

## City Of Euharlee Council Meeting Minutes

September 6<sup>th</sup> 2011

**Mayor Kathy Foulk called the meeting of September 6<sup>th</sup> 2011 to order, followed by the Pledge of Allegiance.**

**Amanda Siniard, Acting City Clerk called the roll with the following present: Mayor Kathy Foulk, Council Members William Eubanks, Sammy Carden, Steve Worthington and Joseph Turner. City Manager Trish Sullivan and City Attorney Boyd Pettit were also present.**

**Old Business:** Approval of City Council Meeting Minutes for July 5<sup>th</sup>, July 19<sup>th</sup>, and August 2<sup>nd</sup> 2011.

Council Member Sammy Carden made a motion to accept the July 5, 2011 meeting minutes. Council Member William Eubanks seconded the motion. The motion was carried unanimously. The minutes were accepted and approved as submitted.

Council Member Steve Worthington made a motion to accept the July 19, 2011 called meeting minutes. Council Member Joe Turner seconded the motion. The motion was carried unanimously. The minutes were accepted and approved as read.

Council Member William Eubanks made a motion to accept the August 2, 2011 minutes. Council Member Sammy Carden seconded the motion. Minutes were accepted and approved as read.

### **New Business:**

#### **1.) VALIC**

At the the city's last work session it was brought to the council's attention that there needed to be a minor change in the city's contract with Valic. A representative from Valic was present at the work session and discussed the issue with the council. The recommendation of Valic was for the council to accept the 401A plan as presented. Council Member William Eubanks made a motion to accept the 401A retirement plan. Council Member Sammy Carden seconded the motion. The motion was carried unanimously.

#### **2.) Ferguson Fields Improvement/ Bids**

At the last work session on August 16, 2011, Public Works Director LeeRoy Shepherd submitted two bids before the council to make improvements on the sidewalks in

Ferguson Fields Subdivision. The two contractors were Ace Construction, Inc., and Gunn Contracting Services, Inc. Ace Construction's bid was \$3850.00. Gunn Contracting Services, Inc. bid was \$8850.00. The council discussed with Mr. Shepherd why there was such a discrepancy in the bids. Both bids covered the same material and labor. It was noted that Ace Construction Inc. has previously done work for the city at a reasonable cost. Mr. Shepherd's recommendation was to go with the lowest bidder. Council Member Steve Worthington made a motion to accept the bid from Ace Construction Inc. Council Member Sammy Carden seconded the motion. The motion was carried unanimously.

**3.) Planning and Zoning / Historic Preservation Commission Applications Vote**

Planning and Zoning director Ron Goss brought to the Council's attention that the Planning and Zoning Commission along with The Historic Preservation Commission each have seats that are up for election. Planning and Zoning has two seats available at this time, each with a three year term. Previously, Fred Warner and Marshall Aiken were holding these two seats. Two applications have been turned in to fill the expired terms, Mr. Fred Warner and Mr. Alex Bonds. Mr. Goss is recommending the council vote on these seats tonight because that will allow the Planning and Zoning Commission to get started with the new members this month. Council Member Steve Worthington made a motion that Mr. Warner and Mr. Bonds be appointed as new members of the commission. Council Member Sammy Carden seconded the motion. The motion was carried unanimously. Mayor Kathy Foulk thanked both gentlemen for applying and filling those seats.

The Historic Preservation Commission has three seats to be filled. These seats hold staggered terms. They are one, two and three year seats. Mr. Goss asked the council to vote on the five people who submitted applications. The five people were Marshall Aiken, Steve Jackson, John Montgomery, Darrell Whipple and Richard Wilson. Mr. John Montgomery was appointed to the three year seat, Mr. Marshall Akin was appointed to the two year seat, and Mr. Steve Jackson was appointed to the one year seat.

**4.) Amendment to Article 15.4.1 of Zoning Ordinance**

At last work session an Amendment to Article 15.4.1 of the Zoning Ordinance was discussed. The council recommended that Article 15.4.1, paragraph two, first sentence be amended. (Please see ordinance with change highlighted). Council Member Sammy Carden made a motion to accept a change to the amendment. Council Member Joseph Turner seconded the motion. The motion was carried unanimously.

**5.) 1<sup>st</sup> Reading Amendment to E & S Ordinance**

Mr. Ron Goss presented the first reading of an Amendment to the E & S Ordinance. The amendment parallels the State of Georgia's E & S ordinance. Recent changes to the state's ordinance must be adopted locally to be in compliance with state regulation. A called meeting will be set immediately prior to the next work session for a second reading of the ordinance this item. Per Attorney Boyd Pettit, an approval is not necessary at this time.

**6.) Li'l Rob Taylor Field Sign**

City Manager Trish Sullivan presented a photocopy of the sign that will be placed in Osborne Park at Li'l Rob Taylor's ball field dedication. Ms. Sullivan asked for approval of the sign proof. Council Member Sammy Carden made a motion to accept the proof of the sign. Council Member William Eubanks second the motion. The motion was carried unanimously.

**7.) Historic Village Trail Grant Resolution**

City Manager Trish Sullivan presented the council with the Historic Village Trail Resolution. The council voted to apply for and accept a \$100,000.00 Grant from the Department of Natural Resources at a previous meeting. This resolution was a part of the grant package and must be signed and sent back. Council Member Sammy Carden made a motion to accept the resolution. Council Member William Eubanks second the motion. The motion was carried unanimously.

**8.) Questions and Concerns About Joe Cowan Park- Citizens of Euharlee**

Some citizens of the city have questions and concerns about the new park being built in the city that they would like to address with the council. The council granted every resident three minutes to speak. These questions were answered by Mr. Ron Goss. Mr. Brian Stokes of 102 Euharlee-Five Forks Road expressed he was happy about the city getting a new park. He asked about the plans stating he thought he saw two different sets of plans. He asked why the fields are laid out the way they are. He also had concerns about buffers, fencing, lighting and noise. Also he asked what the benefits of the residents would be. He made a comment that he liked to think he has some "say so" with SPLOST taxpayer money. He made complaints that four baseball fields would be in his backyard. He asked why so many fields were being built and why can we not put in a recreational swimming pool.

Mr. Goss stated Mr. Stokes questions were reasonable questions and that that they have been asked before. The first question answered was why the location of the fields had to be in that area of the property. Mr. Goss said in 2009 Target groups met at least three times to determine what the city needed in the line of fields. They had the input on what types of fields the residents would like to see. He said they came up with four fields that would accommodate boys and girls. He also stated it was suggested to leave multi-use areas in case Euharlee ever linked up to Bartow County Recreational Department or If we ever had our own Recreation Department. He stated the property was 53 acres.

Then Mr. Goss explained why the fields had to be placed in the area in which they are going. He explained there is a very large gas line that runs across the property and also state waters which cannot be disturbed. When engineers tried to lay them out they could not turn the fields any other way than how the plans show without being on a gas line or disturbing state waterways. Upon surveying of the fields, it was discovered that the only way the fields could fit was to put them in the location specified on the drawings.

The next question Mr. Goss addressed was regarding the perceived notion of a change of the plans. He explained he got involved with the city in 2009 this plan was in place. The plans never changed. He explained that there were several concepts reviewed by the Planning and Zoning Commission and a presentation had been laid out before the council but there was never a vote. Mr. Goss further stated that this was the package he received when he began with the City and that the project has never changed with the exception of one ball field that had been moved to the other side to provide more green space. In his explanation, he stated they have tried to move the fields as far away as the residential area as possible.

Mr. Goss said a lot of the management of the park is not in place because it is too early to determine how the facility is to be used. Then he explained specifics on the buffers with tree lines. Continuing, he stated there are noise ordinances in place and a city curfew. He said there would be a fence not a privacy fence. The goal is to have a natural looking fence instead of chain link fence.

Mr. Stokes then asked if the city would provide trees for his back yard to block some of the view. Ron stated that he could not answer that question. This question would be more for the council at a later time and the mayor said she would be happy to address it at that time.

Art Booker addressed the council he stated he was a neighbor of Brian. He stated he was not as impacted as Mr. Stoke but shared some of the same concerns. He said he was concerned about the noise, lighting and operation hours of the park. He stated he was not against a park he said he thought Euharlee needed more of a park not a softball complex. Mr. Booker wanted to know who owns the park and where is the money coming from to operate the park. Mayor Kathy Foulk responded that the City purchased the property and owns the park and the expenses would come from the general operating budget. Mr. Booker expressed he would rather have more things in the park not just baseball fields. Mayor Foulk explained there would also be football fields and a walking trail. She stated the city did not have the funding for a swimming pool and some of the other things that had been requested by Mr. Stokes.

Mr. David Stout approached the council stating that he had no questions and he was for the ball parks. He explained that he was involved with the original planning of the park. He stated that there was another plan that had been provided by Peoples and Quigley illustrating the parks in a different location on the 53 acres. He wanted to encourage the council to review those plans again and give consideration to moving the fields.

**9.) Approval of John Cowan Park Expenses**

Ron Goss approached the council seeking approval of Joe Cowan Park Expenses. (Please see expense detail worksheet).

Council member Steve Worthington made a motion to approve the expenses. Council Member Sammy Carden second the motion. The motion was carried unanimously.

**10.) Clean-Up Day Project Approval**

Fred Werner approached the Council concerning the city's upcoming clean-up day on September 24, 2011. A project list and proposed expenses were submitted. Mrs. Sullivan requested approval for a "not to exceed" \$7000.00 is on this project. Council Member Steve Worthington made a motion to accept the proposed motion for clean-up day. Council Member William Eubanks second the motion. The motion was carried unanimously.

**11.) Executive Session ( Personnel and Land Acquisition)**

Council Member Joseph Turner made a motion for the council and mayor enter into executive session to discuss personnel and land acquisition. Council Member Sammy Carden second the motion. The motion was carried unanimously.

Council and Mayor entered into executive session at 8:14pm and returned at 9:18pm stating no actions were made and no notes were taken.

With no further business, the meeting was adjourned.