

**CITY COUNCIL MEETING**  
**August 2, 2021**  
**6:30PM, Temple Senior Center**  
**MINUTES**

**Call to Order:** The meeting was called to order by Mayor Michael Johnson at 6:30PM. All council members were present: Bivins, Bracknell, Miller, Walden, Wallace

**Invocation and Pledge of Allegiance:** Led by Mayor Michael Johnson

**Approve the published agenda of this date's City Council meeting, as presented:** There was a motion by Council Member Bracknell to approve the agenda as presented, second by Council Member Wallace. Vote 5-0.

**Approval of Minutes:**

**July 6, 2021 Regular Council Meeting:** There was a motion by Council Member Walden to approve the July 6<sup>th</sup> minutes with a typo that was corrected, second by Council Member Bivins. Vote 5-0.

**July 12, 2021 Special Called Meeting:** There was a motion by Council Member Walden to approve the July 12<sup>th</sup> minutes with a typo that was corrected, second by Council Member Bivins. Vote 5-0.

**Public Comments: N/A**

**Announcements:**

City Administrator Bill Osborne reported that we received notification from the State Department of Audits and Accounts that they have accepted and approved our 2019 audit. We are now moving forward with the 2020 audit. Tomorrow or Wednesday, they will get started with the paving work in Lakeside.

Council Member Richard Bracknell reported that the Senior Center received a grant from Carroll EMC that can be used to replace equipment. Congratulations to the Senior Center.

**NEW BUSINESS**

1. Hold a public hearing concerning the revised application to rezone from CG General Commercial to IL Light Industrial with a Special Use permit the 17.41-acre tract of land located at 423 East Highway 78 on the south side of this highway east of Oak Shade Road, and being Tax Parcel T04 0060057 in Land Lot 171, 6<sup>th</sup> District. Application by TAG Trans, Inc.

Mayor Michael Johnson opened the Public Hearing. Joe Fowler, the attorney for this project, was present to speak. He explained that the application was originally filed on May 6<sup>th</sup>, it has gone back and forth to the Planning Commission which recommended denial to the Council. He stated that the person who made the motion to deny the project opposed the development on the grounds of dust and noise. The client originally wanted 18 car spaces, 224 truck spaces and a 10,000 square foot shop. They have made modifications to the plan and are now proposing only 75 truck spaces, 25 of which would be used by the client. The new site plan shows those changes along with the building space being increase to 15,000. He stated under the ordinance with CG designation, there is no limitation for parking spaces for

autos and allows for auto sales and service. Truck services requires light industrial with a special use permit.

Mr. Fowler explained that the location will be open to the public. There will be one year customer contracts for every driver. There will be no daily or weekly parking and spaces can not be subcontracted. There will be no fuel service or sleeping allowed and there will be restricted gate access. The lot will be fully lighted with security and the buffers will be maintained. They plan to have a six foot commercial grade chain link fence, but are open to doing a wood fence to help with noise abatement. Another issue mentioned was traffic. A traffic study was completed, and it was determined that this project would have less than a 3% impact on traffic. He stated they have tried to address the concerns that were brought up at the Planning Commission meetings.

Eric McCullough, an engineer from Hughes Ray also reported on the traffic study and the minimal impact this project would have on traffic. He stated that they will comply with all stormwater management requirements and will comply with the City's rules and regulations. He stated on the northern and eastern side, there is more than a football field's length between the site and the adjacent property. Regarding the concerns of dust control, TAG will have a watering program/irrigation system to keep dust at a minimum.

There was no one else present at the meeting to speak for or against this project. Mayor Johnson closed the public hearing.

2. Consider taking action concerning the revised request to rezone from CG General Commercial to IL Light Industrial with a Special Use permit the 17.41-acre tract located at 423 East Highway 78 on the south side of this highway east of Oak Shade Road, and being Tax Parcel T04 0060057 in Land Lot 171, 6<sup>th</sup> District. Application by TAG Trans, Inc.

There was a motion by Council Member Miller to deny this request based on the future land use map showing this use as general commercial, not light industrial, second by Council Member Bracknell. Vote 5-0.

3. Declare two used City of Temple vehicles that have been taken out of service to be declared as surplus due to age and usage, and authorize the Police Chief to sell said vehicles and then to transmit the resulting revenue to the City Finance Director.

There was a motion by Council Member Bracknell to declare two vehicles as surplus and authorize the Police Chief to see these vehicles and transmit the revenue to the Finance Director, second by Council Member Bivins. Vote 5-0.

4. Rescind the City Council's action in a special called meeting on July 12 to approve purchase of a Kia Sportage from Matthews Kia of Cartersville for use by the City's Code Enforcement Officer because said dealership increased the quoted \$23,920.00 purchase price by \$785.00, up to a new price of \$24,705.00.

There was a motion by Council Member Bracknell to rescind the Council's action on July 12<sup>th</sup> to approve purchase of a Kia with the quoted price of \$23,920.00, second by Council Member Bivins. Vote 5-0.

5. Approve the purchase of a Kia Sportage from Calavan Kia of Lithia Springs for a total price of \$23,952.95 for use by the City's Code Enforcement Officer, with funds from the City's 2015 SPLOST program.

There was a motion by Council Member Bracknell to approve the purchase of a Kia Sportage from Calavan Kia of Lithia Spring for a total price of \$23,952.95 for use by the City's Code Enforcement Officer with funds from the City's 2015 SPLOST program.

6. From among the paving companies who responded to the City of Temple's request for sealed bids for street resurfacing in the Perennial Park, School House Trace, and Lakeland Park residential subdivisions, select the company to do this work at the price quoted in the paving company's sealed bid.

City Administrator Bill Osborne explained that last Thursday was the bid opening for this project. We received two bids one from Magnum Paving and one from Reeves Paving. Mr. Osborne stated that he recommends Magnum, whose bid was far lower; he said the other bid was not complete. Magnum has a good reputation with a recommendation from CW Matthews Contracting. He expects there will be some change orders and only a minimal amount of funding will need to come from the 2015 SPLOT; most of the funding is coming from roadway improvement fees. When questioned, it was confirmed that the bid is good through December, any work done after that, the price would be reassessed based on the asphalt index, which could go up or down. Council Member Walden explained that there are currently zero dollars in the School House Trace account and that the amount collected for Perennial Park was only about \$88,000, so approximately an additional \$80,000 will need to come from SPLOST.

There was a motion by Council Member Bracknell to accept the bid by Magnum, as recommended by City Administrator Bill Osborne, in the amount of \$216,550.38 with the funds to come from the roadway fees designated for: Perennial Park, School House Trace and Lakeland Park, and the remaining funding coming from the 2015 SPLOST, second by Council Member Wallace. Vote 5-0.

7. Authorize the City Administrator to advertise for sealed bids for the purchase and installation of a new Head Works Grit System at the City of Temple's Sewer Treatment Plant, with funding from the City's 2015 SPLOST program.

There was a motion by Council Member Bracknell to authorize the City Administrator to advertise for sealed bids for the purchase and installation of a new Head Works Grit System at the Sewer Treatment Plant with the funding to come from the 2015 SPLOST, second by Council Member Wallace. Vote 5-0.

8. Staff report concerning the donation to the City of Temple of a 20-foot wide sanitary sewer easement through the 12-lot residential subdivision to be developed in the northwest quadrant of the Billings Road - Center Point Road intersection by Bass Lands, LLC, with said easement being on a location mutually agreeable to the Bass Lands as the property owner and the City of Temple, and in accordance with the development plan approved on December 7, 2020, for this 44.4-acre tract with the zoning classification of Planned Development (PD).

City Administrator Bill Osborne reported that the City has been working with the Hugh Bass Group for several months now. The 44 acres is being divided into 12 lots; about 55% of this land is in a flood plane. There will be septic tanks and no interior streets. They are about to start marketing this property and need to lock in where the sewer easement will be. We are recommending they consult with Hughes Ray to do the survey and additional documents. The cost will be \$7,500 and the City Attorney will put together legal documentation so that we will have the ability to assess the easement for construction in the future. The fees that the city will charge will enable us to recoup the \$7,500.

9. Authorize the firm of Hughes Ray, at a cost not to exceed \$7,500.00, to prepare for the City of Temple the plans for construction of a sewer line to be owned, installed, and maintained by said municipality inside a 20-foot wide sanitary sewer easement located within the 44.4-acre residential development in

the northwest quadrant of the Billings Road - Center Point Road intersection, with said sewer line to serve upstream properties.

There was a motion by Council Member Bracknell to authorize the firm of Hughes Ray to prepare plans for construction of a sewer line to be owned, installed, and maintained by the City for this residential development, with the cost of the plans not to exceed \$7,500, with the funds coming from the water and sewer fund, and the funds being recouped when the development occurs, second by Council Member Walden. Vote 5-0.

10. Staff reports concerning several key points reviewed in a Friday, July 30 discussion between representatives of the City of Temple and Trademark Quality Homes pertaining to the possible future development of the Lakeshore residential community on the north side of East Johnson Street with its current Design Concept Development (DCD) Zoning.

City Administrator Bill Osborne explained that there was a meeting with Trademark representatives, staff and the attorneys to discuss some issues in the Lakeshore community and how we can find common ground and move forward. Trademark identified 108 remaining lots in Lakeshore. On Splash Point the City approved the five foot setbacks. There was discussion about Trestle Creek which was originally designed for nine lots but is now showing plans for twelve. He stated he talked with Howard Ray and Trademark contracted with Hughes Ray to re-survey Trestle Creek, and that is when they determined there will be twelve lots. Mr. Osborne stated that after the GMA conference there are plans to have another meeting with Howard Ray regarding this.

11. Review of the situation at Lot 34 on Daffodil Drive in the Perennial Park residential subdivision where a private contractor incurred costs of approximately \$3,300.00 in seeking to locate a sewer tap connection at a depth of some 17 feet, using information provided by the City of Temple which proved to be inaccurate; then decide if any portion of these costs will be paid from the Sewer Tap Expenses line item (505.44000.52.2135) in the Water and Sewer Fund component of the Public Works Department's budget.

City Administrator Bill Osborne explained that the City was asked to mark where this sewer tank was located; the contractor dug where we told him too but could not find anything. The sewer tap was located closer to the house. Mr. Osborne and the Public Works Director, Hal Burch, agreed that the City had some liability in this situation and it was agreed that the cost should be split with the contractor. There was a motion by Council Member Bracknell to split the cost of the \$3,300 (\$1,650 each) with the funds to come from the Water/Sewer fund from the Public Works Department, second by Council Member Walden. Vote 5-0.

12. Discuss and take action on how to proceed with the request from Westshire Townhomes to combine all 90 parcels into one tax parcel at a reduced application fee.

Assistant City Administrator Lisa Jacobson explained that she spoke to Trudy at the Carroll County Tax Office and she stated that these parcels can be combined. The City's fee for combing parcels is \$250, there was discussion on what would be a reasonable application fee for combing 90 parcels. There was a motion by Council Member Bracknell to allow them to combine the 90 parcels with an application fee of \$4,550, second by Council Member Walden. Vote 5-0.

13. Designate and reserve a special parking space at the Temple City Hall for use by a wounded veteran of any branch of the Armed Forces of the United States.

There was a motion by Council Member Wallace to designate and reserve a special parking space at City Hall for wounded veterans, second by Council Member Bracknell. Vote 5-0.

14. Staff report concerning the 2021 Tax Digest for the City of Temple and concerning the schedule for considering and adopting the 2021 tax millage rate.

Finance Director Kenneth Abidde explained that with the growth in Temple, there is a reduction of the millage rate by .1000 in comparison to last year, with the rate for 2021 being 5.449. City Administrator Bill Osborne explained that the City will have to have one Public hearing before the millage rate is set.

15. Approve the schedule for the required public hearing or public hearings prior to adoption of the City of Temple's 2021 tax rate, and set the time and date for City Council adoption of Temple's 2021 tax millage rate.

It was determined that a Public Hearing regarding the millage rate would be held on August 16<sup>th</sup> at 5:00PM, with a Special Called Meeting following the Public hearing at 5:30PM so that the millage rate can be set.

16. Updated staff report concerning garbage collection and disposal services, guidelines, and requirements in the City of Temple, including for commercial customers.

Public Works Director Hal Burch explained that the transition from Waste Pro to GFL has gone fairly well. There are still some Waste Pro carts that have not been picked up. The recycling program will begin on August 12<sup>th</sup> and recycling carts are being delivered to residents this week. He stated that a calendar has been sent out for service days. City Administrator Bill Osborne explained that some commercial accounts have been identified that have been paying directly and bypassing the City. The only exception should have been the school board, we are looking into this.

17. Approve the purchase of the Community Development Software, iWorQ, at \$5,500/1<sup>st</sup> year and then \$3,500/annually.

Council Member Bivins explained that this was discussed at the last Committees Meeting. There was a motion by Council Member Bivins to purchase this software in the amount of \$5,500 for the first year, then \$3,500 annually with the funds coming from computer services, second by Council Member Bracknell. Vote 5-0.

18. Authorize the City of Temple's 2021 Election to be held on Tuesday, November 2, at the Temple Senior Center for the offices of Mayor, Ward 1 City Council member, and Ward 2 City Council member, with qualifying for said offices to be at the Temple City Hall between 8:30 a.m. and 4:30 p.m. on Tuesday, Wednesday, and Thursday, August 17, 18, and 19, and with qualifying fees being \$90.00 for the office of Mayor and \$72.00 for the office of City Council member.

There was a motion by Council Member Bracknell to authorize the 2021 election to be held on Tuesday, November 2<sup>nd</sup> and for qualifying to take place August 17<sup>th</sup>, 18<sup>th</sup> & 19<sup>th</sup>, second by Council Member Bivins. Vote 5-0.

19. Change the date of the City Council's regular monthly voting meeting from 6:30 p.m. Monday, September 6, 2021, to 6:30 p.m. Tuesday, September 7, 2021, due to the Labor Day holiday.

There was a motion by Council Member Bracknell to change the date of the regular voting meeting from 6:30p.m. on September 6, 2021 to 6:30p.m. on September 7, 2021, second by Council Member Walden. Vote 5-0.

**Executive Session, if needed- N/A**

**Closing Comments:**

Bill Osborne- stated that he gave the council a memo regarding two separate incidents at the railroad tracks today. He has been in communication with Connor Poe at Norfolk Southern and they are not willing to do much work on that crossing, as they want it closed. Mr. Osborne suggested that this crossing needs to be closed and there needs to be further discussion about this.

Mayor Johnson- reminded everyone that Carroll County schools start tomorrow. Wanted to extend best wishes to the school system and our schools. There is ongoing construction at the High School and Middle School and those are indications that our community is growing.

**Adjournment:** There was a motion to adjourn by Council Member Bracknell, second by Council Member Walden. Vote 5-0. The meeting adjourned at 8:13PM.

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Mayor Michael Johnson

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City Clerk