

JULY 22, 1985 - 7:30 P.M. REGULAR CITY COUNCIL MEETING WITH MAYOR BURDETTE,  
MAYOR PRO-TEM LEWIS, ALDERMEN KING AND ALD. MCENTIRE IN  
ATTENDANCE.

1. Mayor Burdette called the meeting to order and gave the invocation.
2. Minutes of the July 8, 1985 regular City Council meeting were read and approved.
3. Mayor's Comments:
  - (a) Mayor Burdette reminded the Council of the July 29, 1985 planning meeting scheduled with the County Commissioners at the City Courtroom at 7:30 P.M.
  - (b) Mayor Burdette extended his and the Council's congratulations to County Commissioner Melvin Greeeson on being elected Chairman of the Coosa Valley Area Planning and Development Association.
  - (c) Mayor Burdette also reminded the Council of the resumption of the H.F. Barnette flood plane zoning variance on August 12, 1985 and invited anyone to review the file in the meantime if they should have any questions.
  - (d) The Mayor expressed his appreciation to Mayor Pro-Tem Lewis for attending several events on July 6th in his stead, since he was out of town. He also stated the Council was glad to have Ald. King back in good health after he spent several days in the hospital. He stated Ald. Meadows was out due to a long standing appointment which conflicted with the Council schedule.
4. Aldermen's Comments:
  - (a) Mayor Pro-Tem Lewis, Ald. Meadows' and Ald. McEntire reports were scheduled for August 12, 1985.
  - (b) Ald. King stated the base for South Industrial Boulevard, approximately a mile in length, is almost complete and should be ready for paving within a few days. The Street department has also been doing finishing work at the new tennis court area. The Beautification dept. continues cleaning of sidewalks and three additional runs have been made at the Rabies Control Center. The Engineer has been requested to modify the Landfill permit request and re-submit.
5. Public Hearings and Comments:
  - (a) A Public Hearing was opened on the Jerry Bearden Urban Development Loan program request of \$65,000.00 to be used to purchase and renovate the abandoned service station property on Highway 156 East near Stuckey's. Jerry Bearden stated he would move his pool and pool supply business to the location which would result in two additional full time employees. There were no public comments, and the hearing was closed. Mayor Pro-Tem Lewis stated that based on a vote on a similar application on July 8th, he would move to table the request until the full Council was in attendance; 2nd by Ald. King with Ald. McEntire voting affirmatively, motion carried to table the request.
  - (b) A Public Hearing was opened on the annexation ordinance request of the Clyde Chester Investment and Development Co. regarding the lot west of the Huddle House Restaurant on Highway 53, East for C-2 zoning. There were no public comments and the hearing was closed. Mayor Pro-Tem Lewis made a motion to waive the 3rd and 4th readings and approve annexation at a C-2 zoning, 2nd by Ald. McEntire with Ald. King voting affirmatively, motion carried. (Ordinance No. 177)
  - (c) A Public Hearing was opened on the Paul Whittemore proposed Downtown Development Authority project of purchasing and renovating the building on Court Street presently occupied by his insurance agency, for \$36,000.00. Mr. Whittemore stated the interior renovations would include a new heating system and updating of carpeting and etc. The exterior would be renovated and a new roof added. The project could possibly result in two new employees and would not have been attempted at this time without the benefit of the program. There were no public comments and the hearing was closed. Ald. King made a motion to adopt a resolution approving the project, 2nd by Ald. McEntire with Mayor Pro-Tem Lewis voting affirmatively, motion carried.

(d) A request was presented by Wilmer Nowland to rezone the lot west of 401 2nd Avenue from C-2 to R-2 to allow a house to be moved in and renovated. Ald. King made a motion to set a public hearing for August 12, 1985 at 7:30 P.M., 2nd by Ald. McEntire with Mayor Pro-Tem Lewis voting affirmatively, motion carried.

6. Old Business:

(a) Attorney Campbell reviewed a report on annexation as per a request on July 8, 1985 by Harold Faith regarding a portion of Fox Sub-division. Mr. Campbell reviewed two methods of annexation which involves several tracts rather than individual tracts. He discussed the requirements by the petitioners and the City in the 60% method and the requirements by the City in the referendum method. Following discussion, the Council stated they would prefer the residents and landowners in question use the 60% method for annexation of the area. No action was taken.

(b) The Clerk submitted a report to the Council indicating the occupancy of the E.R. Brownlow property on Riverview Drive since May, 1969, as per City utility records. The Council discussed the continuance of non conforming use since City zoning became effective. Mr. and Mrs. Douglas Dew, adjacent property owners, expressed their problems with the noise and disturbance at night. The Council stated that until the City Attorney issued a legal opinion indicating the City legal limitations in the situation, they could take no action, but reminded the Dews of their personal legal rights under the law regarding a private nuisance. The Council stated the City hoped to have a legal opinion regarding their position by August 12, 1985, but stated the trailer would be moved within the next few days.

7. New Business:

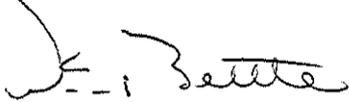
(a) A zoning variance request of 5 ft. 6 inches was filed by Ronald Fuquea, owner of Nell's Day Care Nursery on West Line Street. The variance will allow construction of an additional room. The adjoining property owner, Howard Davis, has signed a statement that he has no objections to the variance. Ald. McEntire made a motion to grant the variance request of 5 ft. 6 inches, 2nd by Mayor Pro-Tem Lewis with Ald. King voting affirmatively, motion carried.

8. City Supt. Hobgood stated 100 ft. of line and fittings have been installed to tie into 36" and 24" lines at the water treatment plant. The value will be installed within the next two weeks. Mr. Hobgood stated a meeting with industrial customers had been held last week regarding the pretreatment program. He reviewed the City's proposed surcharge for violations, and reviewed a proposal to adopt the schedule over a three year period. He asked the Council to review and consider the proposal at the next meeting. He stated amendments would also need to be made to the sewer ordinance. Mr. Hobgood stated the City has had an extremely heavy year for hauling brush and limbs. He stated the City Council need to set definite policy regarding hauling of limbs and brush from lots being cleared for construction. Following further discussion, Ald. McEntire made a motion to establish policy that the City will pick up brush and limbs from established residences, but not from lots being cleared for construction, 2nd by Mayor Pro-Tem Lewis with Ald. King voting affirmatively, motion approved. Mr. Hobgood stated a county school board representative had approached him regarding a new entrance to the County High School approximately 200 ft. west of the intersection of Curtis Parkway and Highway 156. He stated that he had no objection to another entrance, but it could cause problems if it was not adjacent to the Curtis Parkway and 156 intersection.

9. Ald. King made a motion to allow the sign to be moved back a sufficient number of feet on Hicks Street in order for the street to have two way traffic until it reaches Kenny Fuquea's house, 2nd by Ald. McEntire with mayor Pro-Tem Lewis voting affirmatively, motion carried.

10. Mayor Pro-Tem made a motion to approve the \$1.25 per running ft. for sewer easements in the Fox Subdivision area as per the appraisal by the Dwight Walraven Realty Company, and to authorize payments to grantors should they fail to donate the property, 2nd by Ald. King with Ald. McEntire voting affirmatively, motion carried.
11. Mayor Pro-Tem Lewis made a motion to adjourn, 2nd by Ald. McEntire with Ald. King voting affirmatively, motion carried.

Approved:



W.C. Burdette,  
Mayor

Respectfully submitted:



(Mrs.) Cathy Harrison,  
City Clerk - Treasurer

ABE136