

DECEMBER 9, 1985 - 7:30 P.M. REGULAR CITY COUNCIL MEETING WITH MAYOR BURDETTE, MAYOR PRO-TEM LEWIS, ALDERMAN KING, ALDERMAN MCENTIRE AND ALD. OLDFIELD IN ATTENDANCE.

1. Mayor Burdette called the meeting to order and gave the invocation.
2. Minutes of the November 25, 1985 regular meeting were read and approved.
3. Mayor's Comments:
 - (a) Following discussion, Ald. McEntire made a motion to move the regular December 23, 1985 Council meeting up to December 30, 1985 at 7:30 P.M., 2nd by Ald. Oldfield and approved.
 - (b) Mayor Burdette expressed appreciation to Police Chief Davis and Fire Chief Grizzle for their collection of Christmas gifts for the Northwest Regional Hospital as a part of the Mayor's Christmas motorcade.
 - (c) Mayor Burdette set a special Council meeting for 1:00 P.M. December 12, 1985 at the Courtroom to discuss liability insurance.
4. Aldermen's Comments:
 - (a) Mayor Pro-Tem Lewis stated the Police Department made 95 cases in November, 19 being DUI's. They issued 60 warnings, 27 prisoners served 60 days in jail with \$9,790.00 in fines being collected. They worked 64 incidents, 69 accidents, provided 93 escorts, answered 81 burglar alarms and assisted 98 motorists. The Fire Department answered one residential fire with no damages, three vehicle fires for \$15,700.00, two fires on City property, one brush fire, and one bomb threat. They performed twelve building inspections and installed new gas tanks at the Fire station.
 - (b) Ald. King reported the Street Department continues to haul chert on Marine Drive, about 500 ft. remaining to complete the base. The right of way has been cleared north which will connect with Richardson Road. The Sitton fence has been set back in accordance with the easement agreement. The Landfill Department should be ready to move to the Landfill in January, 1986.
 - (c) Ald. McEntire reported the Water Plant pumped an average of 9,346,333 gallons per day for November; the Sewer Plant treated an average of 6,198,000 gallons per day, with the BOD being 26, suspended solids 27. They hauled 207 loads of sludge. Jimmy Fox, Max Mashburn, Bill Ickes and Carlton Rogers attended North Georgia Regional Meeting in Rome, GA. The Electric Department sold 15,374,960 KWH for \$779,793.92 to 3,017 customers.
 - (d) Ald. Oldfield stated the Water/Sewer Construction Departments made 36 water taps and 2 sewer taps in November. They continued to relocate water line on 53 Highway; they installed 3/4 mile of water line on Pleasant Hill Road and have installed 2500 ft. of water line on Apple Road.
5. Public Hearings and Comments:
 - (a) A 2nd reading was given to the Terrance and Mary Ann Jones annexation request of Lot 11 of Block L, Black Oaks Park Sub-division for R-1 zoning. A public hearing was opened on the request. There were no public comments and the hearing was closed. Ald. Oldfield made a motion to waive the 3rd and 4th readings and approve for annexation at R-1 zoning, 2nd by Mayor Pro-Tem Lewis with Ald. King and Ald. McEntire voting affirmatively, motion carried. (Ordinance No. 181)
 - (b) A Public Hearing was opened on the Dwight L. Walraven and James Franklin Downtown Development Project to purchase and renovate the Johnson Hall Building at 220 South Wall Street for approximately \$200,000.00. Mr. Franklin stated they would renovate 10,000 sq. ft. for office space to be leased. He also stated he felt the project would benefit the community.

They are presently preparing contracts for leasees. Mr. Franklin stated the Downtown Development program would make the project feasible. There were no public comments and the hearing was closed. Mayor Pro-Tem Lewis made a motion to approve the project, 2nd by Ald. Oldfield, with Ald. King and Ald. McEntire voting affirmatively, motion carried.

- (c) A Public Hearing was opened on the Lizzi's Pizza & Deli, Diana Yacoub, Manager beer pouring license request for their restaurant on Highway 53, East. The police report was clear. Ald. Oldfield stated that while he would vote on license renewals and licenses for existing locations, that in good conscience he could not vote for new locations due to the continued rise of alcohol abuse by young people. Mayor Pro-Tem Lewis and Ald. McEntire stated that while they appreciate Ald. Oldfield's viewpoint, the City is "wet" by referendum and they feel it is the duty of the Council to regulate the license until that condition changes. Mayor Burdette stated his opposition to the license approval. There were no further comments, and the hearing was closed. Mayor Pro-Tem Lewis made a motion to approve the license request, 2nd by Ald. King with Ald. McEntire and Ald. Oldfield voting affirmatively, Mayor Burdette voting negatively, motion carried.
- (d) M.J. West of Fox Subdivision presented a petition for annexation for a portion of the area. The petition contained over 60% of the landowners and registered voters in the area. Mayor Burdette accepted the petition and stated the Council would review and follow the procedures as directed by State law.

6. Old Business:

- (a) Following a 2nd reading and clear police report, Ald. McEntire made a motion to approve the Walter James Pawn Shop license request for the former location of North Wall Package Store on North Wall Street, 2nd by Ald. King with Ald. Oldfield and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
- (b) A 2nd reading was given to the renewal requests for 1986 beer/wine/liquor and special license. Mayor Pro-Tem Lewis made a motion to approve the following:
 - Del Taco-Obadiah Scruggs-Beer Pouring
 - Arch City Package-Otto L. Defoor-Beer Package
 - Murphy's-Curtis Craig-Beer Pouring-Wine
 - J.J.'s Package-Raymond Brown-Beer Package
 - 53 Package-Ben Morrow-Beer/Wine Package

Shelia Hice-Record Mart and Pawn Shop for Pawn License.

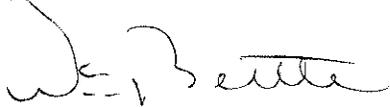
The motion was 2nd by Ald. King with Ald. McEntire and Ald. Oldfield voting affirmatively, Mayor Burdette stated his opposition, motion carried.

7. New Business:

- (a) Ald. King made a motion to grant a zoning variance request to T.L. Bower and R.W. Braff for 19 ft. with the understanding that any removal required due to alterations of Highway 41, North would be at the expense of the property owners, 2nd by Mayor Pro-Tem Lewis with Ald. McEntire and Ald. Oldfield voting affirmatively, motion carried.
- (b) Mayor Pro-Tem Lewis made a motion to grant a 3 ft. variance to Robbie Mathews which would allow construction of a pool and bathhouse off East Line Street since the affected property owners, Haley Stephens, Elizabeth Fite and Bruce Thomas had no objections, 2nd by Ald. King with Ald. Oldfield and Ald. McEntire voting affirmatively, motion carried.
- (c) A 1st reading was given to the following beer/wine/liquor license renewal requests for 1986:
 - Hugh C. Thomas-Starlite Minit Market-Beer/Wine Package
 - Pizza Hut of America, Inc.-Carol Haynes, Manager-Beer Pouring
 - Robert Butler-Eureka-Beer Package
 - American Legion Post 555-Katherine Butler, Manager-Beer Pouring

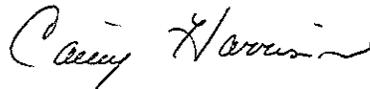
- (d) Ald. King made a motion to proceed and authorize the Clerk to negotiate the reimbursement of the Bank Share Tax adjustments of 1980, 1981, 1982 and 1983 with the First National Bank of Dalton, Calhoun Branch, 2nd by Ald. McEntire with Ald. Oldfield and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
- (e) A Beer/Wine Package license application for Jack's Package was presented by Clifford L. Cochran. Ald. Oldfield made a motion to set the public hearing for December 30th at the City Courtroom, 2nd by Ald. King with Ald. McEntire and Mayor Pro-Tem Lewis voting affirmatively, motion carried.
8. City Superintendent Hobgood stated the sewer construction department had to replace 350 ft. of sewer line on Highway 156 below Devonwood Subdivision. He stated the line was concrete and had deteriorated rapidly since being installed in the early 70's. He stated the soil at the Fire Department had caused the two underground steel fuel tanks to rust and leak since being installed six years ago. He stated he had authorized fiberglass tanks to be reinstalled due to the situation. He stated the walls at the Springs on Highway 156 north side had been raised by 3 ft. A new line and a bore of Highway 156 will be done to connect the Springs to the old water works on College Street. He stated the intake pumps on the Oostanaula River at the water plant are being rebuilt to maintain as a backup water source. They have also ordered a new starter which had burned out at the Water Plant, and they are repairing a motor at the plant also. The electric shop is not in the dry yet, but the contractor has been informed the department will need to move in within the first 90 days of 1986.
9. Ald. McEntire made a motion to adjourn, 2nd by Mayor Pro-Tem Lewis with Ald. Oldfield and Ald. King voting affirmatively, motion carried.

Approved:



W.C. Burdette,
Mayor

Respectfully submitted:



(Mrs.) Cathy Harrison,
City Clerk - Treasurer