

ROME CITY COMMISSION

Monday, March 13, 2023

The Rome City Commission met at 6:30 p.m. this date in the City Commission Chambers of City Hall, 601 Broad Street. Mayor Stevenson presided with Mayor Pro Tem Cochran, and Commissioners Bojo, Beeman, Doss, Quick, Askew, Collins, and McDaniel present. Commissioner Collins opened the meeting with prayer and led in the salute to the flag.

Minutes – February 27, 2023

The Minutes of the February 27, 2023, meeting, as submitted in writing by the Secretary, were approved by unanimous consent.

Officer Chris Ridling – Rome Police Officer of the Year

Rome Police Chief Denise Downer – McKinney, Assistant Chief Debbie Burnette, and Majors Rodney Bailey, Chris DeHart, and Mark Tison were present, as Commissioner Askew presented a proclamation recognizing Rome Police Office PFC Chris Ridling as the 2022 Rome Police Officer of the Year. Officer Ridling was also recognized as the December 2022 Police Officer of the Month.

Commissioner Askew described how Officer Ridling had performed lifesaving efforts on an individual including the use of CPR and an AED device.

Officer Ridling's wife, Heather, and other family members were present at tonight's meeting as the City Commission congratulated him.

Steve Smith – Small Bar Ordinance

Mr. Steve Smith was once again present to address the City Commission concerning the proposed small bar alcohol ordinance amendment. Prior to tonight's meeting, Mr. Smith had distributed an email from the National Restaurant Association to the Commissioners regarding the impact of rising cost for restaurants. Mr. Smith feels that if the small bar ordinance is adopted, it would allow small bars to establish and dilute the traffic and sales of Rome's full service restaurants. "If these changes are allowed, we will see more bars and fewer restaurants in the future."

Mr. Smith encouraged the City Commission to consider the implications of this ordinance and any food/drink ratio variances very carefully. Smith emphasized that his concerns are not in opposition to competition that the small bar ordinance or food/drink ratio variances may bring.

The City Commission thanked Mr. Smith for his concern and his time to express his thoughts.

Annexation, Special Use Permit Request, and Rezonings – First Reading

Secretary Smith announced that the following annexation, rezonings and special use permit request were being placed on first reading:

- a) A23-03-01 – Request to annex the property located at 210 Harrison Road NW; Floyd County Tax Parcel H12Z-413, zoned Suburban Residential (No Change). (Planning Commission recommends approval, 7-0).
- b) Z/SUP23-03-01 – Request to rezone property located at 936 N. 2nd Avenue; Floyd County Tax Parcel I13Z-202, from Community Commercial to High Density Traditional Residential and request a special use permit for a duplex. (Planning Commission recommends approval, 7-0).
- c) Z23-01-04 – Request to rezone from Light Industrial to Heavy Industrial for the property located at Technology Pkwy NW; Floyd County Tax Parcels H13W-016F and H12Z-006A. (Planning Commission recommends approval, 7-0).
- d) Z23-03-02 – Request to rezone from Community Commercial to High Density Traditional Residential for the property located at 1008 Calhoun Avenue; Floyd County Tax Parcel K13Y-302. (Planning Commission recommends approval, 7-0).

A public hearing for these matters is scheduled for the March 27th City Commission Meeting.

Alcohol Ordinance Amendment – Small Bars

Commissioner McDaniel introduced the proposed alcohol ordinance amendment regarding the creation of a category of new pouring license called Small Bars.

Secretary Smith explained that this category of license would allow the sale of distilled spirits without the need for any type of food/drink ratio. This category of new license does come with restrictions that are not applicable to other pouring establishments. Specifically, they are as follows:

- 1) Contain a maximum of 1800 square feet of customer accessible interior space. If outdoor customer space is provided, a maximum of 2200 square feet of total indoor/outdoor space is allowed.
- 2) These establishments may pour beer, wine, or liquor between the hours of 10:00 a.m. – 10:30 p.m. Monday – Saturday. No beer, wine, or liquor may be consumed on the premises between the hours of 11:00 p.m. – 10:00 a.m. Monday – Saturday. Sunday pouring is prohibited.
- 3) Establishments may not obtain permits to pour liquor off premises.
- 4) Any type of admission fee is prohibited.
- 5) The alcohol control commission must approve all entertainment.

This ordinance is essentially in the same format as it was when the City Commission initially reviewed and denied this request in January 2023. The Alcohol Control Commission continues to support this concept with the condition that the Downtown Development Authority is not opposed, and they also suggested that the City Commission consider a lower annual license fee for small bars, since they will be able to use their license fewer hours than the standard pouring establishments.

Commissioner McDaniel moved to adopt the small bar alcohol ordinance with the amendment that the establishments contain a maximum of 1000 square feet and if outdoor space is also provided then the total maximum space would be 1400 square feet. Commissioner Collins seconded the motion.

Commissioner Collins expressed his support of this recommendation and thanked the Alcohol Control Commission for their work. Commissioner Collins feels that this ordinance would remove some of the restrictions that are currently in place for the establishment of bars, and this could be especially beneficial for Rome's minority community. Collins added that this would be helpful for our young citizens who have no place in Rome to gather and socialize. A rejection of this proposal would send the wrong message to our young citizens, and the City Commission does not need to keep these young men and women from socializing. He also stated that this amendment would help local citizens establish alcohol pouring businesses rather than favoring the out of town corporate restaurants. Collins concluded his comments by stating that he would also appreciate the opportunity for citizens to drink in an environment that contains only 21 and older customers rather than the current situation where many of our bars are connected to corporate restaurants that cater to citizens of all ages.

Other commissioners commented on this topic as well. Commissioner Bojo reminded the commission that while most of the conversation concerning the proposed ordinance surrounds downtown Rome, the ordinance would be applicable City wide, and he is concerned about the impact in other areas of Rome more than downtown. Commissioner Bojo is also concerned about the Rome Police Department's opinion on this proposal. Commissioner Beeman, once again, expressed her opposition to the concept of serving distilled spirits where food is not sold. Commissioner Doss stated his preference to consider deviations from our standard food/drink ratio on a case by case basis. He is not prepared to support an ordinance of this type, at this time, which would establish criteria and would not require individual evaluation. Commissioner Doss disagrees with Commissioner Collins comments regarding the shortage of places for Rome's young residents to socialize.

Commissioner Collins reminded the commission that there was opposition and skepticism to Rome's open container ordinance and that has worked out well. Commissioner McDaniel reminded the commission that the one previous food/drink ratio variance request for Old Havana Cigar Bar, 327 Broad Street, was approved and this opened the door for other amendments. The discussion was concluded with Commissioner Doss reminding the commission that alcohol licenses are privilege licenses.

Commissioner McDaniel's motion to approve the small bar ordinance failed by the following vote:

YES: Cochran, Collins, and McDaniel

No: Bojo, Beeman, Doss, Quick, and Askew

Rome/Floyd Development Authority

Mayor Stevenson announced that the Rome/Floyd Development Authority will meet on Tuesday, March 21st at 10:00 a.m. at the Manis Business Center.

Community Redevelopment Committee

Commissioner Bojo announced that the Community Redevelopment Committee will meet on Wednesday, March 22nd at 2:00 p.m. in the Sam King Room.

Disc Golf – GE Property and Bob Moore Bridge Property

Commissioner Bojo announced that the Community Redevelopment Committee has received and considered presentations regarding the establishment of disc golf courses in two locations. These locations are on a portion of Rome’s GE property and on City owned property located on the Etowah River near 1st Avenue and East 4th Street. The Community Redevelopment Committee has unanimously recommended allowing the individuals interested in establishing these facilities to proceed. The City of Rome has not been asked to provide funding or equipment for these projects, however the Public Works crews will likely be tasked with some property and debris clearing operations. Disc golf continues to be popular in some areas and the City of Rome does not currently have a facility of this nature for public use. There is also the possibility of having tournaments on these sites. If the City of Rome decides to use these properties for other purposes in the further, the disc golf baskets and other equipment could be removed. City Manager Rich stated that the downtown disc golf is in an area which could benefit from having more activity. He also stated that the property on the opposite side of Etowah River, which is sometimes occupied by homeless, could also be used for recreation purposes at some point in the future.

Commissioner Bojo moved to approve the establishment of both disc golf courses as described. Commissioner Quick seconded, and the vote was unanimously in favor.

Reverse Osmosis Water Treatment – Archer Western Construction

Commissioner Bojo moved to authorize City Manager Rich to sign a contract with Archer Western Construction LLC to develop construction documents associated with Phase 1 of the Bruce Hamler Reverse Osmosis Water Treatment Facility. The amount of this contract is not to exceed \$585, 337.

Commissioner McDaniel seconded the motion, and the vote was unanimously in favor.

It was clarified that any change orders related to this document would be referred back to the Rome City Commission. The reverse osmosis water treatment facility is needed to remove the “forever chemicals” that are located in Rome’s surface water sources. There is an ongoing lawsuit with some of the “upstream” companies that the City of Rome believes are responsible for these chemicals being in our water source at the current levels.

Historic Preservation Committee

Commissioner Beeman announced that the Historic Preservation Committee will meet on Wednesday, March 15th at 2:30 p.m. in the Sam King Room.

Keep Rome/Floyd Beautiful Commission

Commissioner Beeman announced that the Keep Rome/Floyd Beautiful Commission will meet on Monday, March 27th at 4:00 p.m. in the Caucus Room at the Floyd County Administration Building.

North Rome Cleanup

Commissioner Beeman announced that there will be a cleanup held in North Rome, especially in the Eagle Park area. This will take place on Friday, March 31st from 9:00 a.m. until noon.

Mirco Transit and Bus Shelters

Commissioner Beeman announced that the discussion continues by the Public Work/Traffic/Transit committee concerning consideration developing a micro transit system and they continued to evaluate request for transit bus shelters.

Public Works Report

Commissioner Beeman reported that at the last Public Works/Traffic/Transit committee meeting, several items were discussed including a request to close a portion of the levy/trail. This request is for a soccer event that will take place on Sunday, March 26, 2023, from 4:00 p.m. until 8:00 p.m. Work is underway to improve the lighting infrastructure at the Ledbetter interchange. There is also a request to close a portion of Spider Webb Drive for the Juneteenth celebration on Saturday, June 17th from 9:00 a.m. until 7:00 p.m.

Fire Overview Committee

Commissioner Askew announced that Fire Overview Committee will meet on Tuesday, March 14th at 10:30 a.m. in the Sam King Room.

Public Safety Committee

Commissioner Askew announced that the Public Safety Committee will meet on Tuesday, March 21st at 2:00 p.m. in the Sam King Room.

Finance Committee

Commissioner Collins announced that the Finance Committee will meet on Tuesday, March 15th at 10:30 am. in the Sam King Room.

Citizen Appointments

Commissioner Collins moved to approve the following citizen appointments:

- SPLOST Committee – Appoint Bob Berry as Chairman
- Transportation Citizen’s Advisory Committee – Appoint Sarah Williams, Tonia Clayton, Ben Harrison, and Tom Couch
- Downtown Development Authority – Appoint DJ Rickman
- Rome/Floyd Planning Commission – Appoint Jake Hager and Heath Rogers
- Landmarking Committee – Appoint David Mitchell (Rome Area History Center Representative)

Commissioner Askew seconded the motion.

There was discussion concerning Commissioner Collins motion to approve the citizens. Commissioner Bojo questioned if the City requires appointees to live in Rome or Floyd County. While that is the normal protocol, there are sometimes exceptions made to that policy for various reasons. Commissioner Cochran also agreed that our appointees should live locally. Commissioner Collins replied that he

understands that the normal procedure is to only appoint City residents, however there are times when citizens outside our city are sometimes appointed if there is a valid reason.

Following this discussion, Commissioner Collins motion to approve of all these appointees by the following vote:

YES: Cochran, Doss, Quick, Askew, Collins, and McDaniel

NO: Bojo and Beeman

SPLOST Nominations

Commissioner Collins announced that the Committee on Committees met prior to tonight's meeting and discussed City of Rome appointees to the upcoming City of Rome/Floyd County/City of Cave Springs Citizen's SPLOST Committee. The Committee on Committees has unanimously recommended Monica Sheppard, Jake Hager and Sam Burrell Jr. be appointed. Commissioner Collins made those nominations.

Commissioner Collins also announced that the Committee did not vote in favor of the fourth City appointee. Former City Commissioner Wendy Davis received one vote in favor and two votes in opposition to her appointment. Commissioner Collins nominated Ms. Davis.

This nomination led to considerable discussion by the commission regarding a nomination coming forward without the support of the committee. Some Commissioners commented that bringing an item forward that does not have committee support, undermines Rome's committee system. Commissioner McDaniel stated that if the chair of a committee has control over that committee's report, then is it really necessary to have more than one member on a committee. McDaniel further stated that in this particular case, the opposing votes of Commissioners Doss and Quick on the Committee on Committees seem to have no bearing on Commissioner Collins recommendation. Commissioner Cochran stated that according to Robert's Rules of Order that the chair of a committee can bring an item to the full commission, however it would require a second and if the item coming from the committee was supported by a majority of the committee, a second would not be necessary.

As the discussion continued, it was noted that when the commission prepares to vote on these appointments at the March 27th meeting, there may be other nominations from the floor.

Food/Drink Variance Request – Combat Market, 214 Broad Street

The food/drink ratio variance request tabled at the February 27th City Commission meeting was addressed. Mr. Brandon Pledger, owner of Combat Market, 214 Broad Street, had requested that he be allowed to meet Rome's food/drink ratio with products other than food. Mr. Pledger would like to accomplish this with the sale of coffee, general merchandise, and firearms at the Combat Market. Mr. Pledger was present at tonight's meeting.

Commissioner McDaniel moved to remove this item from the table. Commissioner Doss seconded and the vote was unanimously in favor.

Mr. Pledger addressed the commissioners from the podium and once again stated his request for a food/drink ratio variance. Mr. Pledger made comments regarding activity at other downtown Rome pouring establishments as they relate to issues requiring police assistance. Mr. Pledger generally stated

some of the downtown establishments that have thriving restaurants and late night bar activity are those which require police assistance most often. Some of the other pouring establishments that do not have food (beer and wine only with the exception of Old Havana Cigar Bar) have had no police incidents within the past 90 days. Mr. Pledger added that his establishment would serve custom cocktails and would not be a late night establishment. He emphasized that controlling his customers and properly operating his business, would be his primary management objective.

Mr. Pledger was asked about his operating hours. He stated he plans to close by 11:00 p.m. each night, except for possible special holidays.

Commissioner McDaniel moved to approve Mr. Pledger's food/drink ratio variance request and Commissioner Cochran seconded.

Commissioner Doss moved to amend the approval requiring that Mr. Pledger provide "last call" at 10:30 each night and close by 11:00 p.m. Mr. Pledger would have the option of petitioning the Alcohol Control Commission to be open later than 11:00 p.m. (as late as normal pouring hours) for holidays or special occasions. Commissioner Cochran seconded this motion.

There was considerable discussion by the City Commissioners regarding the amendment requiring Mr. Pledger to close at an earlier time. It was noted that Rome's only other food/drink ratio variance – Old Havana Cigar Bar, 327 Broad Street, did not have a closing condition attached to it. Mr. Pledger reported that Old Havana's stated hours of closing are 11:00 p.m. each night. Mr. Pledger added he would have no problem with the amendment as described. Commissioner Doss's amendment was approved by the following vote:

YES: Cochran, Bojo, Beeman, Doss, Quick and McDaniel

NO: Askew and Collins

Secretary Smith restated the main motion as it now stands with the approved amendment. Some Commissioners continued to express their opposition to the restrictions that would now apply to Mr. Pledger's request. However, the vote on the motion to approve the food/drink variance request, as amended, was approved by the following vote:

YES: Cochran, Beeman, Doss, Quick, Collins, and McDaniel

NO: Bojo and Askew

Food/Drink Ratio Variance Request – Steel N Spirits

Mr. Nathan Roberts was not present at tonight's meeting and there was no action regarding his food/drink ratio variance request and that item remains on the table.

Alcohol Control Commission

Commissioner McDaniel announced that the Alcohol Control Commission scheduled for Monday, March 20th at 5:00 p.m. has been canceled.

Northwest Georgia Regional Commission

Commissioner McDaniel announced that the Northwest Georgia Regional Commission will meet on Thursday, March 16th at 11:00 a.m. at the Rome Civic Center.

Rome/Floyd Parks and Recreation

Commissioner McDaniel announced that the Rome/Floyd Parks and Recreation Board will meet on Tuesday, March 21st at 12:00 p.m. at the Shorter Avenue Headquarters.

Tourism Committee

Commissioner McDaniel announced that the Tourism Committee will meet on Wednesday, March 22nd at 11:45 a.m. at the Rome Area History Center. The speaker will be the Georgia Association of Convention and Visitors Bureau Executive Director, Jay Markwalter.

Adjourn

With there being no further business, Mayor Stevenson adjourned the meeting at 8:35 p.m.

Joseph F. Smith
City Clerk