

**CITY COUNCIL MEETING  
May 1, 2023  
6:30 PM, Temple Senior Center  
MINUTES**

**Call to Order:** The meeting was called to order at 6:30PM by Mayor Michael Johnson.  
Council Members Present: Richard Bracknell, Casey Russom, Tom Wallace, Howard Walden

**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 published agenda, second by Council Member Wallace. Vote 4-0.

**Approval of Minutes:**

April 10, 2023 Council Meeting: There was a motion by Council Member Walden to approve the April 10, 2023 minutes, second by Council Member Russom. Vote 4-0.

April 24, 2023 Special Called Meeting: There was a motion by Council Member Walden to approve the April 24, 2023 minutes, second by Council Member Russom. Vote 4-0.

**Public Comments – N/A**

**Announcements- N/A**

**Consent Agenda:** There was a motion by Council Member Bracknell to approve the consent agenda (items 1-7 listed below), second by Council Member Walden. Vote 4-0.

1. Approve the annual renewal of the City of Temple government's Commercial Insurance policy with the Marsh McLennan Agency, with this new Insurance and Risk Management document providing coverage for the 12-month period starting Tuesday, May 30.

2. In response to a request from Majestic Homes and Renovations, LLC, and Tyken Properties & Investments, approve a resolution providing for abandonment and closure of the City of Temple-owned right of way of the unused portion of Hickory Trail leading into this street's cul-de-sac and authorize the Mayor and City Clerk to execute a Quit Claim deed for the property to said applicants who are the only adjoining property owners.

3. Adopt an Ordinance to amend the 2008-enacted Temple City Code Chapter 36 - Utilities, Article II – Water Service in Section 36 -20 Tampering with, Damage to or Destruction of Meters; Violations and Penalties for the purpose of increasing the replacement fees charged to the water customer for a meter or certain related components located in the meter box.

4. Authorize Change Order #3 for the AMI Water Meter project to provide \$50,535.50 for the purchase of additional meters required to complete the meter installations in the City of Temple's water meter

replacement project in accordance with City Council action on April 10 to transfer \$120,000 to this project from the adopted FY2023 Capital Fund Budget.

5. Notify the Georgia Department of Transportation that the City of Temple wants the route of Georgia Highway 113 through this municipality to remain unchanged, with an exception that one-block long Carrollton Avenue located between Carrollton Street and Sage Street would become a north-bound one-way street.

6. Select the low bidder Southern Valve and Pump in Gainesville to provide and install the new HCP 80AFC23.7A Cutter Pump 460V PH at the City of Temple's Sewer Treatment Plant for a total cost of \$8,836.20, with funding from the Treatment Plant's FY2023 operating budget.

7. Change the date for the monthly series of City Council committee meetings from Monday, May 29, to Tuesday, May 30, due to the Memorial Day holiday.

### **New Business**

#### 1. Status report on the City Hall Expansion Project

Mayor Michael Johnson explained that as most of our citizens know the City Hall expansion project was intended to be a project to benefit our citizens. He said there has been a series of setbacks and delays. He can not comment further at this time, but said we are using all means available to make sure that City Hall will be finished at a standard that our citizens will be proud of.

2. Opportunity for the nomination of a Candidate or Candidates to fill the current vacant Ward 3 City Council seat and to complete the term of former Council member Hiley Miller, which extends through December 31, 2023. -- If one or more nominations are made: Decision to be made by the City Council, and then the Oath of Office administered to the selected nominee

Mayor Pro Tem Richard Bracknell explained that there is a candidate that is giving this serious consideration. They may have some more questions. He stated this person would be a great addition to the Council and the citizens would benefit from this selection. There is an alternate candidate. We should have a decision within 48 hours.

3. In accordance with the resolution promoted by the Georgia Municipal Association and adopted by the Temple City Council on April 10, a brief presentation pertaining to the first "resolve" pledge in this resolution: To practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities

City Administrator Bill Osborne stated that he has witnessed much civility within the City, even when people have different view points. He said he would add two words to the resolution: "to continue", so that we continue to practice and promote civility every day.

4. Hold a public hearing and then consider taking action on the request to the City of Temple from Leigh Shirley for approval of the rezoning of a 2.87-acre tract of land at 265 Carrollton Street, being Parcel #T04 0070006, and approval of the rezoning of an adjacent 0.49-acre tract of land at 275 Carrollton Street, being Parcel #T04 0070048 for a total of 3.36 acres in Land Lot 149, District 6, from O-I (Office Institutional) to CG (General Commercial)

Mayor Johnson opened the public hearing. There was no one present to represent the applicant and no one present to speak for or against this application. The public hearing was closed. There was a motion by Council Member Bracknell to approve the rezoning of a 2.87-acre tract of land at 265 Carrollton

Street, being Parcel #T04 0070006, and approval of the rezoning of an adjacent 0.49-acre tract of land at 275 Carrollton Street, being Parcel #T04 0070048 for a total of 3.36 acres in Land Lot 149, District 6, from O-I (Office Institutional) to CG (General Commercial).

5. Hold a public hearing and then consider taking action on the request to the City of Temple from Mike Meshkaty of Blue River Development for approval of the rezoning of a 48.03-acre tract of land adjacent to the north side of U. S. Highway 78 in Haralson County adjacent to Carroll County and the corporate limits of the City of Temple, being Parcel #01170039B in Land Lot 175, District 6, from A5 (Agricultural) in unincorporated Haralson County to R-4 (Single-Family Detached Residential) in the City of Temple, contingent upon said property's annexation into the City of Temple

Mayor Johnson opened the public hearing. There was no one present to represent the applicant. Community Development Technician Deidra Walker explained that the applicant has requested a deferral for the June Planning Meeting to be voted on by the Council at the July meeting. There was no one present that was for or against this request. The public hearing was closed.

There was a motion by Council Member Walden to table this item until the June Planning Commission meeting, and the July Council meeting, second by Council Member Bracknell. Vote 4-0.

6. Consider approval of the request from Mike Meshkaty of Blue River Development for the annexation into the City of Temple of a 48.03-acre tract of land adjacent to the north side of U. S. Highway 78 in Haralson County adjacent to Carroll County and adjacent to the corporate limits of the City of Temple, being Parcel #01170039B in Land Lot 175, District 6, with the zoning classification within the City of Temple to be R-4 (Single-Family Detached Residential)

There was a motion by Council Member Bracknell to table this item, second by Council Member Walden. Vote 4-0.

7. Hold a public hearing and then consider taking action on the request to the City of Temple from Donald Swafford for approval of a Special Use Permit at 102 East Johnson Street, being Parcel #T03 0080008 in Land Lot 172, District 6, for the zoning to remain R-2 (Single-Family Residential), with the resident to have an antique store within the historic structure

Mayor Johnson opened the public hearing. There was no one present to represent the applicant. Mayor Johnson asked if anyone was here to speak for or against this request. A citizen (no name given) who resides at 82 Johnson Street stated she wasn't against this, but her property is adjacent to this property and she had questions about the land lines. She wanted to make sure that the residents of 102 E. Johnson are aware of the boundary lines, as she has had issues with other neighbors and where those lines are. City Attorney Carey Pilgrim explained that would be a civil matter with the neighbor. He said tonight they are just voting on the use of the property. He stated the only way to solve that would be to have a surveyor come out and have an agreement with the neighbor on where the property lines are. The City does not say where the lines are.

Community Development Technician stated that the Planning Commission's recommendation included a three year sunset clause. Council Member Casey Russom expressed concerns about parking since they will be running a business and there is a lot of traffic on that road. He also wants to make sure that we need to make sure that they will not be collecting or storing items outside. We don't want this to become an eyesore or to impact traffic. Council Member Walden said he had hoped the applicant would have been present at the meeting, they were not at the planning commission either. Council Member Wallace stated they came to a previous meeting and they spoke to him about their intentions for the property. Two real estate agents purchased the property, there is quite a bit of room for parking in the

back, there used to be a barber shop there. Deidra Walker explained that this home used to be in the family of one of the agents that bought it.

There was a motion by Council Member Wallace to approve a Special Use Permit at 102 East Johnson Street, being Parcel #T03 0080008 in Land Lot 172, District 6, for the zoning to remain R-2 (Single-Family Residential), with the resident to have an antique store within the historic structure, with a Sunset Clause for 3 years, second by Council Member Walden. Vote 4-0.

8. Adopt a resolution to make a tentative contract award to the low bidder, F. S. Scarbrough, LLC, of Peachtree City for the upgrade of the Villa Rosa Sewer Lift Station in accordance with plans prepared by Turnipseed Engineers, with the total bid amount being \$1,549,933.38

There was a motion by Council Member Bracknell to adopt a resolution to make a tentative contract award to the low bidder, F.S. Scarbrough, for the upgrade of the Villa Rosa Lift Station, with the total amount being \$1,549,933.38, second by Council Member Wallace. Vote 4-0.

9. Adopt a resolution identifying the funding source to pay the bid amount of \$1,549,933.38 to F. S. Scarbrough, LLC, for the upgrade of the Villa Rosa Sewer Lift Station to be from the City's Water Sewer Fund (Casselle Account # 505-11.1110) and directing staff to include this project in the amended F.Y. Capital Fund Budget to be adopted by the City Council not later than its regular monthly meeting on Monday, June 5

City Administrator Bill Osborne explained that last fall when Turnipseed prepared this report, they estimated this project to be 1.2 million and the low bid is about \$350,000 higher than that. The estimated cost is what was put into the capital budget and adopted. He stated that some point in the near future we will need to amend the capital budget. We do have money for this in the water/sewer fund or our consultant, Rick Hartley, suggested that we could look at using ARPA funds. Council Member Walden questioned when ARPA funds have to be spent and stated that there is more discretion with APRA funds, so asked why we might not use that funding for something else. Consultant Rick Hartley explained that you have until 2024 to obligate these funds and until 2026 to spend them. He said there is the ability to use ARPA funds for more things, some cities are using it for police salaries, payroll, etc. He stated that ARPA reporting is easier if it is all done with one project. We will be about \$100,000 short if we used ARPA, but it is possible there is money available in SPLOST. It was also mentioned that in a GMA ARPA webinar, that there has been talk of legislatures discussing taking some of the ARPA funds back if it is not being used. Mayor Johnson explained that a source of the funding will be identified at the June meeting.

10. Announce that Recreation Director Ingrid McKinley will prepare and then present to the City Council at its next monthly series of committee meetings a Request for Proposals for increased park security, in order to improve the City of Temple's ability to monitor and then respond as needed to vandalism and inappropriate behavior problems in the City Park

This announcement was made by Mayor Pro Tem Bracknell.

11. Staff report concerning the additional modifications made to the draft new Ward Boundary Map for the City of Temple, followed by a review and discussion by the City Council and the scheduling of a public hearing on the draft Ward Boundary Map on the date of the City Council's monthly series of committee meetings at the end of May, with the anticipation adoption of this new Ward Boundary Map during the City Council's regular monthly meeting on Monday, June 5

Assistant City Administrator Lisa Jacobson explained that after our discussion last week at the Committees meeting, Three Rivers added in the Webster Lake area, McClure Road, Candy Kitchen and

the area on East Luke Rd. City Attorney Carey Pilgrim said that he created an ordinance to do a charter amendment to adopt the new boundary ward map. If this is passed tonight, the final adoption will be at the June meeting where a public hearing will take place. The ordinance states that we are adopting the map as an amendment to the Charter, the map is exhibit A to the ordinance.

There was a motion by Council Member Walden to adopt the new Ward Boundary Map during the June 5<sup>th</sup> monthly meeting, second by Council Member Bracknell. Vote 4-0.

12. Consider approving the nominated officers for the Georgia Municipal Association's District 4 for 2023 – 2024, including Mayor Michael Johnson as the GMA District 4 Third Vice President

There was a motion by Council Member Wallace to approve the nominated officers for the Georgia Municipal Association's District 4, including Mayor Johnson as the third Vice President, second by Council Member Bracknell. Vote 4-0.

13. Appoint to the City of Temple's 2023 - 2028 Comprehensive Plan Steering Committee: Terron Bivins, Phyllis Cash, and any other citizen as determined by the City Council

There was a motion by Council Member Russom to appoint Terron Bivins and Phyllis Cash to the Comprehensive Plan Steering Committee, second by Council Member Bracknell. Vote 4-0.

14. Brief reports concerning: (a) the public hearing on the updating of the City of Temple's Comprehensive Plan, held immediately prior to this City Council meeting, and (b) the next meeting of the Comp Plan's Steering Committee at 5:30 p.m. Thursday, May 11

City Administrator Bill Osborne explained that there was a Public Hearing on the City's comprehensive plan that was held prior to tonight's Council meeting. Two City Officials and five staff members were present at the meeting. The next Steering Committee meeting will be held on May 11<sup>th</sup>.

15. Updated reports concerning the Sage Street railroad crossing and concerning the recent lengthy blockage of the other two grade level crossings within the City by Norfolk Southern

Chief Lee reported that they will begin installing the poles and signs, he believes it will take one or two days to complete this project and he will keep everyone posted on the progress. Assistant City Administrator Lisa Jacobson explained that she was notified by the railroad that the crossings will be blocked more frequently during the next two months while they change the way they assemble their trains. She said they are going to have shorter trains and since they reduced their work force when they had longer trains, they have to rehire personnel. This will affect Douglasville, Temple, Bremen and points going west.

16. Report on MS-4 by the City's consulting engineering firm, Turnipseed Engineers.

Greg Ashworth from Turnipseed Engineers explained that the City has an MS4 permit and two times a year there has to be public information on what the City is doing. He said they submit an annual report each year. We have not had any comments back from the EPD; the City is meeting their requirements. A lot of what is done is manually inspecting and walking all of the creeks. We are on track to meet the requirements again this year. Council Member Walden asked when the reports are due, Mr. Ashworth said in February. There were no further questions or comments.

17. Updated staff report regarding the City of Temple's use of the Positive Pay check verification service provided by Synovus Bank, followed by possible action by the City Council regarding the use of this process in the future

Assistant City Administrator Lisa Jacobson explained that a few months ago the Council authorized us to remove positive pay because we had issue with employees cashing their checks. After meeting with representatives from Synovus, and having additional training on this service, we decided to give it another chance for a few months. We are still having issues and the process is not as simple as we thought, causing additional work for staff, so we have decided to remove positive pay unless there is an objection. There were no objections.

18. Report by consultant Rick Hartley concerning City of Temple budget and finance topics.

Mr. Harley reported that we have already talked about ARPA and there is about 1.4 million dollars left of the 1.8 million that the City received. He said he gave the Assistant City Administrator a detailed spreadsheet of the ARPA account. If we go with using the ARPA funds for the lift station upgrade, we will be done with the ARPA reporting soon. He stated the Report of Local Government Finance was not done for 2021, but he will submit it tomorrow. He stated that the City received the final audit report today. He said during the week of the 15<sup>th</sup> he will give Will Robinson a trial balance for the audit and hopefully at the June 5<sup>th</sup> meeting he can tell everyone they are working on it.

**Closing Comments**

Mayor Johnson- stated that he received clearance from his doctor this afternoon and he doesn't have to go back unless he feels like he needs to. His diet has expanded to more options for meals. When they went to the doctor's appointment this afternoon they arrived early and also got out early. He thanked everyone for their thoughts and prayers and he was especially thankful for his precious wife.

**Executive Session, if needed:** Mayor Johnson stated there was a need for an executive session for legal and real estate. There was a motion to go into executive session by Council Member Bracknell, second by Council Member Walden. Vote 4-0. They went into executive session at 7:30pm.

There was a motion to come out of executive session by Council Member Bracknell, second by Council Member Wallace. Vote 4-0.

**Adjournment:**

There was a motion to adjourn by Council Member Bracknell, second by Council Member Wallace. Vote 4-0. The meeting adjourned at 8:12PM.

  
Mayor Michael Johnson

  
City Clerk