

JULY 24, 1989

7:30 P.M. REGULAR CITY COUNCIL MEETING, CITY COURTROOM
PIEDMONT STREET

Present:

Mayor John D. Meadows, III
Mayor Pro-Tem Herbert King
Councilman Tom Bond
Councilman H.A. Oldfield, Jr.
Councilman John D. Shelton

Also Present:

Jim Hobgood, City Superintendent
Joe Campbell, City Attorney
Cathy Harrison, City Clerk - Treasurer

1. Mayor Meadows called the meeting to order and gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the July 10, 1989 regular City Council meeting were approved.
4. Mayor's Comments:
 - (a) Mayor Meadows welcomed the French and Spanish students who are staying with local Calhoun-Gordon County families for thirty days. He commended the local parents who participate in the program.
 - (b) Mayor Meadows reminded the Council of a public hearing scheduled for August 14, 1989 on the Riverbend Properties, Lt. application for 75 acres off Henderson Bend Road for R-2 Zoning.
5. Council's Comments:
 - (a) Following discussion, Mayor Pro-Tem King made a motion to adopt a resolution setting the fee for a temporary portable sign at \$25.00 for six months, 2nd by Councilman Oldfield, with Councilman Shelton and Councilman Bond voting affirmatively, motion carried. Mayor Pro-Tem King stated the fee and requirement for the permit would begin immediately.
 - (b) Mayor Pro-Tem King made a motion that all temporary portable signs within the area designated by the ordinance as a banned area, be given 90 days from June 26, 1989 to remove the signs, 2nd by Councilman Bond with Councilman Oldfield and Councilman Shelton voting affirmatively, motion carried.
 - (c) Councilman Shelton made a motion to officially accept the resignation of Jimmy Fox as Superintendent of the Waste Treatment Facility, 2nd by Councilman Oldfield with Councilman Bond and Mayor Pro-Tem King voting affirmatively.
 - (d) Councilman Shelton made a motion to appoint Carlton Rogers as Superintendent of the Waste Treatment Facility for the remainder of 1989 following interviews for the job, 2nd by Councilman Bond with Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
6. Public Hearings:
 - (a) A 2nd reading was given to the proposed ordinance outlining the process for adopting future ordinances. A public hearing was opened. There were no comments and the hearing was closed. Councilman Oldfield made a motion to waive the 3rd and 4th readings and approve, 2nd by Mayor Pro-Tem King with Councilman Bond and Councilman Shelton voting affirmatively, motion carried.No. 408
7. Old Business:
 - (a) The discussion of June 26, 1989 regarding pornography was opened. Attorney Campbell stated there were two main areas, distribution and display of materials. He stated State law allowed a maximum fine of \$5,000.00 or 6 months to serve, but if City cases were made, a maximum allowed by City Charter would be \$1,000.00 fine or 30 days to serve. Attorney Campbell stated a preseizure hearing was required even to revoke a business license, and the three prong test as to obscenity would need to be applied. Mr. Campbell reminded the group that enforcement must go through Superior Court and the District Attorney in order for full penalty to be applied.

Bill Burdette, on behalf of the Citizens for Moral Issues, stated the group was interested in having the City and County cooperate in dealing with the raw pornography in the community. He stated it was not the intent of the group to ask the City to set up an ordinance to deal with the matter in City Court, but rather to cooperate with the appropriate County officials to handle the problem. Mayor Meadows stated the Council had misunderstood the original request, but that the City would cooperate with efforts by appropriate individuals or officials. He stated he would urge the Police Chief to meet with Sheriff Roberts and District Attorney Wilson regarding the matter.

- (b) Following the poll of the Council, the Mayor asked City Attorney Campbell to redraft the City's present Dog Ordinance to include the 1988 and 1989 State regulations regarding dangerous dogs and to prepare for a first reading.

8. New Business:

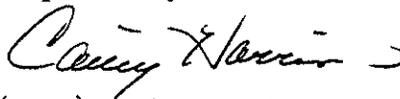
- (a) A 1st reading was given to the Charles Edward Faulkner Beer/Wine license application for Jack's Package Store on Highway 41, South. Councilman Bond made a motion to set the public hearing for August 14, 1989, 2nd by Mayor Pro-Tem King with Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- (b) Clerk Harrison reported on the current load of the meter reading department and explained the alternatives available to the City. The Council gave the Clerk permission to institute an estimating system of odd/even meter routes should circumstances warrant the need. The addition of a fourth reader will be reviewed for the 1990-91 budget.
- (c) Following a report of the City Superintendent regarding easements for the Fox Subdivision Sewer Project, Councilman Bond made a motion to offer \$1.25 per running foot for easement acquisition as previously recommended as a fair value by a real estate appraiser if acceptable by DCA officials, 2nd by Mayor Pro-Tem King with Councilman Oldfield and Councilman Shelton voting affirmatively, motion carried.
- (d) Following a review of the 1989 Federal Laws regarding vesting schedules for pension plans, Councilman Shelton made a motion for the City to move from a ten year vesting schedule following enrollment to a seven year vesting schedule following enrollment, 2nd by Councilman Oldfield with Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- (e) A 1st reading was given to the Roscoe and Gerry Lewis annexation application for property off Richardson Road adjoining the Bagwell property for commercial zoning. Councilman Bond made a motion to set the public hearing for August 28, 1989 at 7:30 P.M., 2nd by Mayor Pro-Tem King with Councilman Shelton voting affirmatively, motion carried.
- (f) Following a review of bids, Councilman Oldfield made a motion to affirm the selection of Mack Trucks for the lease purchase of the fire truck since the bid would save approximately \$8,800.00 over the lowest local bid, and to authorize the Mayor or Mayor Pro-Tem to sign the necessary documents, attest by City Clerk, 2nd by Councilman Bond with Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- (g) Following a question by Bill Burdette regarding whether the City had taken a position on a regional landfill, Mayor Meadows stated the Council was 100% opposed to a regional landfill and had expressed this about one month earlier. Following further discussion, Councilman Shelton made a motion authorizing the Mayor to investigate the possibility of the City remaining in the landfill business, 2nd by Councilman Bond with Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.

9. City Superintendent gave the following report:
- (a) He thanked the County for their assistance in helping repair a portion of Marine Drive.
 - (b) Mr. Hobgood stated he had discussed the DOT traffic signal contract at River and Highway 53 with Ken Topplin in Cartersville. Mr. Topplin suggested the City delete the portions of the agreement it did not agree with, sign and return. Mr. Topplin stated he would forward a copy to the county for their signature. Councilman Oldfield made a motion for the Mayor to amend and sign the agreement, 2nd by Mayor Pro-Tem King with Councilman Shelton and Councilman Bond voting affirmatively, motion carried.
 - (c) Mr. Hobgood reviewed the previous meeting with John Sweitzer regarding the water study and recommended the City authorize Sweitzer to make a schedule for approximately two thirds of the work and money needed to implement the study. Councilman Shelton made a motion to that effect, 2nd by Councilman Bond with Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
 - (d) Superintendent Hobgood stated the City officials needed to meet with the DOT director as soon as could be arranged regarding local City needs.
10. Councilman Oldfield made a motion to move to Executive Session, 2nd by Mayor Pro-Tem King with Councilman Bond and Councilman Shelton voting affirmatively, motion carried.
11. Councilman Bond made a motion to move to General Session, 2nd by Councilman Oldfield with Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
12. Following a recommendation by the City Attorney, the Wallace Enterprise, Inc. Beer/Wine package license application was reconsidered, and Councilman Bond made a motion to approve, 2nd by Councilman Shelton with Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
13. Councilman Oldfield made a motion to adjourn, 2nd by Councilman Bond with Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.

Approved:


John D. Meadows, III
Mayor

Respectfully submitted:


(Mrs.) Cathy Harrison
City Clerk - Treasurer