

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: T. Joseph Campbell, City Attorney
Jim Hobgood, City Superintendent
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 October 23, 1989 Regular Meeting were approved.
4. Mayor's Comments:
 - (a) Following a recommendation by the Mayor, Mayor Pro-Tem King made a motion to reschedule the second meeting in November and the two in December to November 20, 1989, December 4, 1989, and December 18, 1989, 2nd by Councilman Bond with Mayor Pro-Tem King, Councilman Bond, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
 - (b) Recommended the normal December meeting of Zoning Advisory Board be held November 30, 1989.
 - (c) Reminded the Council of the National League of Cities meeting scheduled in Atlanta for November 26 through November 29.
 - (d) Following a review of the amended consent order regarding the August, 1989 bypass at the Waste Treatment Facility, Councilman Shelton made a motion authorizing the Mayor to sign and authorize payment of the \$4,000.00 fine as amended, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
 - (e) Reminded the Council of the engineering proposals scheduled for 6:30 P.M. and 7:00 P.M., November 20, 1989.
 - (f) Dr. Patricia Tygrett's UDAG loan request referred to the Loan Review Committee.
 - (g) Read a confirmation from the Secretary of State, expressing no 1989 election was necessary.
 - (h) Heard a request from representatives of the Battered Women's Shelter regarding funding.
 - (i) Heard a request from the Principal of Belwood School regarding a red light at the intersection of Belwood Rd. and Highway 53, East. Council asked for letters from school and school board and signed petitions to be forwarded to DOT and state representatives. Councilman Bond made a motion to request a DOT study, 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.
5. Council's Comments:
 - (a) Mayor Pro-Tem King stated Street Dept. had installed drainage pipe on Richardson Road, Kirby Road; dressed up water lines at Fairmount; patching; removed old church building on Oothcalooga Street; put in wheel chair ramp on College Street; dressed shoulders on Harlan and McDaniel Station Road; hauled cover to landfill.
 - (b) Councilman Bond stated the Building Inspector has issued two permits for \$625,000.00 of industrial construction, one for \$56,000.00 of commercial and two for \$8900.00 of residential remodeling. Electric Department completed 20 inspections in October, 1989.

Councilman H.A. Oldfield stated the Fire Department answered 29 calls in October, 1989, 10 false alarms, and completed 10 fire inspections. The Police Department made 188 cases, 27 being DUI's, received \$24,153.00 in fines, 27 prisoners served 101 days, worked 158 incidents, 82 accidents, provided 109 escorts and answered 98 burglar alarms. The Council asked City to investigate possibility of tracers for fire and police lines.

- (d) Councilman Shelton stated the Water Plant pumped 351,427,000 gallons of raw water in October, the Waste Treatment Plant pumped an average of 10.234 million per day with an improvement in the suspended solids and BOD. The Water Sewer Construction Departments made 58 water taps, 5 sewer taps, installed 700 feet of 2" water line, 3800 feet of 4" water line, 7525 feet of 6" water line and 220 feet of 8" water line.

6. Public Hearings:

- (a) A 2nd reading was given to the Felton K. Duffey annexation ordinance request for a house and lot off U.S. 41 South for R-1 zoning. A public hearing was opened. The Zoning Advisory Board recommended approval, there were no other comments, hearing was closed. Councilman Bond made a motion to waive the 3rd and 4th readings and approve, 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried. NO.416
- (b) A public hearing was opened on the Paul Lusk zoning change request for a parcel of land off Fire Tower Road, from I-H to R-2. The Zoning Advisory Board recommended approval, there were no other comments, hearing was closed. Councilman Oldfield made a motion to approve, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King, Councilman Shelton voting affirmatively, motion carried.
- (c) A 2nd reading was given to the Stuart and Roberta Berkely annexation ordinance request for lot 34 of Sunset Hills Subdivision for R-1 zoning. A public hearing was opened, the Zoning Advisory Board recommended approval, there were no other comments and the hearing was closed. Mayor Pro-Tem King made a motion to waive the 3rd and 4th readings and approve, 2nd by Councilman Bond with Mayor Pro-Tem King, Councilman Bond, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.
No. 417
- (d) A 2nd reading was given to the proposed ordinance regarding condemnation of property. A public hearing was opened. There were no comments and the hearing was closed. Councilman Bond made a motion to waive the 3rd and 4th readings and approve, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried. No. 415
- (e) The public hearing was reopened on the Marion King zoning change request from R-1 to O & I for a lot at the intersection of Red Bud Road and Devonwood Drive. Comments were limited to 4 minutes. The Zoning Advisory Board had reviewed a second time since plans were available. Following a review the committee did not reaffirm their earlier recommendation. A summary of comments were: Bill Mitchell, concerned with congestion, presently and in the future. Pat Thornton concerned with congestion and property values. Trammell Burch opposed for reasons previously stated. J.B. Langford, attorney for Mrs. King, stated she had purchased a lot in 1984 and her deed called for no restrictions. 1965 Subdivision covenants did not restrict this lot and one other but reserved for future development. Devonwood Drive is a public street, open to the public. Mrs. Pat Thornton stated her property adjoined the lot in question, and she was very much opposed to the rezoning. Mrs. King stated the City had traffic problems all over the City, not only in this particular area. John Reese stated an exit and entrance off Red Bud Road with an acceleration lane would be helpful. Councilman Bond stated with zoning set back requirements the space for an acceleration lane would not be available. Mayor Pro-Tem King stated the lot was on a side of a hill and was not suitable for O & I zoning. Councilman Oldfield opposed to the O & I zoning. Councilman Shelton no comment. Hearing closed. Councilman Oldfield made a motion to deny the rezoning to O & I (Office and Institutional), 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King voting affirmatively to deny, Councilman Bond and Councilman Shelton voting negatively regarding the denial. J.B. Langford stated his opposition to the Mayor voting, stating he had prejudged the question. Mayor Meadows polled the Council to see if a week's delay would affect their votes, all stated no. He polled

Mrs. King and she stated she did not think a week would change the situation. Mayor Meadows voted affirmatively to deny the rezoning request, the motion to deny carried 3 to 2.

7. Old Business:

- (a) A 2nd reading was given to the pawn license request for Title Exchange and Pawn of Calhoun, Inc. at 666 Red Bud Road, Deborah Shuler, manager. A clear police report was given. Councilman Oldfield made a motion to approve, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem voting affirmatively, motion carried.
- (b) A 2nd reading was given to the 1990 license request for beer-wine-liquor licenses, they were: Barbeque Sons, James D. Callaway Beer Package and Pouring; J.J.'s Package, Raymond Brown, Beer-Wine Package; Jack's Package, Charles Faulkner, Beer-Wine Package, Arch City Package, Otto Defoor, Beer Package; Alton Defoor, Jimmy's Package; 41 South Package, Roy Aaron; John H. Bell, Calhoun Liquor Store, Wine and Liquor Package. Councilman Bond made a motion to approve, 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- (c) A 2nd reading was given to the 1990 license requests for amusement and pawn shops licenses, they were: James D. Callaway, Barbeque Sons, Amusement; Cannonball's Pawn, Kenneth McEntyre; Park Ave. Pawn and Jewelry, Douglas Driscoll; Coast to Coast, Jimmy Payne. Councilman Oldfield made a motion to approve, 2nd by Councilman Bond, with Councilman Oldfield, Councilman Shelton, Mayor Pro-Tem King voting affirmatively, motion carried.

8. New Business:

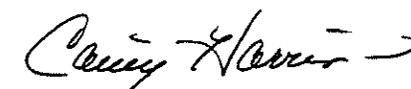
- (a) A 1st reading was given to the Charles Holcomb annexation ordinance request for lots 5, 6, 30 and 31 of the Rogers Subdivision on Highway 41 South for C-2 zoning. Councilman Shelton made a motion to set a public hearing for December 4, 1989 at 7:30 P.M., 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- (b) Councilman Shelton made a motion adopting a resolution approving State Grant No. 90-WPC-002 for \$200,000.00 to assist the City with waste treatment improvements presently underway, and authorizing the Mayor to sign all necessary documents, 2nd by Councilman Oldfield with Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- (c) A reading was given to the manager change request of Robert Harry Leamer to replace Helen Amick. A clear police report was given. Councilman Bond made a motion to approve, 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Shelton, and Councilman Oldfield voting affirmatively, motion carried.
- (d) A 1st reading was given to the Girdhari L. Gosain, manager of Julie's Seafood Restaurant beer license application for on the premise service at 915 Highway 53, East (Red Carpet Inn). Councilman Oldfield made a motion to set a public hearing for December 4, 1989 at 7:30 P.M., 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- (e) A 1st reading was given to a rezoning request of Julian Fuller for approximately 7.5 acres off Highway 53, West (West Belmont Drive) to C-2 zoning; three annexation ordinance requests of Gordon Lay for .45 acres off West Belmont Drive; Ovell Lanham and Marguerite Dutton for .45 acres off West Belmont Drive; Paul Holbrook for .45 acres off West Belmont Drive, each for C-2 zoning. Councilman Oldfield made a motion to set a public hearing for each on December 4, 1989 at 7:30 P.M., 2nd by Mayor Pro-Tem King with Councilman Shelton, and Councilman Bond voting affirmatively, motion carried.

- (f) A reading of the Med-I-Caid Patient Transport Taxi License request for non-emergency transport for Lowell McKinnon was given. A clear police report for authorized drivers was given. Councilman Oldfield made a motion to approve subject to proof of insurance, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- (g) Mayor Meadows asked Superintendent Hobgood to review the proposed architects for the depot project, select three for interviews at a later date.
- (h) A 1st reading was given to a proposed ordinance regarding misdemeanor violations under the jurisdiction of the City's Recorder's Court. Councilman Oldfield made a motion to set a public hearing for December 4, 1989, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
9. City Superintendent Hobgood's Work Report:
- (a) Following review of the 10/23/89 truck bids as per the specifications, and as authorized Superintendent Hobgood ordered the diesel truck for \$23,141.00 which was \$141.00 over the budget.
- (b) Work is presently underway on the County Line Road, Little Road water projects, as previously approved by the Council.
10. Councilman Oldfield made a motion to move to Executive Session to discuss property acquisition, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively.
11. Councilman Oldfield made a motion to move to General Session, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
12. Councilman Oldfield made a motion to adjourn, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King, Councilman Shelton and Councilman Bond voting affirmatively, motion carried.

Approved:


John D. Meadows, III
Mayor

Respectfully submitted:


(Mrs.) Cathy Harrison
City Clerk - Treasurer