would be fenced. The council continued a brief discussion about options for the playground.

Ron Hartman asked for the plans for Osborne Park that went into the RFP even though they are subject for change, to be posted on the website. Mayor Craig Guyton stated they would have the plans posted and noted they are subject for change.

Peter Piliero stated at Food Truck Friday the stage is pretty crowded and that should be a footprint of what they would do with the amphitheater. He did not feel the steps were needed. People bring their kids, and it is a nice atmosphere.

Cat Tull stated she has not seen the plans but loves everything about what the council is doing. She wanted to know if there is anything included or a small spot to represent the veterans. Council Member David Duncan mentioned the memorial for the city's fallen soldiers located downtown.

Council Member David Duncan motioned to go into Executive Session for potential litigation at 8:05pm. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

The council returned from Executive Session at 8:53 pm. Attorney Boyd Pettit stated the council had been in Executive Session for attorney client involving potential litigation. There were no votes or actions taken in the Executive Session and does not know of any action that needs to be taken by the council following the Executive Session.

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 discussion the meeting adjourned at 8:54 pm.

**CITY OF EUHARLEE  
CALLED CITY COUNCIL MEETING MINUTES  
AUGUST 15, 2023**

Mayor Craig Guyton called the meeting to order with a 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.

**2022 Audit Presentation – Christian Hatch, Williamson & Co. CPAs**

On behalf of Williamson, CPA's, Christian Hatch, CPA said thank you to Mayor, City Council, and management for allowing them to conduct the audit of the city's financial statements for fiscal year ending December 31, 2022. The audit was conducted in accordance with the auditing standards generally accepted in the United States and the standards that apply to financial audits of local government. The purpose of the audit was for them to issue their opinion of the city's basic financial statements, and to report on the city's internal controls over financial reporting and compliance. The document contains two audit reports. The independent auditors report on the financial statements on page 1, where their opinion on the financial statements is located. For the year-end December 31, 2022, the city received an unmodified audit opinion on its financial statements. It means the basic financial statements were fairly presented in all material respects in conformity with the general accepted accounting principles in local governments. In other words, they had a clean opinion. The other audit report is on page 31, relates to the city's internal controls over financial reporting and compliance and their responsibility in considering those items in the audit. For the 2022 audit period they identified no material weaknesses in the city's internal controls over financial reporting, no material compliance violations, and no financial statement findings. He reviewed some of the financial points of interest for the fiscal year ending December 31, 2022.

Page 4 – Statement of Net Position – Year-end the city assets exceeded total liabilities by \$12,349,552. It was an increase from net position in 2021 in the amount of \$1,087,168.

Page 5- Statement of Activities – The total tax revenue for 2022 including SPLOST collections was 3.52 million representing an increase of \$816,050 in overall tax revenue from 2021. In addition of the return of the property tax levy in 2022, sales tax, franchise tax, insurance premium tax, excise tax, and SPLOST receipts all increased from the prior year. The city also increased nontax revenue in the first year of collections of citations generated through speed zone cameras.

Page 7- Balance Sheet of Governmental Funds – The total cash balance at year end including cd's increased by \$1,892,593 and totaled a little over 4.78 million at year-end. Of that amount, 3.7 million was externally restricted for capital projects, debt service, local road maintenance improvements, and law enforcement activities and continuation of federal programs. The increase was driven by an accumulation of unspent SPLOST collections and the last draw down of the federal American Rescue Plan funds that were also unspent at year end. The city received \$815,098 in American Rescue Funds in 2022. These federal funds are considered deferred revenue until spent within the guidelines of the American Rescue Plan Act passed by Congress of March 2021. The funds will be recognized as revenue as they are spent down.

Page 10 - General Fund Budget and Actual Statement- The general fund which is the city's main operating fund ending 2022 with a balance of \$1,374,198. This was an increase of \$298,360 from the year-end fund balance. On the revenue side, the total general fund revenue increased by \$565,779 from 2021. The revenue increase was expected due to the city's decision to levy property tax in 2022 after skipping the

levy in 2021. The city also experienced a 23% increase in local option sales tax (LOST) tax collections for 2022. Overall, the general fund collected \$270,144 more than the final budgeted amount. On the expenditure side, the general fund came in at \$83,216 under the total final budgeted departmental expenditures for 2022. No department within itself went over budget in the 2022 line-items. The total actual general fund expenditures for 2022 were \$172,773 higher than the 2021 amount. The bulk of the general fund expenditures came from the concentration in the public works department for the improvement to the covered bridge paid out of the general fund.

Page 17 – Capital Assets – There were many capital additions during the fiscal period including (4) vehicle purchases, new mowing equipment, property improvements at the covered bridge, Joe Cowan Park, and Osborne Park. No new debt was issued in 2022 and the city was debt free at the end of the year.

Pages 22, 23, and 24 contained statements for the activities related to 2014 SPLOST funds, and 2020 SPLOST funds for the 2022 year with additional information on prior year activities. The city collected \$1,144,142 dollars in SPLOST revenue for the fiscal year 2022. Total expenditures for this year was \$261,160; the majority was for property improvements and capacity fees. At year end there was \$4 million dollars unspent 2020 SPLOST funds available for restricted purposes. For a detailed look at current and historic SPLOST project activity you can also refer to the SPLOST schedules on page 33.

Mr. Hatch said the items he had spoken on were just a brief summary of the financial activities for the city of Euahlee for 2022 and asked if they had any specific questions, he would try to address them at that time or any time after the meeting.

Council Member Tim Abbott stated he asks the same question every year. It is a glowing report and Mr. Stephens is an excellent manager of the city funds and the citizens' funds. He asked if there were areas, he would see that are risks, and are they being too conservative. Mr. Hatch stated he did not feel the city is being too conservative. The only risk would be internal controls related to financial reporting. Without the debt service it takes a lot of the adjustments out they have to make at year end. The other things they look for is year-end accruals and financial closings and the internal controls behind those to see what has been going on which they feel good about. There were fewer auditing entries in the 2022 audit than in previous years. He asked Council Member Abbott if he was referring to too much cash as being too conservative. It being a small city you can only deploy so quickly, so he thinks it is fine to accumulate with all the federal funds received with the ARP funds alone.

#### **Public Hearing – Millage Rate Discussion**

Mayor Craig Guyton opened the public hearing for comments and discussion. Resident Ron Hartman asked if the 1.61 rollback rate the council would vote on represented the same revenue as the prior year and what is included in the rollback calculation. Mayor Guyton explained at the last meeting the council discussed the 1.729 roll back. He asked the City Manager, James Stephens, to add the second page that shows a rollback of 1.61 for the council to discuss as well. The 1.729 is 6% higher revenue collection than the prior year, and the 1.61 comes in at a negative .5%. Mr. Stephens explained the calculations. The 1.729 rollback takes in consideration property that has been reassessed and true growth. The 1.61 rollback takes out the true growth. The state code requires the reassessed increase to be included. This was presented to be totally transparent. There were no other discussions, and the public hearing was closed.

#### **UNFINISHED AND NEW BUSINESS**

##### **1<sup>st</sup> Reading Noise Ordinance Amendment – Katie Gobbi**

Katie Gobbi, Community Development Director presented the 1<sup>st</sup> reading amendment to the noise ordinance. The recommendation came from the police department for clarification and simplicity to the

table currently in the noise ordinance that include different times, days of the week and months of the year. The recommendation for the changes come from the Planning and Zoning Commission and the police department to remove the table and add in Section 7, Paragraph 11, specific times for residential property to comply from 11pm – 7am, and non-residential property from 10pm - 7am beyond 50 feet of the boundary. It will be easier for the officers to enforce it. After the discussion with the council and with Chief Matthews, it was agreed for residential, non-residential, and commercial property times and days to be 10pm - 8am, Monday - Thursday; and 11pm - 7am, Friday - Sunday. The changes will reflect at the 2<sup>nd</sup> reading.

**1<sup>st</sup> Reading Section 6.7 Home Based Occupation Amendment – Katie Gobbi**

Katie Gobbi, Community Development Director presented the council with a copy of Section 6.7 of the Zoning Ordinance that relates to the home occupation offices. The recommendation from the Planning and Zoning Commission at the July meeting to remove barber shops, beauty parlors and animal grooming from the home-based businesses that are prohibited and to allow them in residential with only one stylist. The assistant clerk noticed while doing business licenses, since COVID, a lot of stylists and barbers are not planning to go back into their salons. There are Secretary of State regulations that govern what they can and cannot do. The changes will be added for the second reading at the September 5<sup>th</sup> meeting.

**1<sup>st</sup> Reading Land Subdivision Regulation Amendment - Katie Gobbi**

Katie Gobbi, Community Development Director provided the full ordinance of 50 pages with changes and recommendations that came from the Third-Party reviewer. Aside from the amendment that was passed early in the year, the last time the ordinance was amended was 2006. There are several changes that were recommended from the reviewer and the Planning and Zoning Commission. Due to it being a large document, Ms. Gobbi suggested the council take it with them and send questions or review at the next meeting. Council Member Joe Turner stated that he would like to receive the documents prior to the meeting and at the 2<sup>nd</sup> reading they will be able to vote on the finished product. The council agreed with Council Member Turner. The 2<sup>nd</sup> reading will be included on the agenda for the September 5<sup>th</sup> meeting.

**Millage Rate Discussion – Mayor Craig Guyton**

Mayor Craig Guyton stated that he already alluded to it after Mr. Hartman spoke to it in the public hearing discussed two weeks ago, and once the 5-year digest was prepared for him; the 1.729 mills comes to 6.4% of new growth. It was explained to him perfectly by Mr. Stephens. Take away the new growth and it is basically 0%, which is what he would prefer, and asked him to advertise 1.61 mills. They were able to do so because it was lower, side by side. If it were higher, a public hearing would be required.

Mayor Guyton shared an example Mr. Stephens shared with him; if a home was valued at \$200,000, the 1.729 mills come out to \$135 per year and a fraction of over \$10 per month. The 1.61 rate comes out to \$125 per year. At either rate, the budget will be fine with a \$18,000 decrease at the lower rate. Mayor Guyton stated he was in favor for the 1.61 mills.

Council Member David Duncan stated it was his first-time hearing about the 1.61 mills and personally would like to stay with the 1.729 mills. He does not want the city to go under.

Council Member Greg Free asked if the 1.61 mills would keep them in the ball game with projects and ongoing maintenance. Mr. Stephens said he was comfortable, and the total tax levy would come in at \$276,409.

Mayor Guyton added he was aware of the road improvements and other repairs that will take them over budget and have to use some of the fund balance; and with one-hundred percent transparency, the \$20,000 will come out of the fund balance, which may involve raising the rate next year depending on what is needed to fix roads and desperately needed repairs.

Council Member Free said he received feedback in reference to the millage rate, and people do not have a problem with a millage rate when they see their money being reinvested back into the community. He is okay with the 1.61 mills as long as the city continues to improve.

Council Member David Duncan motioned to approve the 1.729 millage rate. There was no seconded to the motion. Council Member Greg Free motioned to accept the 1.61 millage rate. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

### **Public Comments**

Resident Steve Gray stated after speaking at the previous meeting, he would like to increase the cost for the amphitheater to \$75,000 if the city did the work. He said \$50,000 previously. He asked about the size and the cost of the stage. Mr. Stephens said the seating area is 522 square feet and they did not have the cost for only the stage. Mr. Gray said would like to have further discussion about the cost. He shared about flood plain with mosquitos, and the safety of the children with the location of the playground and the amphitheater.

Resident Ron Hartman asked the current cash balance, how close is the city to the 2 million reserves, and how many months. Mr. Stephens said 6.22 months. The cash balance is about 1.892 million and 1.3 million of that is restricted. The ARP funds and SPLOST funds are designated for Frankie Harris Park. The total cash on the balance sheet for the beginning of the year was \$1,892,593.

Mr. Hartman was trying to determine how well the city was doing compared to the policy that is in place. It sounds like the city is in great shape. Mr. Stephens added the bottom threshold is 4 months up to 2 million and currently at 1.3 million.

Fred Werner asked were drawings submitted with the proposals for Osborne Park and are they available. He would love to see the difference between each firm. Mr. Stephens said they are available to review.

Peter Piliero shared that the noise ordinance for 11 pm should be only for Friday and Saturday night.

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

With no further discussion the meeting adjourned at 7:59 pm.

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
SEPTEMBER 05, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Greg Free said a prayer, followed by 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.

**Approval of Minutes**

Council Member Greg Free motioned to approve the minutes for the City Council Meeting, 08.01.23 and Called City Council Work Session 08.15.23. Council Member Joe Turner seconded the motion. The motion was carried with all voting in favor.

**UNFINISHED AND NEW BUSINESS**

**Approval of Fiscal Year 2022 Audit- Mayor Craig Guyton**

Council Member David Duncan motioned to approve the FY 2022 audit report. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

**2<sup>nd</sup> Reading Noise Ordinance Amendment- Katie Gobbi**

Katie Gobbi, Community Development Director stated the council had before them for the 2<sup>nd</sup> Reading of the Noise Abatement Ordinance; Section 7.11 for specific times for violations of this ordinance. The ordinance was altered to read, between the hours of 11:00 pm to 7:00 am on Friday and Saturday; and between the hours of 10:00 pm – 7:00 a.m. Sunday through Thursday. It replaced Table 1 that was previously included. Council Member Joe Turner motioned to accept the changes to the noise ordinance. Council Member David Duncan seconded the motion. The motion was carried with all voting in favor.

**2<sup>nd</sup> Reading Section 6.7 Home Based Occupation Amendment – Katie Gobbi**

Katie Gobbi, Community Development Director stated the council had before them for the 2<sup>nd</sup> Reading of the Home-Based Occupation Ordinance, Section 6.7 with no changes from the 1<sup>st</sup> reading. Council Member David Duncan motioned to accept the changes to the home occupations. Council Member Greg Free seconded the motion. The motion was carried with all voting favor.

**2<sup>nd</sup> Reading Land Subdivision Regulation Amendment - Katie Gobbi**

Katie Gobbi, Community Development Director stated the council had before them for the 2<sup>nd</sup> Reading the annotated version of the Land Subdivision Regulation Ordinance with the proposed amendments. She stated there were not any changes from the 1<sup>st</sup> reading, and hopefully the council had time to digest it. As a reminder, some changes came from the survey with the site engineer, and some are just to update from 2006 standards to 2023 standards. Primarily, the suggestions are from the third-party engineer with a few exceptions from other staff members and the Planning and Zoning Commission that added one request which was to have the preliminary plat go before the Planning and Zoning Commission that currently goes to the city council.

Mayor Craig Guyton shared the last time it was updated was 2006. Council Member Tim Abbott stated that some conceptual design, even if it is not binding, has to go before the Planning and Zoning Commission. Ms. Gobbi said yes if the council approves the changes. Mayor Guyton asked where the information was located. Ms. Gobbi stated on Table 1-1-15.2.1 which is one reference, and the second reference in front of the Planning and Zoning would be Section 1-1-13.4. Mayor Guyton wanted to clarify what was read and what he heard; the preliminary plat has to go before Planning and Zoning for a



recommendation to the city council and if it is not approved it still goes before the city council. Ms. Gobbi explained in Section 1-1-13.5, the preliminary plat goes to the city council which is the approving body. Mayor Guyton asked if the final plat had to go through P&Z and Ms. Gobbi explained it does not have to go before Planning and Zoning. James Stephens, City Manager explained these would be preliminary plats that do not have a rezoning request or a variance, just a subdivision plat development. Ms. Gobbi said Table 1-1-15.1.1 has the requirements for a preliminary plat that includes the descriptions.

Council Member David Duncan motioned to accept the Land Subdivision Regulations Amendment. Council Member Tim Abbott seconded the motion.

Resident Jim Thibault stated he was glad the preliminary plans are required so that something is on paper. He asked if there is anything in the new language of how far it can deviate from the preliminary plan and a final plan. Ms. Gobbi read Section 1-1-13.7 and it states that the procedures for considering an amendment to a preliminary plat shall be the same required for an initial application for preliminary plat approval. Final plats shall be required to conform substantially to preliminary plats, and therefore any proposed significant changes to the configuration of the streets, number of lots, the provision of open and green space, access points or other matters shall require an amendment to the preliminary plat be approved.

Mayor Guyton stated that the chart reads that the preliminary plat, construction plans and the final plat all have to go through the Planning and Zoning. Ms. Gobbi shared that as she reviewed the documents there were some discrepancies between the chart and the language and it was silent on whether it goes in front of Planning and Zoning or not in the language. Mayor Guyton said but the table shows it and wanted to confirm they were not contradicting. Ms. Gobbi also shared that the language for construction states it does not have to go before Planning and Zoning. Mayor Guyton stated that he had a concern because of delays, with all the plats and the plans having to go before the Planning and Zoning Commission and the city council. Ms. Gobbi stated she is very careful to outline the timetable for public hearings and meetings. Council Member Joe Turner stated he wanted as much as possible to go before the Planning and Zoning Commission.

Mayor Guyton said they have a motion and a second. The motion was carried with all voting in favor.

Council Member Abbott said it is a collaboration between the Planning and Zoning and City Council; special meetings can be called if there is a need for acceleration for a Planning and Zoning vote. It is okay to have flexibility and agility in the policy, so they are not so strict without movement.

#### **Planning and Zoning Commission Reappointments – James Evans & Kathy Foulk – Katie Gobbi**

Katie Gobbi, Community Development Director said that James Evans and Kathy Foulk are both ending their terms on the Planning and Zoning Commission, and both are recommended for re-appointment for a three-year term to end on August 31, 2026. Council Member David Duncan motioned to extend their terms. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

#### **118 Covered Bridge Road – Agreement to Sale Land – James Stephens**

James Stephens, City Manager stated the document the council had before them is the document with Exhibit 1 and Exhibit 2 for their consideration. The contract was drafted based on the terms the city council laid out in the discussion in regard to Drowned Valley Brewery. It has been reviewed by the Drowned Valley attorney and it does provide for them to have a 90-day due diligence period before closing but it is not working in a way that if they want to close before the 90 days out can be done. Mr. Stephens recommended the execution of the contract.

Council Member Joe Turner asked how it got from 1 acre to 1.7 acres. Mr. Stephens stated it came to this amount after surveying the land. Council Member David Duncan said when they voted they were told it would be 1 acre. Mr. Stephens stated that was not the exact wording. He also corrected it was 1.07 instead of 1.70 acres. Council Member Turner did not like that it was at the edge of the Covered Bridge.

Council Member Duncan said it was voted 1 acre, he was totally against it then, and totally against it now. Council Member Turner stated according to the plat it is right along the Covered Bridge and doesn't think they need to sell that close to a landmark in the city. Mr. Stephens reminded him it was discussed, and Mayor Guyton agreed it was discussed. Council Member Tim Abbott reminded the council that Council Member Turner voted for it, Council Member Duncan remained silent, and if the opposition is no, let it be no. Council Member Tim Abbott motioned to approve the contract with Drowned Valley Brewing on the agreement to sale 1.07 acres. Council Member Greg Free seconded the motion. The motion was carried with three voting in favor and two in opposition.

**Public Comments**

There were no public comments.

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

With no further discussion the meeting adjourned at 7:30pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL WORK SESSION MINUTES**  
**SEPTEMBER 19, 2023**

Mayor Craig Guyton called the meeting to order. Council Member David Duncan said a prayer, followed by 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**

***Rezoning Application RZ2023.1- Parcel No. 0034-0753-002***

***Environmental Overlay - Parcel No.0034-0753-002 & 003, 0034-0668-002, 0034-0752-001***

Mayor Craig Guyton stated the applicant for Rezoning and the Environmental Overlay Parcel No. 0034-00753-002 from RE1 to R1 requested a deferment due to not receiving information needed from Bartow County Water Department in time for the meeting. The next Public Hearing will be on Tuesday, October 17<sup>th</sup> and Tuesday November 14<sup>th</sup>. He was aware that people had signed up to speak so he allowed them to do so during public comments.

Mayor Guyton stated he received some criticism that he does not give enough information in a timely manner, and during the planning and zoning meeting there was a lot of talk about growth, the city needs to slow down or stop growth, so he prepared a brief PowerPoint to share some ideas about growth. Below are some of the talking points and facts he share about growth.

- Census report 2010 -2020 the city of Euharlee grew by 3% over 10 years, ½ percent per year.
- The largest source of funding comes from sales tax, 3.85% of LOST which equates to \$1.3 million dollars. LOST reduction went from 4.13% to 3.85%. What happens if only there is 3% growth over the next 10 years. LOST calculation is no longer based only on population, there are seven other negotiators and Euharlee only bodes well with one category. If there is no growth the amount could reduce to 2.25% which equates to \$754,000 and the city would have to find \$546,000. Property tax would have to be increased by 3.21 mills of tax in addition to the current 1.6 mills.
- Traffic Study from Bartow County for Euharlee Road with the three new developments in question, would have no major impact on Euharlee's traffic zones. Futuristic study shows that if all land were sold and developed in the area Euharlee would be able to handle it with only minor adjustments.
- Euharlee will conduct its own study at intersections and any adjustments needed will be made.
- Road maintenance will be completed with or without growth. Every road in the city will be resurfaced within 5 years.
- Bartow County School Capacity – New development will not impact the schools. Woodland Middle School is at 78% capacity and Euharlee Elementary School is at 68% capacity.
- Current staff level for police officers is 11; Industry standard is two officers per 1,000 residents. 30% growth would mean 2 to 3 more officers over 10 years.
- If the city needs growth, families are selling property to developers, and there is proof it can be handled, the city could grow by 30% over the next 10 years. 3% growth each year is well planned, reasonable, and manageable. The population currently after annexation, 5,268 and the increase would be just over 7,000.

### **Public Comments – In opposition to Etowah Bend and Euharlee Growth**

Several Euharlee residents spoke In-Opposition of the Etowah Bend, growth and the comments are summarized below.

- Misinformed about city operating budget and LOST. It was discussed and LOST process explained.
- The growth on Milam Bridge and does not want the same growth and demographics as Emerson, Georgia.
- Not in agreement that classrooms are not at capacity.
- Surprised that Euharlee can handle the additional growth with the number of additional homes and are not over capacity.
- Not in favor of road shortcuts that will occur with traffic overflow.
- Does not want growth to stop but how will it impact public workers and first responders.
- Not in agreement with 300 homes in Etowah Bend and the change in demographics.
- Not opposed to growth but opposed to congestion and high-density growth. Do not give in to high density growth.
- Increase in crime and longtime residents will relocate.
- Controlled development destination for people that want to live in Euharlee. Give them somewhere to live and not pack them in. Do not worry about the growth around them. Surveyed 200 people that does not want growth.
- The sewer was not needed. It was costly and to bring in more people.
- Doing what is not good for the people.
- Milam Bridge, Etowah Bend - ordinance waiver for the development; 7.18 clause in the ordinance
- Administrative receipt of notice for the Etowah Bend Project and 1244 Milam Bridge project.
- Administrative legal remedies the council has to slow down the development of large subdivisions.
- Disappointed with sewer connections with no return on investment.
- Calculation differences in the number of future housing occupancy.
- Euharlee Road and the schools are over capacity
- Against massive growth over 5 to 10 years and studies are just guesstimates.
- Over five years ago children rezoned to another school from Euharlee Elementary due to overload and shocked at the current numbers presented for school capacity.
- Rural areas do not need massive growth.
- Expenditures for law enforcement to exceed revenue for the city from Etowah Bend.

### **UNFINISHED AND NEW BUSINESS**

#### **1<sup>st</sup> Reading Preliminary Plat for 1244 Euharlee Road – James Stephens**

James Stephens, City Manager stated the city has received an application and a preliminary plat at the said location. The site plan shows 310 houses for the property already zoned R1, with no special conditions or rezoning. The minimum lot size exceeds 10,000 square feet and anticipates having a sewer capacity letter from Bartow County Water and Sewer. It is the 1<sup>st</sup> reading for the preliminary plat. The only request from the city would be a sewer easement included on the October agenda. Mr. Adam Baker was present for any questions.

Council Member Greg Free asked about traffic data for the specific potential and if GDOT had a counter on Euharlee Road. Mr. Stephens stated they do, and SA Land Group provided the city with a traffic study where they were looking for the decel lanes and the need of turn lanes. Council Member Free said the

counters have been there for a long time and runs constantly so they receive constant feedback. Mr. Stephens said the traffic study presented utilized that counter. Adam Baker said the traffic study recommended the southern entrance for a decel lane and accel cell lane, but did not recommend on the north, but they included them on both. He shared details on the plan. The property has R1 zoning and has 25 ft. rear setback and a proposed self-imposed 25 ft. undisturbed buffer for any kind of neighbors and a self-imposed 75 ft. setback on rear buffers which is a significant buffer. He heard the audience that is not in favor of high density, and he respects that. The engineer could put more houses; the average lot size is 12274 feet, and the largest one is just under an acre. Some will be smaller, but they will have a variety, nice amenities and it is a well laid out design.

#### **Five Year Soccer Contract – Becky Pruitt**

Becky Pruitt, Parks and Recreation Director said Covered Bridge Soccer requested a 5-year contract opposed to the 1-year contract since 2018. They have spent \$20,000 on the soccer fields fertilizer program, sod, hydro-seed, and the fields are cuts with their own equipment. The soccer group is getting national recognized teams and the number of teams have increased from 1 to 15 teams since 2018. All the games are streamed, they have a vested interest in the park and the soccer fields, and it is a great partnership. The staff recommendation is to change from a 1-year contract to a 5-year contract.

Council Member Greg Free asked if they used the fields on both sides of the road. Ms. Pruitt said they use the two top fields, the bottom field, and one is left for the citizens. Covered Bridge Soccer allowed Excel to use the soccer fields and will allow any school to use the fields.

James Stephens, City Manager noted for correction on the contract in the third paragraph which states items 23 and 24, should be items 21 and 22. A couple of citizens asked about the concession that could be a great revenue source. Ms. Pruitt stated the concession is open and baseball and soccer games coincide with each other.

Council Member Free asked if there are other team rentals. Mr. Stephens added that Excel did one year with an MOU prior to Ms. Pruitt.

Mayor Craig Guyton asked before the next meeting to check numbers for rentals. The city is putting a lot of money in the fields and may need to renegotiate. Ms. Pruitt said she would check with Cartersville; Bartow County does not rent soccer fields. Council Member Turner asked about Food Trucks. Ms. Pruitt stated it was discussed but do not think the city would profit from it. Council Member David Duncan asked about the age groups. Ms. Pruitt stated 6-15 years of age. Council Member Free asked if it would be a permit fee for Food Trucks. Mr. Stephens said a permit fee could be charged per the amendment made to the ordinance a couple of years ago.

#### **Campfire Trail – James Stephens**

James Stephens, City Manager provided the council with a copy of the task order from EXP for Campfire Trail and so there were no misunderstandings, the figure is just for the engineer and putting the job out for bid which is \$25,000. It does not include the actual resurfacing and improvements on the road and could be another \$30,000 and the project does include the full length of the road. Mayor Craig Guyton stated the reason for the engineering is because the sub grading needs to be done and several roads will have to be all the way to the base. He reminded to add resurfacing on Setters Pointe when doing Campfire Trail. The bid will need to be approved or not approved in October for the project. Council Member Tim Abbott asked about a partnership with Bartow County. Mr. Stephens said yes there is a partnership. They resurfaced recently for \$4,000, it did not go well but the city is grateful for the relationship.

With no further discussion the meeting adjourned at 8:10 pm.

**CITY OF EUHARLEE  
CITY COUNCIL MEETING MINUTES  
OCTOBER 03, 2023**

Mayor Craig Guyton called the meeting to order. Council Member David Duncan said a prayer, followed by the Pledge of Allegiance.

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

**Proclamation - Red Ribbon Week - Atlanta Young Marines**

Mayor Craig Guyton read and presented the proclamation to the Atlanta Young Marines honoring October 23 - 31, 2023, as Red Ribbon Week in the city of Euharlee. Council Member Greg Free motioned to approve the proclamation. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**Amend Agenda**

Council Member David Duncan motioned to amend the agenda to add item #7 Prefab Building. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**Approval of Minutes**

Council Member David Duncan motioned to approve the minutes for the City Council Meeting, 09.05.23 and Called City Council Work Session 09.19.23. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

**UNFINISHED AND NEW BUSINESS**

**5-Year Soccer Contract - Becky Pruitt**

Becky Pruitt, Parks and Recreation Director was charged to contact Cartersville Recreation for soccer field fee rentals. The city of Euharlee is in line with the fees charged in Cartersville. The soccer contract is a partnership, and the association oversees the program and the fields. Council Member Joe Turner stated he would like to have a playground for the smaller children. Council Member Greg Free agreed and to find a good location for it. Council Member Joe Turner motioned to accept the 5-year contract. Council Member Tim Abbott seconded the motion. The motion carried with all voting in favor.

**Preliminary Plat - James Stephens**

James Stephens, City Manager said it was the 2<sup>nd</sup> reading for the plat application for 1244 Euharlee Road. It does not involve any rezoning or request for any special conditions. The staff recommended approval. Council Member Joe Turner asked if the sewer line would run where the flags are currently located down Covered Bridge Road. Mr. Stephens answered, yes. It is related to the developer getting the points for the legal description for the sewer easement. Council Member Tim Abbott requested Adam Baker provide information due to the concerns for the traffic on Euharlee Road. Council Member Abbott stated the conversation he had with Mr. Baker, the plans are above and beyond, to help the traffic flow out of subdivisions. Mr. Baker said a traffic study has been completed. It was shared with staff and available to the public. There will be a decel and accel lane for both entrances. A 25-foot undisturbed buffer around the property, which is not part of the code requirement. The code requires a 25-foot setback and a 75-foot setback for external neighbors. They are trying to incorporate things above code. The lot size will be 12,274 square feet, larger than 10,000 minimum, with some close to an acre. Council Member Joe Turner asked the timetable for the project. Mr. Baker said once approved it will be released to the civil engineer for full design of the property. After all the processes, could possibly move dirt in two to three months,

approximately the second quarter of next year. Council Member David Duncan was grateful for the larger lots. Council Member Greg Free said several neighbors he met with were very complimentary of the discussion which eased a lot of concerns. Council Member Greg Free motioned to approve the preliminary plat. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

**Sewer Easement Agreement 1244 Euharlee Road - James Stephens**

James Stephens, City Manager stated it was the second development to be included in the investment the city made in the downtown area. The developer is offering \$10,000 for the easement. Two easements to be conveyed over to Bartow County, and one temporary 40-ft. construction easement. He deferred to Attorney Boyd Pettit to explain further any nuances that is pertinent to a vote. Atty. Pettit said it was a contract to grant an easement. The layout was presented with a 2-year term expiration. There were other conversations and changes made for the easement to comply with Bartow County regulations. Council Member Joe Turner asked if there was a need for a pumping station on the property, would it be the responsibility of the city. Atty. Pettit said the easement will be granted to Bartow County Water and Sewer. If another development came to hook in and a pump station is required, it would be between the developer and Bartow County. If it is the city's property it would involve the city as well. Council Member David Duncan motioned to accept the sewer easement. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

**Osborne Park Bid Update - James Stephens**

James Stephens, City Manager shared that the city received seven bids, ranging from the low bid from Pennant Construction at \$2,424,000 and the highest bid from Heck Contractors at \$3,998,920. Barry Atkison and Bell and Associates processed and evaluated the bids and are gathering and checking on the four low bids. No recommendation at that time. The rebid omitted the river walk and it came in much more competitive than the original bids and can save over half-a-million dollars. A recommendation will be made to the council shortly. Council Member Tim Abbott said the rebid did not include the riverfront of the river walkway. He also wanted to know if the city will be able to address the accepting bids or will it be in stone dealing with placement, size and contractors, or still an opportunity for changes. Mr. Stephens stated If the contract is executed and notice to proceed issued there is still negotiation available to the city and the contractors. Attorney Boyd Pettit stated there can be change orders during the process. Council Member Abbott stated he wanted to avoid change-orders when possible. Atty. Pettit stated often times change orders are beneficial to the city case by case. Council Member Joe Turner asked if the council suggested any changes to the theater from the original design. Mr. Stephens said the current rebid had the original design and original size. There are deducts in the bid tabulation which will allow it to be easier to get the numbers than when the bid was initially put out. Council Member Turner said it would be proper for the council to discuss. Mayor Craig Guyton said to add the discussion to the October 17<sup>th</sup> agenda.

**Presentation of Tech Bid - James Stephens**

James Stephens, City Manager stated a quote was received from TDS, Inc., which is related to infrastructure and software with a 70-inch TV screen to make the meetings more attendee friendly and to have the same access to documents as the council. The cost is \$2,994. which does not include audio upgrades. Mr. Stephens thinks it is competitively priced and recommends acceptance. A quote was received for audio but higher than anticipated.

Council Member Greg Free motioned to accept the bid from TDS, Inc. for the digital portion of the audio visual. Council Member Joe Turner seconded the motion. The motion carried with all voting in favor.

**Prefab Building for Campground – James Stephens**

James Stephens, City Manager stated the city had an opportunity to get a prefabricated building that is wired. It has air conditioning and can be used for the gate house and a small store. The cost is \$18,000 and it was purchased from EC Buildings in Cartersville. Mr. Stephens made the recommendation to purchase

and the responsibility for the building would be the campground host. He also shared that the campground hosts had been hired. The council discussed different locations for the unit as a convenience to the campers. Mayor Craig Guyton suggested moving the cowshed, once the cost has been determined, for the campground store. Council Member Abbott asked the size of the two. Mr. Stephens said the prefabricated building is 12 x 16 and the cowshed is a little larger with a second level. Council Member Greg Free asked if the cowshed would survive the move. Mr. Stephens stated he had a local contractor working on the moving cost. Mr. Stephens recommended a vote contingent on the cost to move the cowshed due to the need to make the purchase during the soft opening. Council Member Joe Turner motioned authorizing an expenditure up to \$18,000 for the purchase of the prefabricated building for the campground, with the alternative to consider, for that price or a lesser cost, the cowshed can be used. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

### **Public Comments Summarized**

- Marshall Aiken, resident shared his concerns about getting the correct information in reference to the anticipated developments which total 700 proposed homes. He shared census information about increases in the number of people, growth numbers, school capacity, roadway and bridge repair concerns. He also wants the council to share the good and bad information.
- Peter Piliero, resident asked about the cost of Osborne Park; LOST with a \$500,000 possible loss should be considered when making purchasing decisions; Questions about prior development with McWhorter and the appearance of collusion; In favor of voting for districts; Does not agree with the use of Joe Cowan Park.
- Ron Hartman, resident said he was in agreement with districts and the council should give the public the opportunity to vote for districts; For the record he had not spoken with Mr. Piliero about districts; Joe Cowan Park is under-utilized, and the revenue and expenditures combined creates a loss and does not break even; LOST revenue discussed does not capture the true revenue received; Rebid containing the same design as the original bid with no changes per citizens suggestions. Consider the public redesigning Osborne Park.
- Adam Baker, developer shared that most amphitheaters are built in the floodplain. It is common for non-inhabited structures in floodplains, to include RV sites, soccer fields and parking lots.
- Chris West, a resident, said she would like for the city to share the names of candidates for the upcoming election on the city's Facebook page, website, or even in the newsletter to be better informed.
- James West, a 2-year resident and first time at a meeting stated he loves the small-town charm. The downside is the traffic, and he foresees an increase on Hardin Bridge and Euharlee Road incrementally. It will be substantial if something is not done immediately; Based on the discussion he heard about the parks, is there a five-year plan to utilize the parks for profit or at least a zero-sum gain; Moved to Euharlee for a peaceful living.
- Steve Gray, resident concerned about the amphitheater being in a floodplain at Osborne Park. No response from the engineer about the million-dollar cost to move the amphitheater; Safety concern about the distance between the amphitheater and the playground; The size comparison of the 24,000 sq. ft. playground opposed to the 30,000 sq. ft. dog park.
- Zack Tyre, resident said thank you to the council for paving the parking area behind his shop; He was concerned about the area at the old library being roped off and disturbs the flow of traffic; He was for Osborne Park and the engineer design based on the current flow. He would like to see pictures and plans for the development and possibly to cut back in some areas.
- James Thibault, resident asked if there were any updates on the McWhorter project at Etowah Bend and when will a decision be made; He wanted to know once Bartow County approved the contract, if the council would make a decision. Currently the developer had not received the approval to tap on to the sewer; He asked if the council is involved in the decision making for the sewer and the answer was the council is not.



**Executive Session – Potential Litigation**

Council Member David Duncan motioned to go into Executive Session at 8:23 pm for the purpose of Attorney-Client Privileges. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

The Mayor and Council returned from Executive Session at 8:46 pm. Attorney Boyd Pettit stated that the council had been in Executive Session for Attorney-Client potential litigation. There were no votes taken, no actions taken in the executive session, and he knew of no action to be taken in the meeting as a result of that. Council Member Greg Free motioned to adjourn the meeting. Council Member David Duncan seconded the motion. The motion carried with all voting in favor.

With no further discussions, the meeting was adjourned at 8:47pm.

**CITY OF EUHARLEE  
CITY COUNCIL WORK SESSION MINUTES  
OCTOBER 17, 2023**

Mayor Craig Guyton called the meeting to order. Council Member Tim Abbott said a prayer, followed by 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, on behalf of the Council, said thank you to Katie Gobbi and Ashley Gayton for putting together, and spearheading a phenomenal fall festival. The two were presented with a token of appreciation from the council.

***Public Hearing Rezoning Application RZ2023.1 – Parcel No. 0034-0753-002; Environmental Overlay - Parcel No. 0034-753-002, 0034-0753-003, 0034-0688-002, 0034-0752-001***

Attorney Bandon Bowen, on behalf of Josh McWhorter stated a deferment was requested last meeting regarding the sewer agreement with Bartow County Water and Sewer. Since then, the agreement was awarded, and a letter was sent to staff showing the approval. Josh McWhorter, property owner, and Jeff Burns, project engineer were both present. Atty. Bowen stated the applicant is seeking to develop the project of a single family detached residential subdivision. There are (4) parcels that are a part of the project. Three are zoned R1 designation to develop under and one is RE1. The understanding was, which he was not a part of, when McWhorter first obtained the property and was told by the then staff, not current staff, it was zoned Ag and needed to rezone to RE1 for the project at that time. Mr. McWhorter is asking to return the property to R1. On the map is the exact same zoning that applies to that area with the exception of a few more dense classifications along Euharlee Road. It is the only RE1 property in the city.

Attorney Bowen stated a preliminary plat was also submitted. Last year when it went before the Planning and Zoning Commission, there was no plat. It includes 151 acres drawn with 328 lots and some lost due to being under developable. It equates to a density of 2.16 lots per acre with the minimum lot size of 10,000 square feet. It has very substantial green space a little under 30%. The overlay district requires 40% which is part of the rezoning request to be removed or reduced down as an obtainable amount. Attorney Bowen said they have tried to meet with everybody with concerns, and neighbors with questions and concerns about the project.

Another point Atty. Bowen shared was from the comprehensive plan. It says it has a variety of uses appropriate for future uses in the area. In regard to residential uses, the property is shown as residential and defined as a single family detached is high density and low density of multiple family residential is low density. The comprehensive plan is consistent with the ask and the plan submitted. RE1 is not consistent. It seems unfair to hold the property to RE1 when no other property around it are held to it.

Council Member Tim Abbott asked why not in 2018 and why now. Mr. McWhorter explained the lots did not sell. They sat on it until last year and decided to get back to R1 zoning. They had a couple of builders and one contract failed. It was a terrible plan. They did everything they could to get the buffer space and had more greenspace than anybody in Bartow County.

Council Member Greg Free asked Mr. Stephens to go over the history of the property. James Stephens, City Manager stated there has been some confusion over the property even with the Planning and Zoning if it was agriculture or not when they pursued in 2018. It was rezoned to R1 in 1986 and has been R1 since

1986. Katie Gobbi Economic Development Director added it can be shown when they adopted the zoning map it was R1 in 2007 and earlier.

Tammy Prance, resident – Ms. Prance stated she understands growth, planned growth. Concerned with going from 1-acre homes to two homes on one acre with the minimum lot sizes and not having the infrastructure to prepare for it. It was said that Euharlee Road is not at the limit. There is only one entrance and exit and 600 cars trying to get out on Milam Bridge Road to Euharlee Road. The first responder services has to grow also, and not prepared for that growth. With the (3) proposed developments totaling 700 homes is a big jump without really knowing. Slow down and see what works instead of developing all at the same time.

Joe Kraft, resident – Mr. Kraft addressed the citizens, and glad the citizens are showing up for the council they elected to hear their voices and take what they have heard into consideration.

Mayor Craig Guyton, with no further comments, closed the public hearing.

#### **Preliminary Plat Application – Katie Gobbi**

Mayor Craig Guyton stated it is the same plat they discussed in the public hearing. Katie Gobbi, Economic Development Director stated they have already gone over the specifics of the plat and to be in compliance with the city ordinance would be contingent on the zoning application.

Council Member Tim Abbott said the RE1 plan did not work and curious to know what makes them think the R1 plan will work. Atty. Bowen stated they have a letter of intent to develop and sell the lots and the developer will take the risk at that point. It was said to ask any real estate agency if there are enough single detached homes in town. The builders do not want basement lots and they will lose lots, 328 will not be the final number, it will be less. They did what planning and zoning asked to bring the plat.

Council Member Turner said R1 or RE1, he is familiar with the property when it was farmland and wanted to know the areas for both. Atty. Bowen explained the RE1 is the southeast portion on the river with about 80 acres, the eastern half along the river. The R1 is the western portion from Milam Bridge all the down the river. Mr. McWhorter reminded them he is a neighbor too which is why they tried to modify the best that they could. Council Member Greg Free asked roughly the number of homes that could be developed on the currently zoned R1, and they stated roughly 120. They looked and even with the RE1 in compliance with the zoning they came up with 240 homes on the parcels as it sits. They would remove buffers to meet greenspace from the neighbors. They are trying to reach 200 to 250 feet in some cases from property lines to new homes which would shrink down to 50 and nobody would like that plan.

Council Member David Duncan stated he is familiar with the property from patrolling and wanted to know if they knew where all the sink holes were. Mr. McWhorter said the work has been done, and with the simple slope they will lose lots. The plan is maximum use of space but could have some onsite conditions to change that.

Council Member Greg Free asked Mr. Stephens to explain for transparency the environmental overlay which can be a little confusing. Mr. Stephens stated it was put in place on June 5, 2007, with the intent to protect the river and cut down on high density development. The ordinance is written in a fashion, with 40% greenspace to keep development away from the river. As a tradeoff for greenspace, it allows for more dense development, 10,000 square foot lot if served by sewer, prior to the 10,000 square foot update to the ordinance. The property referred to as the orchard behind the towers is also zoned with the environmental overlay in place, so those two tracts are impacted by the overlay. Council Member Free asked if the clause becomes active only if it is served by sewer or regardless. Mr. Stephens said the health department could get involved if without sewer based on percolation test, could dictate a smaller lot than

what was in the planning and zoning ordinance. The environmental overlay does impact development. The staff recommendation is to approve the R1, but it is up to the council to remove the overlay or not. On a professional record, to lift the overlay it would be more appropriate to change the ordinance than to give a variance. They are only off 10%, have worked with the city, and he is sympathetic to where they find themselves. The overlay has been in place for over 15 years.

Mayor Guyton asked how the clause effects in the R1 zoning. Mr. Stephens stated the same, it is any property covered by the environmental overlay other than commercial.

Council Member Turner said he thinks if the overly is removed, they are opening themselves up for future developments. He likes the idea of protecting greenspace and if they do it for one, there will be future requests. Atty. Bowen said instead of giving a variance change to 30%, it still protects the river.

Council Member Free asked if the overlay was in effect when the rezone in 2018 and had been for 11 years and discussed at the time of the rezone. Mr. Stephens said yes.

#### **Axon Contract for Taser – Chief Jody Matthews**

Chief Jody Matthews provided the council with the renewal contract from Axon for the tasers for the police department. The department currently have the X2 Taser, which Axon is no longer servicing or providing. The renewal provides the newest Taser 10, also includes a halt suit for training, and unlimited cartridges. It remains at a 5-year contract with cameras, and the total cost is \$64,192.20 divided into 5 payments at \$12,838.44 annually.

#### **Osborne Park & Public Comments – Joe Turner, Council and Citizens**

Council Member Joe Turner wanted to discuss the amphitheater in Osborne Park. He feels it is taking up too much space and prefers something smaller to start. He was hoping to convince the council to build a bandstand as the amphitheater. Osborne Park needs updating, and he would like more playground space for the kids. He wanted to hear the ideas from the people. If the council insist on the amphitheater, he will request some changes. Council Member Greg Free said that he and Council Member Turner had a great conversation, and they both have lived in Euharlee for a long time. He said there have been a lot of conversation about the amphitheater and the floodplain. He had maps he retrieved from the Bartow County office showing flood areas and even FEMA floodplains. A lot of the city's structures, except for the city hall, along with some of the homes in several subdivisions are built in the floodplain.

Below are the highlights of the discussion shared from the council, and the citizens. Bell and Associates also shared additional information on the plan for Osborne park.

- Eleven meetings included discussions for Osborne Park; Survey with over 90 responses on what people would like to see in the plan is included in the plan; Public input meeting held; No other project has received this much discussion, and it is well documented.
- Waterfront parks are designed to hold water, capture and store floodwater with little or no damage to surrounding infrastructure.
- Great feedback from others in the surrounding area who have built amphitheaters, great for tourists and attractions. Do not build on flat land.
- There were two SWAT meetings with the stakeholders request to revitalize the park.
- Reconsider the location and the size of the playground
- Engaged the discussion to consider, if doable, changing to make the playground 5000 sq. ft. and adding a second playground on the amphitheater side; additional space behind the amphitheater to consider for a play area. The current location of the playground is for handicap accessibility next to the parking lot.
- Eliminate the driveway from the parking lot to the gravel parking lot if not necessary; It is necessary because it is the only access from the city's property.
- Citizens to understand there is a designated time under the American Rescue to use the funds. Final discussions need to take place and get moving before the funds are no longer available.

- Per the last bid 75% will be funded from the ARP funds and the remainder will be funded by URA funds that have been on deposit for a while.
- What is the projected cost for maintenance; Basic maintenance is anticipated not to exceed \$35,000 a year.
- The time frame to utilize the ARP funds is by December 2024. The construction can be completed by December 2024.
- Citizens agree to fully invest in the downtown area project of Osborne Park after understanding funding.
- Project manager will make a recommendation at the November 14<sup>th</sup> meeting on the bids and anticipate the council will award the contract at that time.
- Project manager for the Osborne Project is Barry Atkison.
- The cost difference in the maintenance cost at Joe Cowan park and Osborne park is due to the size and the type of park. Joe Cowan Park includes the operation of the baseball fields.
- What stops them from moving the amphitheater to the old ballfields other than in the slope; The current location allows for additional space to enjoy the show, it would reduce access for those behind it. Even on the field you would have to dig when there is already a natural slope.
- Dog park location considered for Joe Cowan Park due to the amount of space allotted at Osborne Park. There is some additional green space the council could use near the dog park. There is additional plans for future use at Joe Cowan Park. Both places have room for growth.
- The proposal to move the amphitheater could cost one million dollars. To move it would put a lot more money in the sitework and the money will be better utilized with the existing plan. The cost was not available. The cost to move the amphitheater would not be a million-dollar project.

Bell and Associates summed up the discussion sharing some of the plan highlights for Osborne park. The signage is on the back of the stage and will face so it can be seen from the road, and Osborne Park will be front and center when driving down Covered Bridge Road. The amphitheater is sitting true north away from direct sunlight and no matter where you are in Osborne Park, you get to have the acoustics from the park. Some of the major aspects they are looking at is the dog park, access to parking, with over an acre for parking, and the playground, all requiring flat land for accessibility, will be utilized in the floodplain to achieve terra seating at the stage. The terra seating can be accessed from the high road, and they can use the slope to view, the people in the back can see the view, and public view from the sidewalk. There will be a loading zone to the stage. Any work inside the floodplain will be filled to make it more usable and accessible. It was asked about a retention pond. Mr. Bell stated there is 10 acres for runoff water between the existing buildings and the masonic lodge parking lot. The water runs from the church down to Osborne park and goes to the southwest corner at the entrance to the park and Covered Bridge Road. The amphitheater is pushed away from that area to utilize the existing walking track and to keep it away from where the water is flowing. With a 100-year floodplain the water will enter the amphitheater, but it is designed to drain out. There is a detention hole on the top of the hill, which will hold the water and drain naturally. It is not a pond to hold water for long term.

With no further discussion the meeting adjourned at 8:36 pm.

**CITY OF EUHARLEE  
CALLED CITY COUNCIL MEETING MINUTES  
NOVEMBER 14, 2023  
7:00 PM**

Mayor Craig Guyton called the meeting to order with a prayer, followed by 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.

**Presentation – WHS Commercial Art & Journalism Students – Katie Gobbi & Dana Riese**

Katie Gobbi, Community Development Director, shared about the continued partnership with the Woodland Commercial Arts & Journalism students and introduced Dana Riese, the Euharlee Museum & Welcome Center Manager. Ms. Riese volunteered for several years prior to employment with Euharlee and is doing an amazing job. Ms. Gobbi also introduced Abby Hennington, Commercial Art & Journalism Director at Woodland High School, with the student government and a resident of Euharlee. Ms. Riese stated the presentation was to introduce the new rotating art gallery with selected photos displayed in the Euharlee council chambers. The Euharlee Museum & Welcome Center is honored to continue the partnership, and an opportunity to showcase the talent of the students. She welcomed all to visit the museum in the month of November to view the full art gallery. The selection process for the pictures displayed in the council chamber included four judges and four pictures were chosen. The winners were Jesse Gore, Cael Higdon, Lizzie Riekert, and Kirae Grayson.

**Public Hearing – Rezoning Application RZ2023.1- Parcel No. 0034-0753-002; Environmental Overlay – Parcel No. 0034-0753-002 & 003; Parcel No.0034-0753003; Parcel No.0034-0752-001**

Mr. Robert Walker stated he was there on behalf of the applicant, Josh McWhorter. Mr. Walker expressed points in reference to the project that he would like the council to take in consideration for the decision making.

- Project originally zoned for R-1, rezoned when purchased from Ag to RE-1 per the city then to find out later it was R-1.
- Developed the property to sell spending 1 million dollars and could not sell. It was not marketable.
- Presented site plans that met all the requirements for R-1 district single family detached dwellings. 10,000 sq ft. with 328 lots; 2.16 density per acre.
- Adequate sewer capacity with provided assurance.
- Requested portion of the rezoned property to R-1 and environmental overlay lifted from the property. Green space to 30% from the 40% required.
- Addressed concerns from neighbors offering solutions and to work out agreements if approved.
- Comprehensive plan and future land use map, the council denying the request to rezone is inconsistent with them both. Follow the comprehensive plan and land use with no RE-1 Island.
- Only property zoned RE-1 in the city. Return property back to what it was zoned R-1.
- Committed to working with the city as part of being a great neighbor.

With no further discussion Mayor Guyton concluded the Public Hearing.

**Approval of Minutes**

Council Member David Duncan motioned to approve the City Council Meeting minutes for 10/03/23 and the City Council Work Session minutes for 10/17/23. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

## **UNFINISHED AND NEW BUSINESS**

### **Environmental Overlay – James Stephens**

James Stephens, City Manager stated the environmental overlay was put in place in 2007 and consistent with the zoning laws. He recommended the council to consider in light of the applicant, even with the overlay in place with compliance with state laws related to land use and zoning. Council Member David Duncan motioned to deny the application and leave the overlay in place. Council Member Tim Abbott seconded the motion. The motion was carried with all voting in favor.

### **Rezoning Application 2023.1 – James Stephens**

James Stephens, City Manager stated city staff recommended the zoning be changed from RE-1 to R-1, but it is the pleasure of the council. Council Member Tim Abbott motioned to deny the request to go from RE-1 to R-1. Council Member Greg Free seconded the motion. The motion was carried with (4) voting to deny the request and (1) voting in favor of the request. The motion carried 4-1 with the request denied.

### **Preliminary Plat Application PL2023.3 Etowah Bend – Katie Gobbi**

N/A – Items 1 and 2 were denied.

### **Council Chambers Audio Equipment - Katie Gobbi**

Katie Gobbi, Community Development Director provided council with two quotes that will work interchangeably with each other. The quote from Southern Integration for audio equipment is \$9,184.48. There was only one quote due to not a lot of companies that still provide the service and durable equipment for meetings. The Soniclear quotes in the amount of \$4,820 will work in conjunction and includes a mixer and software that helps with recording and transcribing with a one-time annual fee of \$500. It is not required but would make processes more efficient and effective, which can be a benefit to the citizens and staff. In a previous meeting there was an approval to purchase equipment for the visual aspect and due to a potential donation, the purchase will not be necessary. Ms. Gobbi stated great references were received from local businesses. The city will own the transcripts and recordings. Council Member Greg Free motioned to accept the bids from Soniclear and Southern Integration in the amount of \$14,004.48. Council Member Tim Abbott seconded the motion. The motion was carried with all voting favor.

### **Axon Contract – Tasers - Chief Jody Matthews**

Chief Jody Matthews stated the contract renewal presented to mayor and council at the October 17<sup>th</sup> meeting is now on back order for the Taser10 equipment. The contract was to become effective in December but now will become effective in February. The current contract has been extended to January 2024. The company requested the signed renewal contract to move forward. Council Member David Duncan motioned to accept the renewal contract. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

### **Frankie Harris Park Change Order – Barry Atkison**

Barry Atkison, Program Director provided the council with a copy of the final change order from SH Creel contactors. He and Mark Teal, the engineer reviewed the unit process in detail and verified the change order in the amount of \$9,217.76. If approved the final billing will be submitted. Per the request from Council Member Tim Abbott, Mr. Atkison shared the percentage and details of the previous change orders. He stated the original budget was \$1,184,679.87 including change orders for sewer crossing, 50- amp electrical apps, credits, and paving of about \$85,000, not included in the original bid, comes to about 1.2% increase of the original bid. Council Member Joe Turner motioned to accept the change order. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

### **Osborne Park/Land and Water Conservation Grant – Barry Atkison**

Barry Atkison, Program Director stated the bidding process for Osborne Park had very good participation. He met with Allen Bell, and they went through each line-item comparison with competitive pricing to make sure there were no errors. The four lowest bidders saw the project as the same. Two of the bidders had technical mathematical errors which was caught during the review. It did cause a change in the bid but not a change with the lowest bidder at \$2.425 million. The references for all the low bids were found to be very acceptable with good project experience in Bartow County.

Mr. Atkison moved on to discuss the grant that was applied for in September, a year ago. Becky Pruitt, Parks and Recreation Director did a great job on the narrative. Out of seventy-seven cities in Georgia, and DNR selected Euharlee of the 27 chosen. This is a very competitive grant. Mr. Atkison shared some of the processes and details required to continue the process for this grant.

- Items to be included and funded by the grant; Playground replaced and re-leveled; bathroom and concession area updated; new launch with fishing pier.
- Phase III package must be a separate package to keep the LWCF grant. Phase I included Amphitheater; Phase II – Park and Bathroom; Phase III - All other near water and included in the bid package.
- Grant funding will cover numerous items that will represent over 40% of the bid.
- Dirt cannot be moved prior to June 2024, or the funding will be denied.

The decision was made to remove Phase III items because separate from the grant, there was environmental permitting required that would cause a delay in Phase I and Phase II. After speaking with the plan administrator for the grant, minor tweaks will be required so all items are aligned to comply. The items in the grant will need to be included in the bid. Mr. Atkison stated if it had been known Euharlee would get the grant, he would have included all phases. If the current bid is accepted without Phase III, the grant will not be approved. Mr. Atkison recommended taking the design and making sure all the sequencing is correct by the January work session, and do not award the project because it would be considered an error with LWCG.

Mayor Craig Guyton stated due to all the bidders having bond coverage, as a council they would need to reject all bids and re-bid at the first of the year. Mr. Atkison has spoken with some of the bidders and because of the bond coverage for Euharlee it would not allow them to do other jobs. Expeditiously, bid bonds need to be released. Mr. Atkison said bring everything back for a fresh look, phase the project and include a timeline that satisfies LCWG and does not jeopardize the \$500,000 grant. Mayor Guyton addressed a question about the timeline for expending the ARP funds, and explained the funds have to be allocated by December 2024 and spent by 2026. The rebid in the 1<sup>st</sup> quarter of 2024 will meet the timeline. Council Member Joe Turner motioned to reject all bids until everything was straightened out. Council Member David Duncan seconded the motion. The motion was carried with all voting in favor.

### **Sewer Extension – Barry Atkison**

Barry Atkison stated the face of downtown is changing and the sewer line is closer due to the campground and county lift station with the possibility of considering a manhole on the city property for future development and for the existing new library and other facilities in the historic district. Mr. Atkison did not have the time to get the survey or the bids but spent time and was advised confidently to extend the sewer to the downtown area for less than \$95,000. James Stephens, City Manager stated it involves four manholes. Council Member Greg Free asked if it would affect the general fund. Mr. Stephens said the current SPLOST referendum includes 2 million dollars for sewer extensions. He recommended funding through that allocation of SPLOST for sewer extensions. Council Member Free said it is important to include existing buildings to help with maintenance, upkeep and easier to digest using SPLOST funds and not the general fund. Mr. Stephens stated the staff is looking for guidance to get quotes. It did not have to be in the form of a motion.



### **Cowshed Relocation – James Stephens**

James Stephens, City Manager presented a proposal from Hercules-JRJI Enterprises, LLC to move the cowshed off 118 Covered Bridge Road in the amount of \$25,000 and recommended the execution of the proposal. Council Member Joe Turner motioned to accept. Council Member Greg Free seconded the motion. The motion was carried with all voting in favor.

### **FY 24 Proposed Budget – James Stephens**

James Stephens, City Manager presented the budget resolution for the 1<sup>st</sup> Reading including the budget totals for the General Fund - \$2,878,768; SPLOST \$615,000; EPD - \$54,281; Info Tech \$17,244; and the Enterprise Campground - \$158,000. The document presented included the budget details. Mr. Stephens stated there is a 10% increase in the budget prompted by inflation and police department salaries. Mayor Craig Guyton asked the date for the 2<sup>nd</sup> Reading. Mr. Stephens stated on December 5<sup>th</sup>. There will be a Public Hearing on November 28<sup>th</sup> at 4pm and a Public Hearing on December 5<sup>th</sup> at 7 pm.

### **Public Comments**

Jim Thibault, resident suggested a thank you to the individual responsible for getting the grant which was the Park and Recreation Director Becky Pruitt. He verified that the items that were not included in the bid would cause a delay and could also run the risk of losing the grant. He wanted to confirm because on next door it would be stated as a mistake.

Tracy Queen, resident suggested a post office in the city of Euharlee like the smaller surrounding cities in the county. The city does not get good service and he would like the council to look into it. Fred Werner, resident stated it was applied for in 2005 and denied. Dana Reiske shared Euharlee had a post office in the 1800's in the general store.

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

With no further discussion the meeting adjourned at 8:01 pm.

**CITY OF EUHARLEE**  
**CITY COUNCIL MEETING MINUTES**  
**DECEMBER 5, 2023**  
**7:00 PM**

A reception was held at 6:00 pm honoring Council Member David Duncan.

Mayor Craig Guyton called the meeting to order. Council Member Greg Free said a prayer, followed by 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 of Council Member David Duncan - Mayor Craig Guyton**

Mayor Craig Guyton read the resolution honoring and thanking Council Member David Duncan for his two-terms served from 2015-2023 on the city council. Council Member Greg Free motioned and approved the resolution. Council Member Tim Abbott seconded the motion. The motion passed with all voting in favor. Council Member Duncan said thank you to the citizens for supporting him, and he would continue to attend the meetings.

Mayor Craig Guyton welcomed Boy Scout Troop #54 to the city council meeting.

**Public Hearing – FY 24 Proposed Budget**

Mayor Craig Guyton opened the floor for the 3<sup>rd</sup> public hearing for the FY24 proposed budget. With no comments the public hearing was closed.

**Approval of Minutes**

Council Member David Duncan motioned to approve the City Council Meeting minutes for 11/14/23. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

**UNFINISHED AND NEW BUSINESS**

**2<sup>nd</sup> Reading FY 24 Proposed Budget – James Stephens**

James Stephens, City Manager presented the budget resolution for the 2<sup>nd</sup> reading including the budget totals for the General Fund - \$3,045,434; SPLOST \$615,000; EPD - \$54,281; Info Tech \$17,244; and the Enterprise Campground - \$158,000. Mr. Stephens stated he addressed questions the council had since the last meeting and made edits in pursuant to their comments. The general fund with edits, will have over 1.4 million in reserve with over 6 months in fund balance. Mr. Stephens recommended approval of the ordinance as presented. Council Member Joe Turner motioned to approve the FY24 budget. Council Member Greg Free seconded the motion. The motion carried with all voting in favor.

Council Member Tim Abbott shared his thought and has learned it is necessary to have the discussions at the meetings for increases for the police department which is vital, increases in Parks & Recreation and the Campground to maintain, staff increases, and to look ahead at what is needed for the growing infrastructure.

**2023 General Election Results Resolution - Mayor Craig Guyton**

Mayor Craig Guyton read the resolution for the election results; Tim Abbott 369 votes, David Duncan 176 votes, Jayson Frederick 287 votes, Ron Hartman, 120 votes, Peter Piliero 111 votes and 1 unresolved write-in vote. It is determined Tim Abbott and Jayson Frederick will take office on January 1, 2024. Council Member Greg Free motioned to approve the resolution. Council Member David Duncan seconded the

motion. The motion carried with all voting in favor. Mayor Guyton thanked all the candidates for running for office.

**Public Comments**

Council Member Joe Turner requested names from Mr. Stephens for the campground host.

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

With no further discussion the meeting was adjourned at 7:12 pm.