

ROME CITY COMMISSION

Monday, September 25, 2023

The Rome City Commission met at 6:30 p.m. on 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 Bojo opened the meeting with prayer and led in the salute to the flag.

Minutes – September 11, 2023

The minutes of the September 11, 2023, meeting as submitted in writing by the Secretary, were approved by unanimous consent.

Georgia Highlands College Day

Commissioner Quick presented a joint City/County proclamation proclaiming September 28, 2023, as Georgia Highlands College Day in our community. This proclamation was presented to Dr. Mike Hobbs, President.

Dr. Hobbs addressed the Commission thanking them for this recognition and speaking regarding the mission of Georgia Highlands College. Currently, the college has 5,002 students.

Norma Reboredo

Ms. Norma Reboredo addressed the City Commission concerning development in our city. Ms. Reboredo encouraged the city to strive for quality over quantity regarding development and to always be mindful of the local impact of international developers. Ms. Reboredo also spoke on the benefits of home ownership versus rental housing.

She also addressed the proposal to borrow \$120 million to build the new Rome Middle School. In addition to stating this is far too expensive for one school, she also questioned the road access and other developmental costs that will be needed that may not be part of the current \$120 million bond package. There was no response to the questions regarding the funding for road access to the new school.

Roger Wade – 2 Sherwood Road

Mr. Roger Wade addressed the City Commission. Mr. Wade thanked the City Commissioners for their time and energy spent being a Rome City Commissioner and realizing that it is primarily a thankless job. Mr. Wade's focus was regarding the proposed \$120 million bond issue for the new Rome Middle School. He emphasized that this is not a sound financial move with approximately \$160 million being repaid in principal and interest. This represents \$4,231 for each of Rome's 37,810 residents. The \$65-\$70 million that is provided with the 2023 ESPLOST and state funding should be sufficient for this single school project.

David Doss – 806 Collinwood Road

Mr. David Doss addressed the City Commission and also thanked them for their service to this community. The focus of Mr. Doss' comments were regarding the proposed new Rome Middle School. Mr. Doss stated that on September 11 the City Commission voted via a 5-4 vote to borrow \$120 million in bonds for this single school project.

Mr. Doss handed out a document quoting some of Rome's code section and stated that to the "layman" there seems to be a clear conflict of interest with Commissioner Collins voting for the bonds. Mr. Collins' wife is chair of the Rome Board of Education. Mr. Doss emphasized that he means no disrespect to Commissioner Collins or Mrs. Collins, however a conflict of interest certainly seems to exist.

Assembly Ordinance Amendment – First Reading

Commissioner Askew reported that the Public Safety Committee had reviewed a proposed amendment to Rome's assembly ordinance and this amendment was being placed on first reading tonight. Askew pointed out that there continues to be discussion regarding this topic and further amendments could be made. If there are no other changes, this document will be scheduled for a second reading at the October 9 City Commission meeting.

Z23-09-01 – Rezone 1145 North Broad Street

Rome/Floyd Planning Director, Brice Wood introduced rezoning file Z23-09-01. The request to rezone property located at 1145 North Broad Street from Community Commercial to Neighborhood Office Commercial. This property is identified by Floyd County Tax Parcel J130-277. The Planning Commission and staff have recommended approval of the rezoning request.

Mr. Wood reviewed this file, displaying maps, and photographs of the subject and surrounding properties. Mr. Wood stated that if rezoned to NOC, the owner could use this property for a residence or some type of commercial office.

Mayor Stevenson called a public hearing to order. There was no one to speak in favor or opposition to the rezoning request and the public hearing was closed.

Commissioner Quick moved to approve the rezoning of 1145 North Broad Street from Community Commercial to Neighborhood Office Commercial as requested. Commissioner McDaniel seconded, and the vote was unanimously in favor.

Z23-09-03 – Rezone 1314 E. 2nd Avenue

Rome/Floyd Planning Director, Brice Wood introduced rezoning file Z23-09-03. The request to rezone property located at 1314 E. 2nd Avenue, from Community Commercial to High Density Traditional Residential. This property is identified by Floyd County Tax Parcel J140-164. The Planning Commission and staff have recommended approval of this request.

Mr. Wood reviewed this file, displaying maps, and photographs of the subject and surrounding properties. Mr. Wood stated that the owner of this residential structure wanted assurance that it could be replaced if destroyed, and High Density Traditional Residential zoning would allow for that replacement.

Mayor Stevenson called a public hearing to order. There was no one to speak in favor or opposition to the rezoning request and the public hearing was closed.

Commissioner Quick moved to approve the rezoning request for 1314 East 2nd Avenue from Community Commercial to High Density Traditional Residential as requested. Commissioner Askew seconded, and the vote was unanimously in favor.

Z23-09-07 – Rezone 840 Turner McCall Blvd. and 715 W 2nd Street

Rome/Floyd Planning Director, Brice Wood introduced rezoning file Z23-09-07. The request to rezone properties located at 840 Turner McCall Blvd. and 715 W. 2nd Street from Community Commercial to Urban Mixed Use. These properties are identified by Floyd County Tax Parcels J13Y-068 and J13Y-070. The Planning Commission and staff have recommended approval of this request.

Mr. Wood reviewed this file, displaying maps, and photographs of the subject and surrounding properties. Mr. Wood stated that the developers’ plan is to demolish a portion of the structure now used for the Days Inn Hotel on Turner McCall Blvd. After this demolition is complete, there are plans to construct a new additional hotel at this site. Although hotels are allowed in Community Commercial zones, Urban Mixed Use will allow more density and not impose parking requirements.

Mayor Stevenson called a public hearing to order. Speaking regarding this rezoning request was Ms. Norma Reborado. Ms. Reborado questioned the specifications of Urban Mixed Use zoning. She also asked if extended stay micro type apartments would be allowed. She was told that they are allowed in an Urban Mixed-Use zone. She also questioned height restrictions and stated that there is currently too much traffic on Turner McCall Blvd. With no one else speaking regarding this matter, the public hearing was closed.

There was discussion by the City Commissioners concerning these plans and the possibility of this new development being used for something other than a traditional type hotel. There was a concern that this structure could be built or converted to apartments. There was also discussion regarding the absence of parking requirements as specifications in the CBC and UMU zoning districts.

Commissioner Quick moved to approve the rezoning request from Community Commercial to Urban Mixed Use as requested for these two properties with the condition that the sites could only be used as a hotel unless the City Commission approves a subsequent use in the future. Commissioner Collins seconded the motion, and the vote was unanimously in favor.

Water Settlement Agreement – 3M

Assistant City Attorney, Frank Beachum, explained that the City of Rome now has the final settlement agreement for the PFAS water lawsuit. The City Commission can now approve and ratify the 3M settlement agreement.

Commissioner Bojo moved to approve and ratify the 3M water settlement agreement as presented. Commissioner McDaniel seconded, and the vote was unanimously in favor. Mr. Beacham pointed out that by accepting the settlement agreement, the City of Rome agrees not to disparage the 3M Company, not to increase water rates for the purposes of PFAS treatment, and to repeal past rate increases for the purpose of PFAS treatment. The previous rate increases related to PFAS were removed, effective September 2023.

Rome/Floyd Development Authority

Mayor Stevenson announced that the Rome/Floyd Development Authority will meet on Tuesday, September 26 at 9:00 a.m. at 800 Broad Street board room.

Overdose Action Kits

Mayor Stevenson announced that the City of Rome has been supplied Opioid overdose action kits from a drug recovery program.

Community Redevelopment Committee

Commissioner Bojo announced that the Community Redevelopment Committee meeting scheduled for Wednesday, September 27 has been cancelled.

Keep Rome/Floyd Beautiful

Commissioner Beeman announced that the Keep Rome/Floyd Beautiful Commission will meet on Thursday, September 28 at 4:00 p.m. at the Floyd County Administration Building.

Trails and River Committee

Commissioner Doss encouraged our citizens to enjoy our trails and rivers, citing that the Fall is perhaps the best time to be on Rome's trails.

Rome/Floyd County Planning Commission

Commissioner Quick announced that the Rome/Floyd County Planning Commission will meet on Thursday, October 5 at 2:30 p.m. in the Sam King Room.

Fire/EOC/911 Joint Occupancy Agreement

Commissioner Askew moved to adopt a new Fire/EOC/911 joint occupancy agreement. The City and the County have been operating on a temporary agreement for some time and this puts that document in final form. Commissioner Collins seconded the motion, and the vote was unanimously in favor.

Solid Waste Commission

Commissioner Askew announced that the Solid Waste Commission scheduled for Tuesday, September 26 has been cancelled.

Finance Committee

Commissioner Collins announced that the Finance Committee will meet on Wednesday, September 27 at 10:30 a.m. in the Sam King Room.

Combat Market/Alibi Prohibition Lounge Hours of Operation

Commissioner McDaniel stated that Mr. Brandon Pledger, owner and operator of Combat Market/Alibi Prohibition Lounge, 214 Broad Street, is requesting that the 11:00 p.m. closing time restriction placed on his establishment be removed.

Commissioner McDaniel summarized that earlier in 2023, Mr. Pledger received a variance from Rome's food/drink ratio requirement, which allows him to meet the 50/50 ratio with products other than food. In Mr. Pledger's case, he's been given a variance to meet the 50/50 ratio with products sold at his Combat Market, including firearms. At the time of the granting of the variance, Mr. Pledger was required to close his establishment at 11:00 p.m. each night, unless he receives specific permission from the Alcohol

Control Commission to be open later than 11:00 p.m. for special occasions. The normal required closing time of pouring establishments is 2:00 a.m. Mr. Pledger has cited that Old Havana Cigar Bar was given the first food/drink ratio variance and no early closing time restriction was placed upon that establishment.

Commissioner McDaniel moved to remove the 11:00 p.m. closing restriction for Mr. Pledger and allow him to stay open as late as 2:00 a.m. Commissioner Cochran seconded the motion. Commissioner Doss stated that if this motion fails, he will make a motion that all establishments that receive food/drink ratio variances be required to close at midnight. Commission McDaniel’s motion was approved by the following vote:

YES – Cochran, Bojo, Askew, Collins and McDaniel
NO – Beeman, Doss and Quick

Peaches – 325 Broad Street

Commissioner McDaniel reported that the Alcohol Control Commission was asked by Stephanie Shaw, owner and operator of Peaches, 325 Broad Street, to reinstate her liquor pouring license and to grant a food/drink ratio variance. This variance request is to allow a combination of food sales and concert ticket sales to constitute her 50/50 ratio. In May 2023 the liquor pouring license at Peaches was revoked by the City Commission for failure to meet the food/drink ratio requirement.

There was considerable discussion regarding this matter and variances that have been granted by the City Commission. Currently, there have been three food/drink ratios variances granted. The first being to Old Havana Cigar Bar for the use of premium cigars and other related products to meet the ratio. In 2023, the other two establishments were the Combat Market, previously discussed, and Steel and Spirits, which is yet to open. Steel and Spirits is allowed to use the sale of steel products to meet their ratio.

Commissioner McDaniel stated that Peaches is somewhat of a unique establishment in Rome, since they are primarily an event and concert venue. While a restaurant continues to be operated at this location, it is very difficult to sell enough food to offset liquor sales due to the nature of their business.

Commissioner McDaniel moved to reinstate the liquor pouring license at Peaches and to grant a food/drink ratio variance. This variance specifies that the 50/50 ratio can be met with a combination of food sales and concert ticket sales. However, food sales must constitute at least 25% of the ratio. Commissioner Collins seconded the motion. Commissioner Doss stated that if the motion fails, he will make a motion to impose a midnight closing time on all establishments with food/drink ratio variances.

Commissioner McDaniels motion failed by the following vote:

YES – Cochran, Bojo, Collins, and McDaniel
NO – Beeman, Doss, Quick, and Mayor Stevenson
ABSTAIN – Commissioner Askew (family members operate the kitchen at Peaches)

There was lengthy discussion between the City Commissioners regarding this topic with questions also of City Clerk Smith and Mr. Billy Cooper, Chairman of the Alcohol Control Commission.

The prevalence of food/drink ratio at other comparable cities in north Georgia were among the topics discussed.

Commissioner Doss made a motion to approve the reissuance of the liquor pouring license at Peaches and to grant the food/drink ratio variance allowing Ms. Shaw to use food sales and concert ticket sales to meet the 50/50 ratio. Additionally, this motion specified that Peaches, Old Havana Cigar Bar, Alibi Prohibition Lounge, and Steel and Spirits be required to close at midnight. Commissioner McDaniel seconded the motion. This motion led to lengthy and spirited debate regarding this matter. Some commissioners felt that it was inappropriate to consider a midnight restriction for an establishment which has just been granted permission to be open until 2:00 a.m. The same concern was expressed for Old Havana Cigar Bar, which has had the ability to stay open until 2:00 a.m. since the variance was granted years ago. Commissioner Doss emphasized that his closing restriction is only applicable to establishments who have asked for special permission and been granted a food/drink ratio variance. Commissioner Collins in particular lobbied against this motion. As the debate continued, Commissioner McDaniel retracted his second of this motion. Commissioner Quick then provided the needed second to the motion and the debate continued. It was pointed out that Rome has had a food/drink ratio since distilled spirits were approved via a public referendum in the early 1970's. Secretary Smith explained that for many years the food/drink ratio included all alcohol products - beer, wine, and liquor. Several years ago, beer and wine were removed from the equation, requiring that pouring establishments only offset distilled spirits sales. This allowed the food/drink ratio to be more easily met. It was also noted that The Forum, which will soon be under the City of Rome's control, is exempt from the food/drink ratio. The exemption for that particular facility, has been in place for several years and was done so to benefit the original owner of The Forum, the Floyd County government.

Eventually Mayor Stevenson called for a vote on Commissioner Doss' motion and that motion to approve the license variance and the midnight closing restriction failed by the following vote:

YES – Beeman, Doss and Quick
NO – Cochran, Bojo, Collins, and McDaniel
ABSTAIN - Askew

Commissioner McDaniel now moved to reinstate the liquor pouring license at Peaches and grant a food/drink ratio variance specifying that at least 25% of the 50/50 ratio come from food sales and the remaining 25% be allowed to come from ticket sales. There is no closing time restriction for Peaches or any other establishment, all of which will be allowed to stay open to Rome's established closing time of 2:00 a.m. Commissioner Cochran seconded the motion. This motion also led to continued debate. Commissioner Doss suggests that this matter be sent back to the Alcohol Control Commission to debate and decide if entertainment venues should be treated in a different manner. Commissioner Doss emphasized that variances should work both ways, with special permissions being given to pouring establishments; earlier closing times should be imposed, otherwise, it is not fair to the established restaurants who have worked hard to meet Rome's food/drink ratio in the traditional manner. With the discussion eventually concluded, Commissioner McDaniel's motion was approved by the following vote:

YES – Cochran, Bojo, Collins, McDaniel and Mayor Stevenson
NO – Beeman, Doss and Quick
ABSTAIN - Askew

Tourism Committee

Commissioner McDaniel announced that the Tourism Committee will meet on Wednesday, September 27 at 11:45 a.m. at the Rome Area History Center.

Adjourn

With there being no further business, Mayor Stevenson adjourned the meeting at 8:23 p.m.

Joseph F. Smith
City Clerk