

ROME CITY COMMISSION**Monday, March 6, 1995**

The Rome City Commission met at 8 p.m. this date in the Commission Room of City Hall, 601 Broad Street. Chairman Pro-Tem Fielder presided with Commissioners Harrington, Smith, Doss, Fricks, Griffin, Kennedy and Wade present. Chairman Pullen was absent.

Chairman Pro-Tem Fielder opened the meeting with prayer and led in the salute to the flag.

Minutes - February 20, 1995

Commissioner Griffin moved to approve the minutes of the February 20, 1995 meeting and Commissioner Fricks seconded. Commissioner Kennedy pointed out that a correction needed to be made on page 7 under the "Dale Yager" heading. With this correction noted, the vote to approve was unanimously in favor.

Manufacturing Appreciation Week

Chairman Pro-Tem Fielder presented a Proclamation proclaiming the third week in March as Manufacturing Appreciation Week in Georgia. This proclamation was presented to Mrs. Leigh Hight.

Stonebridge Green Fees

Commissioner Wade moved to adopt a Resolution which would amend the green fees being charged at Stonebridge Golf Course. Commissioner Wade specified that half of all funds produced from this increase will go into the Debt Service Fund. Commissioner Fricks seconded the motion and the vote was unanimously in favor.

Happy Family Chinese Restaurant - 2004 Shorter Avenue

Commissioner Griffin reported that the Alcohol Control Commission had recommended approval of a new beer and wine pouring license at Happy Family Chinese Restaurant, 2004 Shorter Avenue. Commissioner Griffin requested that this matter be placed on First Reading. There were no objections and Chairman Pro-Tem Fielder directed that this be done.

Annexations

Commissioner Kennedy requested that File 04-95, Annex 135 Malone Drive, R-1A and File 05-95, Annex 117 Shoreline Drive, R-1A be placed on First Reading. There were no objections to Commissioner Kennedy's request. Chairman Pro-Tem Fielder directed that this be done and called for a Public Hearing at the City Commission meeting on March 20, 1995.

Speed Zone Ordinance

Commissioner Fricks moved to adopt a Speed Zone Ordinance. Commissioner Wade seconded and the vote was unanimously in favor. This ordinance will establish speed limits on City streets and Commissioner Fricks stated that it would become effective when the new speed limit signs are erected.

Adult Entertainment Ordinances

Two ordinances concerning adult entertainment were scheduled for Second Reading. Commissioner Griffin presented an ordinance to amend Part III, Chapter Three, Article II of the City of Rome, Georgia by amending Section 3-35. Commissioner Griffin moved to restate and readopt said ordinance in its entirety to prohibit certain types of entertainment, attire and conduct in establishments with an alcohol beverage license in the City of Rome, Georgia; to supplement findings of facts in support of the prohibition of certain types of entertainment, attire and conduct in establishments in the City of Rome, Georgia; to repeal conflicting ordinances; and for other purposes. Commissioner Wade seconded.

Commissioner Kennedy presented and moved for the adoption of an ordinance to amend Part III, Chapter Twenty Three, Article IX of the City of Rome, Georgia Code, by restating and readopting Sections 23-301, 23-333 and by supplementing Section 23-301 thereof with certain additional findings and purposes; by correcting a scrivener's error in Section 23-306; to restate and readopt said ordinance to regulate certain types of businesses, including, but not limited to, adult entertainment establishments in the City of Rome, Georgia; to restate and establish findings of facts and purposes for said regulations of said businesses in the City of Rome, Georgia; to repeal conflicting ordinances; and for other purposes. Commissioner Wade seconded the motion.

Chairman Pro-Tem Fielder opened the floor for public comment in conjunction with the continuation of a public hearing on the adult entertainment matter. Public comment and other information had been gathered at the February 20, 1995 City Commission meeting.

Speaking in regards to the adult entertainment matter was Captain Marshall Smith of the Rome Police Department. Captain Smith made the following comments:

REPORT TO ROME CITY COMMISSION ADULT ENTERTAINMENT

PRESENTATION MADE TO THE ROME CITY COMMISSION ON THE CRIME RATE EFFECT OF ADULT ENTERTAINMENT MARCH 6, 1995

"I am Captain Marshall Smith, Commander of the Detective Division at the Rome City Police Department. I have been employed at the Rome City Police Department for 20 years, and 14 of those years have been spent as a detective.

For the past 10 years I have represented the Rome Police Department in an organization known as the Georgia State Intelligence Network (GSIN). This organization is made up of over 75 police agencies throughout the State of Georgia that meet each month and exchange information about crimes and intelligence in their city. This information, as well as the contacts, is very helpful in solving many different matters.

When asked by City Attorney Andy Davis to check with different agencies concerning adult entertainment, I called upon some of my fellow officers in GSIN. I called on the Augusta Police Department, Whitfield County Sheriff's Office, Carrollton Police Department and LaGrange Police Department. I asked each agency for their assistance with the crime rate surrounding adult entertainment and the impact it has had on their city or county. All four agencies contributed information; however, the LaGrange Police Department submitted exactly the kind of stats that I feel I need to share with you.

The LaGrange Police Department has informed me that they have an adult entertainment nightclub that opened approximately three years ago within the city limits. According to a LaGrange investigator, at the time the place opened they received numerous calls to the business, and he feels that the calls for service at this location have increased over the past two years.

The calls to the adult entertainment establishment range from shootings, aggravated assault to thefts. I would like to quote some stats for the period of January, 1994, through December, 1994, for one club:

1 call for Burglary	2 calls for Criminal Trespass
8 calls for Theft	4 calls for Aggravated Assault
8 calls for Simple Battery	1 call for Cutting/Baseball Bat
1 call for Auto Theft	1 call Gun Involved
7 calls for Entering Auto	2 calls Gun Involved/Shots Fired

Plus numerous calls ranging from traffic stops, unwanted persons to six miscellaneous calls. The LaGrange Police Department responded to 106 calls for this one club in 1994.

The Augusta Police Department also provided some stats which involved three different adult entertainment nightclubs. The stats provided were for a two year period from January, 1993, through December, 1994. In that two year period the police department responded to 971 calls for service. The calls for service ranged from thefts and fights to aggravated assaults with weapons involved.

I talked to an investigator about prostitutes and drugs. He stated there are prostitutes working in the area in and out of the bars. He further stated that it had been a long time since an undercover operation on prostitutes had been conducted. He then stated that they had just purchased drugs on March 1 from an employee of one of these clubs and she was arrested. This person had been reported as a drug dealer right out of the club.

I also talked to Captain Rick Swaynie with the Whitfield County Sheriff's Office who stated that they have incidents involving prostitution, drugs, thefts and aggravated assaults. Some of the reported incidents with aggravated assaults are involving guns and shots being fired on the premises.

Adult entertainment, according to other agencies, brings with it prostitutes, drugs, guns and shootings. Let me talk about prostitutes for just a minute, which follows adult entertainment. In the past two years the city has had more and more women of the evening enter our city and openly sell themselves in and around our city. I feel that an adult entertainment club would be just a "central location" to set up shop, so to speak. Also, I feel it would draw even more of these type of women to our city, and along with this activity comes drugs.

Another issue to consider concerning adult entertainment in the downtown area is that it would strongly affect our younger men and women. I work a lot of undercover operations and most are conducted after dark, and our downtown area, on almost any given night, has a lot of young people in the area. I feel that the activity that adult entertainment brings with it would be detrimental to our young people.

Also adult entertainment clubs would affect individuals that attend activities at the Forum. For example, when people attend an activity at the Forum and the activity has been completed, people walk in the downtown area window shopping and sometimes just to view our city. What effect would an adult entertainment club have on them and their children? What type of impression would this leave with them? I feel it would leave a lasting impression on them, and that impression would not be a good one.

Are there any questions?"

At the conclusion of Captain Smith's remarks, there were no questions by the City Commission.

Also speaking in regards to this matter was Mr. Blaine Williams, Downtown Development Director. Mr. Williams presented a chart, which is labeled Exhibit A and attached to these minutes, outlining the private and public investments in the downtown area from 1983 to the present. Mr. Williams' report was accepted without question by the City Commission.

Assistant City Attorney Andy Davis presented two documents to also be made a part of these official minutes. These two documents were certified copies of reports from Austin, Texas and Garden Grove, California.

With the input on this matter now concluded, Chairman Pro-Tem Fielder closed the public hearing and the vote on Commissioner Griffin's motion was unanimously in favor, including Chairman Pro-Tem Fielder. The motion of Commissioner Kennedy was also voted unanimously in favor, including Chairman Pro-Tem Fielder.

Ann Otwell

Ms. Ann Otwell had registered as a guest at tonight's meeting. However, Ms. Otwell was unable to address the City Commission because she was arrested for disrupting a public meeting and public indecency during the invocation portion of tonight's meeting.

Water and Sewer Extension Contract - Stone Creek Apartments II

Commissioner Smith moved to authorize the City Manager to enter into a contract with the Garden Lakes Company for water and sewer extension to the Stone Creek Apartments II. The construction cost for the sewer system is \$11,057.20. The construction cost for the water system is \$6,497.40. The Garden Lakes Company is to make an initial payment of \$7,477.82 and submit an irrevocable letter of credit for the difference between the initial payment and the construction cost for a period of three years. The amount of the irrevocable letter of credit will be \$10,076.78. Commissioner Kennedy seconded and the vote was unanimously in favor.

Water and Sewer Extension - Maplewood East Subdivision

Commissioner Smith moved to authorize the City Manager to enter into a contract with Milton Stewart and Associates for water and sewer extension to the Maplewood East Subdivision. The total construction cost for this project will be \$48,235.80. The City of Rome's policy concerning initial payment and irrevocable letters of credit will apply to this project also. Commissioner Harrington seconded and the vote was unanimously in favor.

Water and Sewer Rates

Commissioner Smith moved to adopt a Resolution which would increase the City of Rome's in-city water rate to 87¢ per hundred cubic feet and increase the City of Rome's in-city sewer rate to \$1.03 per hundred cubic feet. Commissioner Kennedy seconded and the vote was unanimously in favor. The effective date of these new rates will be May 1, 1995.

Water and Sewer Tap Fees

Commissioner Smith moved to adopt a Resolution which would increase the City of Rome's fee for water taps to \$600 each and to increase the City of Rome's fee for sewer taps to \$600 each. Commissioner Wade seconded and the vote was unanimously in favor. The effective date of the new tap fees will be May 1, 1995.

Commissioner Smith stated that these fee increases were necessary to cover construction cost for water and sewer system improvements, some of which were caused by Federal and State mandates. Smith also stated that the City of Rome had seen a 5% reduction in its water sales the past year.

City Manager Bennett pointed out that the consulting group hired by the City of Rome to study the water and sewer rates had recommended a higher rate than the City Commission had adopted.