

JULY 8, 1985 - 7:30 P.M. REGULAR CITY COUNCIL MEETING WITH MAYOR BURDETTE, MAYOR PRO-TEM LEWIS, ALDERMAN KING, ALDERMAN MEADOWS AND ALDERMAN MCENTIRE IN ATTENDANCE.

1. Mayor Burdette called the meeting to order and James Jones gave the invocation.
2. Minutes of the June 17, 1985 regular Council meeting were read with the word "stated" in item 8 being changed to "started". The minutes were then approved subject to the change. Minutes of the June 27, 1985 special meeting were read and approved.
3. Mayor's Comments:
 - (a) Mayor Burdette reminded everyone of the Jerry Bearden Urban Development Loan program public hearing to be held July 22, 1985 at 7:30 P.M.
 - (b) Mayor Burdette asked Council members to submit GMA committee requests to the Clerk for proper filing.
 - (c) Mayor Burdette also reminded the Council of the annual MEAG meeting in Atlanta on July 17, 1985 at 10:00 A.M.
4. Aldermen's Comments:
 - (a) Mayor Pro-Tem Lewis stated the police made 98 cases in June, 1985, 19 being DUI's; issued 50 warnings, 26 prisoners served 52 days in jail with a collection of \$8,314.00 in fines. The investigators worked 68 incidents; 67 accidents were worked; they assisted 66 motorists and provided 75 escorts.
The fire department answered one residential fire with damages of approximately \$5,000.00; 1 commercial fire with no damages; 1 vehicle fire with damages of approximately \$250.00; 1 call to City property; answered 5 false alarms; 3 firemen completed mandate training; and several inspections were made.
 - (b) Ald. King - the street department continues to work on South Industrial Boulevard; clearing the site of the old drive-in property for electric department; hauling brush cut from right-of-ways; beautification department continues to trim sidewalks. Sweitzer & Peoples have mailed a request to the state regarding the City's permit to move into the new industrial landfill.
 - (c) Ald. Meadows - four of the eight tennis courts are complete and in service, the others should be finished this week at the recreation department. The electric department sold 15,663,289 KWH of electricity to 2,948 customers for \$782,937.45. The water & sewer construction departments made 24 water taps and 6 sewer taps in June. This month will have the fifth Monday, July 29th, for the City/County planning meeting.
 - (d) Ald. McEntire - stated the waste treatment plant averaged 6,522,000 gallons of treated waste per day with the BOD being 29 and suspended solids being 29. The water treatment department pumped 316,144,000 gallons of raw water in June, 1985.
5. Public Hearings and Comments:
 - (a) Mayor Burdette opened a Public Hearing on the request filed by H. F. Barnette, Administrator for Shirley Roach, for a variance to the Flood Plane Zoning Ordinance to allow development of two portions of the property south of Parkland, north of West Line Street, west of the railroad and east of Highway 143, presently deemed within the 100 year flood plane area as per a survey by the Federal U.S. Army Corp. of Engineers. City Attorney Joseph Campbell directed the hearing, first by questioning City Superintendent Jim Hobgood regarding the exact location; plan for relocating material in the area, identified as Borrow Pit A and B; City's right of current easements in the vicinity; current zoning of the areas and type of development allowable under the current zoning; the conditions the City would need to attach to an approval if it is deemed approved by the Council. Larry Gaines a property owner of Parkland asked for further clarification of the current zoning. This was explained and identified on the City zoning map by Jim Hobgood. There were no further public comments, and Mayor Pro-Tem Lewis made a motion to hold the matter open until August 12, 1985 to allow an independent engineering report to be filed by Mr. Barnette, to allow for further comments from the public or the petitioner, motion 2nd by Ald. King with Ald. Meadows and Ald. McEntire voting affirmatively, motion carried. (A complete transcript of the hearing is filed with the zoning variance request of H.F. Barnette, City correspondence files for 1985.)

- (b) Mayor Burdette opened a public hearing on the Wilmer E. Nowland request to rezone the lot at 401 2nd Avenue from C-2 to R-2 to allow a house to be moved in and renovated. Attorney Campbell conducted the hearing by asking Mr. Nowland to explain the location of the area, the reason for the request and etc. Mr. Campbell identified a letter of opposition filed by Mrs. Dot Thomas, stated she objected to a house of poor quality be moved in and lower the existing property values. Building Inspector Bowman asked Mr. Nowland if the property in question included the lot where he currently lives, and asked if he intended to file a zoning change request on the adjacent lot he had purchased. Mr. Nowland responded yes, if it was necessary to allow the house to be moved in. Mr. Bowman stated due to lot size it would be the only way the matter could be considered by the Council. There were no further comments, Mayor Pro-Tem Lewis made a motion to table until the second request is filed and a public hearing is held, 2nd by Ald. Meadows with Ald. King and Ald. McEntire voting affirmatively.
- (c) Mayor Burdette opened a public hearing on the rezoning request of Stanley Simpson for the second lot from the corner of King and Oothcalooga Street from Industrial zoning to C-2 to allow construction of a commercial retail sales outlet. Attorney Campbell conducted the hearing by asking Mr. Simpson to identify the area and explain his reasons for seeking the zoning change. Mrs. Laura Pullum asked for the type of business and asked if it would be compatible with the church located a few lots south of the property. Mayor Burdette stated a retail sales outlet would be more compatible than development allowed under the current industrial zoning. There were no further comments and the hearing was closed. Ald. McEntire made a motion to grant the zoning change request from Industrial to C-2 to allow construction of the retail sales outlet, 2nd by Ald. Meadows with Ald. King and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
- (d) A Public Hearing of the John and Ramona Reese for a loan of \$35,000.00 under the City's Urban Development Loan program was opened by Mayor Burdette. Clerk Harrison stated the source of the funds currently used in the program, explained applications were screened by a loan review committee composed of four financial officers, and explained the essence of the program was to increase jobs within the area. Mayor Burdette stated the Reese application for \$35,000.00 requested a quarterly payment with full repayment in ten years. The funds would be used to increase the warehouse space at the current Calhoun Electrical building near the Tom David Airport off Highway 41 South, and one additional job would be created. There were no public comments, the hearing was closed. Ald. King made a motion to approve the application for \$35,000.00 with a 2nd mortgage as recommended by the loan committee, 2nd by Ald. Meadows. Mayor Pro-Tem stated he did not blame Mr. Reese for filing the application for the loan due to the favorable rates, but stated he felt the building addition would be done regardless of the loan. He stated he did not feel the loan met the essence of the program in the number of jobs created as a result of the project, as was also sited in the loan committee review. He stated he felt a precedent was being established, and he would like to see the funds held for projects which would have a definite impact in the job market. Ald. McEntire stated he agreed with Mayor Pro-Tem Lewis' comments and stated he felt the program was heading in the wrong direction. Ald. Meadows stated he felt the one job created was a sufficient number for the amount requested. He stated he would like to see the funds help the small business developer as well. A vote was called for. Ald. King and Ald. Meadows voted affirmatively, Mayor Pro-Tem Lewis and Ald. McEntire voted negatively. Mayor Burdette stated while he could see the merits of both arguments, he would vote affirmatively to approve the application, motion carried.
- (e) Mayor Burdette opened a public hearing on the E.R. Brownlow request to change the zoning of the lot on the left off Highway 156 on River-view Drive from R-2 to C-2 to allow use of the lot as a truck terminal. Mr. E.R. Brownlow explained that he purchased the lot which was being used as a truck terminal and he assumed it was properly zoned. He said he was then informed that the trailer was not supposed to be moved in without permission from the Council, and during further inquiries discovered the lot was not properly zoned for the current use. Douglas Dew, the adjoining property owner stated the trailer was within 75 feet of his home, and the noise at night kept him awake, and the trucks were left parked on the roadway and his driveway had been blocked on numerous occasions.

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Mrs. Mamie Strickland, stated the noise and fumes disturbed her household.

Mr. J.D. Rogers stated the dirt and gravel washed over on his property and caused unsightly problems.

Mr. C.O. Petit stated he lived across the street and the noise disturbed the peace.

Mr. Mathew Chattam stated the truckers parked on private property without permission.

Mrs. Carrie Chattam stated the operation was not good for the residential area.

There were no further comments, and the hearing was closed. Ald. McEntire made a motion to deny the zoning change request, 2nd by Ald. Meadows with Ald. King and Mayor Pro-Tem Lewis voting affirmatively, motion carried. The Council asked an investigation be stated to determine the use of the property for the past few years, and report to the Council on July 22, 1985. In discussion regarding the trailer located on the property, Ald. Meadows made a motion to grant a temporary 6 months permit provided the trailer be relocated on the property as required by the City Superintendent, 2nd by Mayor Pro-Tem Lewis with Ald. King and Ald. McEntire voting affirmatively, motion carried.

(f) Harold Faith stated the sewerage had been installed in Phase I, and paving contracts had been obtained for most of the streets in the area, and he would like to urge the City to finish the water line work in order for the streets to be paved before the end of the paving season. Supt. Hobgood stated his crews had been pulled off at the request of DOT to finish the relocation work off Highway 53, east. He said the only way to finish the work would be to use a contractor. Ald. Meadows made a motion to allow the contractor whose bid for water/sewer lines extension work was approved earlier, C & S Construction, Bruce Shuler to install the balance of the lines in the area of Fox Subdivision, 2nd by Ald. King with Ald. McEntire and Mayor Pro-Tem Lewis voting affirmatively. In regard to annexation for the area, Attorney Campbell was asked to review the method of referendum annexation and report back to the Council.

(g) Mr. Dewey Cline and James Jones, property owners off West May Street requested sewer for their area. They stated they were approximately 400 ft. from the line run to Northwest Georgia Paving some time earlier. Mr. Hobgood stated it would be approximately 700 ft. for the complete area and would cost approximately \$2,600.00 in materials and \$3,000.00 in labor. Mayor Pro-Tem Lewis made a motion to approve the work as funds are available, 2nd by Ald. McEntire who stated he felt residents of the City for twenty-five years should be given priority. Ald. King and Ald. Meadows voted affirmatively, motion carried.

7. New Business:

(a) Building Inspector Bowman made a recommendation to condemn the building formerly occupied by D. Hunt at 108 Neal Street. He stated the building had been partially burned and was totally unsafe. Ald. McEntire made a motion to condemn on the recommendation of Inspector Bowman, and asked the owner, Earnest Goldston be notified and given 30 days to remove the building or the City would remove and charge him for the removal. 2nd by Ald. Meadows with Ald. King and Mayor Pro-Tem Lewis voting affirmatively, motion carried.

(b) A first reading was given to the annexation ordinance request by Clyde Chester Investment for the lot south of the Huddle House operation on Highway 53, East, for C-2 zoning. A Public Hearing was set for July 22, 1985 at 7:30 P.M.

(c) Ald. King made a motion to approve the DOT maintenance agreement for the leveling and resurfacing 5 streets for 2.14 miles. These streets being: (1) Columbus Circle-SR 156 to new County High School; (2) Meadowlane-Buena Vista to Barrett Road; (3) Pisgah Way-Line Street to Cul-de-sac; (4) Park Avenue-Court Street to Line St.; (5) College Street-Nelson St. to Line St. 2nd by Mayor Pro-Tem Lewis with Ald. McEntire and Ald. Meadows voting affirmatively, motion carried.

- (d) Ald. King made a motion to adopt a resolution regarding the acquisition and clearance of the above streets for repaving under a DOT contract, 2nd by Ald. McEntire, with Ald. Meadows and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
 - (e) Ald. McEntire asked Supt. Hobgood to have the beaver dams destroyed in the creek behind Dan Cheri Drive property to allow the creek to flow freely.
 - (f) Ald. McEntire made a motion to set a public hearing for the Paul Whittmore Downtown Development Project to purchase and renovate the building on Court Street presently being used by him as an insurance agency for July 22, 1985 at 7:30 P.M., 2nd by Ald. Meadows with Ald. King and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
 - (g) A letter from County Health Inspector Harris was presented, notifying Alan Holcomb his septic tank was not operating properly and stating it would be necessary for him to connect to the City sewer system in the area. Mayor Pro-Tem Lewis made a motion to grant the outside sewer tap at County tap cost provided it was a tap and not line extension, 2nd by Ald. Meadows, with Ald. King and Ald. McEntire voting affirmatively, motion carried.
8. Ald. King made a motion to adjourn, 2nd by Ald. Meadows with Ald. McEntire and Mayor Pro-Tem Lewis voting affirmatively, motion carried.

Approved:



W.C. Burdette,
Mayor

Respectfully submitted:



(Mrs.) Cathy Harrison,
City Clerk - Treasurer

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