

## **ROME CITY COMMISSION**

**Monday, March 3, 2008**

The Rome City Commission met at 6:30 p.m. this date in the Commission Room of City Hall, 601 Broad Street. Mayor Bagby presided with Commissioners Reid, Slack, Wachsteter, Doss, Fricks, Canada, Collins, and McNiece present. Commissioner Doss introduced Reverend Jeff Chadwick, the new pastor at the First Presbyterian Church in Rome. Reverend Chadwick commented on the warm reception he has received from Rome, and then he delivered the invocation.

Commissioner McNiece introduced Boy Scouts David Toms and Andrew Hudson, who led in the salute to the flag. Scouts Toms and Hudson are pursuing their Citizenship in the Community Merit Badge.

### **Minutes – February 18, 2008**

The minutes of the February 18, 2008 meeting as submitted in writing by the Assistant Secretary were approved by common consent.

### **Excellence in Education Day**

Mayor Bagby presented a joint city/county proclamation, recognizing March 11, 2008 as Excellence in Education Day in Rome and Floyd County. This proclamation was presented to Mr. Bill Byars and Ms. Angie Douglas.

### **Tolbert Park Fence – Summerville Park Residents**

There were approximately 30 residents of the Summerville Park neighborhood in attendance at tonight's meeting to address the City Commission and hear comments related to a chain-link fence, which has recently been installed on one of the play fields in Tolbert Park. Tolbert Park is located in the Summerville Park neighborhood.

Speaking first was Mr. Eric McDowell, President of the Summerville Park Neighborhood Association. On behalf of the Neighborhood Association, Mr. McDowell was requesting that the City of Rome instruct the Parks and Recreation Department to remove the recently installed chain-link fence around one of the play fields at Tolbert Park. The Summerville Park neighborhood is near unanimous in their desire to have this fence removed. Mr. McDowell read a prepared statement in which he informed the Commission that the fence was installed without first seeking input from anyone who might be affected by its existence. The Neighborhood Association was not approached about the plans to install this fence. After the fence had been installed, Mr. Richard Garland, Executive Director of the Parks and Recreation Authority, informed the neighborhood that the fence was installed to protect the new sod, which had been laid on this play field. Mr. McDowell reported that members of Rome City Commission, and even members of the Parks and Recreation Authority Board, were not aware that this fence was being installed.

Although it has been reported that the primary purpose of the disputed fence is the protection of the newly sodded field at the park, Mr. McDowell reminded the Commission that a guard rail has also been installed along the full length of Timothy Avenue, which will provide adequate protection of the newly, sodded field from automobile traffic. Mr. McDowell further stated that

it has been reported that the fence will provide a safe environment for the children playing within it. McDowell stated that Tolbert Park has always been safe, and the Neighborhood Association is aware of no traffic related injuries in the long history of the park. The previously mentioned guard rail will offer adequate safety from automobile traffic. The last point made by Mr. McDowell was to address an implication made by a member of the City Commission that the residents of Summerville Park wish to restrict the manner in which Tolbert Park is used. Mr. McDowell stated on behalf of the Neighborhood Association, that any use of the park that does not unduly contribute to parking or noise problems, is welcome.

Following Mr. McDowell's comments, Mr. Christian Terry, 207 Oakwood Street, addressed the Commission. Mr. Terry lives near Tolbert Park and echoed Mr. McDowell's comments that the guard rail provides adequate protection, and that the fence is not needed, and in fact, looks like a prison fence.

Mr. Nathan Roberts, 201 Oakwood Street, addressed the Commission and stated that the fenced area is a multi-use field, which is now somewhat restricted because of the recently installed fence. A baseball backstop would be much more beneficial and allow the field to be used for tee-ball and other baseball and softball activities.

Mr. Sid Bell, 19 Charlton Street, addressed the Commission and made reference to a recent event in which a peewee practice event was held at Tolbert Park in which there were approximately 66 cars parked along the perimeter of the park. Mr. Bell feels that it is inappropriate to allow this type of activity at Tolbert Park, which overwhelms the surrounding area with parked vehicles.

Also addressing the City Commission was Ms. Montine Bartlett, 303 Dodd Street. Ms. Bartlett stated that she is a long-time resident of Summerville Park and is in favor of allowing the fence to remain in place. She suggested that the fence be left in place for a couple of seasons to see what type of effect it has on park use and playability. Ms. Bartlett also stated that the park now looks better than it ever has. Ms. Bartlett feels that the fence would add additional safety for both baseball players and others who use this field area. Ms. Bartlett also suggested that the uses in the park be expanded to include an area for skateboards and perhaps even a dog park. Ms. Bartlett informed the Commission that she was unaware of any complaints being voiced about Tolbert Park until the fence was erected. She concluded her comments by stating that all City Parks should be opened to all residents.

Following the conclusion of the public comments, Mayor Bagby informed everyone present that this issue would be referred to the Community Development Committee. The City Commission has previously decided that all future capital improvements that are planned for City Parks would first be reviewed by the Community Development Committee. Mayor Bagby encouraged anyone interested in the Tolbert Park issue, to attend the Community Development Committee Meeting which will be held on March 12, 2008 at 8:30 a.m. in the Sam King Room of City Hall.

### **Serpentfoot**

Ms. Serpentfoot, 324 D Forsyth Street, addressed the City Commission. Ms. Serpentfoot's first comments were concerning the length of time that guests were given before the City Commission. She requested that more than five minutes be allowed in order to allow viewpoints to be adequately expressed. Ms. Serpentfoot also thanked the City Commission for their efforts

in properly running the City of Rome. Ms. Serpentfoot wants to be civil to the City of Rome, even if she is required to sue the City over issues related to the West Third Street development.

Ms. Serpentfoot requested that the City of Rome consider amending their plans to name the Burwell Creek Bridge on Riverside Parkway as the Major Ridge Bridge. Ms. Serpentfoot reminded the Commission that Ridge was not the Chief of the Cherokees, and in fact signed the treaty which authorized the removal of the Cherokee Tribe from our area. Ms. Serpentfoot believes there have been enough areas named after Major Ridge already. The City of Rome's Ridge Ferry Park, located on Riverside Parkway, is named after Major Ridge.

Ms. Serpentfoot also informed the Commission that Cherokee Chief John Ross has not been given the proper respect, and that the City's plans to name the Oostanaula River Pedestrian Bridge as the John Ross Crossing, should be titled the "Chief John Ross Crossing". Serpentfoot concluded her comments by stating that Burwell Creek, which is crossed by the previously mentioned Major Ridge Bridge, should not be renamed after Major Ridge, and if it is renamed, it should be named after Chief Ross, since his home was in close proximity to Burwell Creek.

Mayor Bagby thanked Ms. Serpentfoot for her attendance at tonight's meeting.

#### **Outback Steakhouse, 1404 Turner McCall Boulevard**

Commissioner Fricks requested that the license request of Jerry E. Blott, manager of Outback Steakhouse, 1404 Turner McCall Boulevard, be placed on First Reading. Mr. Blott is requesting that the Beer, Wine, and Liquor Pouring License at that location be transferred from Garth Gherardini to him. There was no objection to Commissioner Frick's request.

#### **George Kastanias – Alcohol Control Commission**

Commissioner Doss requested that on behalf of the Committee on Committees, that Mr. George Kastanias be nominated to serve on the Rome Alcohol Commission. Mr. Carlos Spivey has completed two full terms on the ACC and is not eligible to be reappointed. Mr. Kastanias would be replacing Mr. Spivey.

Commissioner Canada objected to this nomination. Commissioner Canada made it clear that he has no opposition to Mr. Kastanias; however, he is opposed to the process of nominating someone to the ACC who represents the Rome Hospitality Association at this point. The City Commission has decided previously, that during 2008 there would be an examination of the Alcohol Control Commission composition, as well as the ACC's ordinances and operating policies. Commissioner Canada would prefer that the discussion concerning the ACC composition be completed before an appointment from the Hospitality Association is made.

Since there was an opposition to the request for nomination, Commissioner Doss moved to place Mr. Kastanias' name on First Reading for appointment. Commissioner Fricks seconded the motion, and it was approved by the following vote:

**YES:** Reid, Fricks, Collins, McNiece, Slack, Wachsteter, and Doss  
**NO:** Canada

A vote on this nomination is scheduled for March 17<sup>th</sup>.

**02-2008A Annex 2501 Callier Springs Road**

Commissioner Reid presented annexation file 02-2008A, the request to annex 2501 Callier Springs Road, tax map # J14O-194 with Neighborhood Office Commercial Zoning (no change in zoning). Commissioner Reid reported that the Planning Commission had recommended approval of this annexation by a unanimous vote.

Mayor Bagby called a Public Hearing to order concerning this request. There was no one to speak in favor or opposition, and the Public Hearing was closed. Commissioner Reid moved to annex 2501 Callier Springs Road as requested with Neighborhood Office Commercial Zoning. Commissioner Canada seconded, and the vote was unanimously in favor.

**Major Ridge Memorial Bridge**

Commissioner Wachsteter moved to name the Burwell Creek Bridge on Riverside Parkway as the Major Ridge Memorial Bridge. Commissioner Wachsteter clarified in his motion that “Major” was Mr. Ridge’s first name. Commissioner McNiece seconded, and the vote was unanimously in favor.

**John Ross Crossing**

Commissioner Wachsteter moved to name the recently constructed Oostanula River Pedestrian Bridge as “Chief John Ross Crossing”. Commissioner McNiece seconded, and the vote was unanimously in favor. Commissioner Wachsteter thanked Floyd County for their joint efforts in constructing and naming this bridge. A dedication for Chief John Ross Crossing is scheduled for April 2008.

**Jail Contract**

Commissioner Reid announced that the new City/County Jail Contract has been approved by Floyd County and is now in effect.

**Chamber of Commerce – Washington, D.C.**

Commissioner Wachsteter thanked his fellow commissioners for allowing him to attend the Chamber of Commerce trip to Washington, D.C. Commissioner Wachsteter will be leaving on March 4<sup>th</sup> for this trip. Commissioner Wachsteter will use this opportunity to relay some of the major concerns of the City of Rome to our Congressional Delegation.

**Parks and Recreation Hall of Fame Dinner**

Commissioner Canada announced that the annual Parks and Recreation Hall of Fame Dinner will take place on Tuesday, March 4, 2008.

**Adjourned**

With there being no further business, Mayor Bagby adjourned the meeting at 7:14 p.m.

Joseph F. Smith  
Secretary