

AUGUST 12, 1991

7:30 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS

PRESENT: MAYOR JOHN D. MEADOWS, III
 MAYOR PRO-TEM HERBERT KING
 COUNCILMAN THOMAS BOND
 COUNCILMAN JOHN D. SHELTON
 COUNCILMAN H.A. OLDFIELD, JR.

ALSO: KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC
 WORKS
 JOSEPH CAMPBELL, CITY ATTORNEY
 CATHY HARRISON, CITY ADMINISTRATOR

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 22, 1991 Regular City Council meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows reminded everyone of the Airport Authority Meeting on August 13, 1991 at 7:00 P.M.
 - b. Mayor Meadows reminded everyone of the GMA Legislative Meeting in October, 1991 and urged the Council to attend.
 - c. Mayor Meadows informed the Council that Attorney Campbell has served as Judge for Municipal Court on August 5, 1991.
 - d. Mayor Meadows informed everyone of a spill at the creek last weekend due to a pump failure problem.
 - e. Mayor Meadows expressed congratulations and commended Tonya Aker for her accomplishments. Councilman Bond made a motion to adopt a resolution expressing congratulations, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
5. Council's Comments:
 - a. Mayor Pro-Tem King stated the Sewer Plant treated an average of 8.491 thousand gallons daily in July, with BOD being 9, suspended solids of 16 and COD of 104. The Water/Sewer Construction Departments made 41 water taps and 6 sewer taps. They installed 2170 feet of 2 inch PVC Line; 660 feet of 6 inch PVC Line; and 1725 feet of 8 inch PVC Line.
 - b. Councilman Bond stated the Street Department continued with patching; hauling brush and leaves; installing storm sewer pipe and working on the Golf Course Road and cleaning at the spring.
 - c. Councilman Oldfield stated the Building Inspector issued permits for \$80,000.00 of residential construction; \$719,620.00 of construction at the Housing Authority. The Electric Department sold 27,446 KWH of electricity to a customer base of 3625, and they performed 35 inspections.
 - d. Councilman Shelton stated the Police made 153 arrests, of which 21 were DUI's, with \$33,788.00 in fines being collected and 41 prisoners served 193 days in jail. They worked 151 incidents, 64 accidents, provided 73 escorts and answered 109 burglar alarms. The Fire Department answered 23 calls with \$7,000.00 of damage and did 20 building inspections in July, 1991.

6. Public Hearings:

- a. A 2nd reading was given to the City of Calhoun Annexation Ordinance Request for a lot off Curtis parkway for C-2 Zoning for a fire station. A Public Hearing was opened. Councilman Bond stated after consideration of the zoning as applied for, the request was being amended to R-2 Zoning and asked that the hearing be continued until August 26, 1991 and re-advertised for R-2 Zoning. Mayor Meadows extended the hearing until August 26, 1991.
- b. A Public Hearing was opened on the Sample Factory Zoning Change from C-2 to Industrial-G for the location off Richards Street. The ZAB recommended approval. There were no comments and the hearing was closed. Councilman Oldfield made a motion to authorize the change, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- c. A public hearing was opened on the Zoning Variance of Sample Factory for a Variance of 25 feet on the South side of Florence and 20 feet on the West side of Florence, to add a substantial addition to the building. The ZAB recommended approval. There were no comments, and the hearing was closed. Councilman Oldfield made a motion to grant the variances, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- d. A Public Hearing was opened on the Marie Silvers Zoning Change Request for a lot off Oothcalooga Street at the intersection of Highway 53, West. The request being to rezone from C-2 to R-2 to allow a home to be rebuilt which had burned. The ZAB recommended the request be denied. During discussion it was determined the area had previously been used as a Day Care Center, had been a non-conforming use under the C-2 Zoning, and all the lots on the North side of the street were commercial. There were no other comments and the hearing was closed. Councilman Bond made a motion to deny, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.

7. Old Business:

- a. In reference to a request by Wanda Semon of Telfair Street to replace a mobile unit on her lot with a later model manufactured home, the ZAB considered several factors: the 66 2/3 annexation which Ms. Semon was not a party to directly; the fact that the unit would be placed on a permanent foundation; the fact that the unit would comply with all electrical, building, plumbing, heating and A/C codes. Based on these facts, the ZAB recommended that the Council allow the new unit to replace the old unit in regards to its grandfathered position of the zoning. Attorney Campbell stated that under the codes definition of non-conforming use the replacement would be allowable. There were no further comments and the hearing was closed. Councilman Bond made a motion to approve the replacement under the previous grandfathering of a non-conforming use as recommended based on the facts disclosed, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- b. Bids for the Golf Pro-Shop at Fields Ferry were opened: Paul McEntire, McEntire Home Builders, Calhoun \$114,500.00; Phillips & Sneed, Dalton, \$139,000.00; Tom Bennett, Inc - Rome, \$115,178.00; Raymond King Co.,

\$130,500.00; Foremost Construction, Inc., \$110,500.00; John Wayne Hall, Hall Realty, \$115,530.00; Bruce Stocks, Red Bud Development, Inc., \$165,000.00; C.D. Dangler Construction, \$112,660.00. Councilman Oldfield made a motion to accept the low bid of Foremost Construction for \$110,500.00, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.

8. New Business:

- a. Attorney Campbell presented a Deed of Dedication for streets in Westwood Hills subdivision by Stanley Simpson to the City of Calhoun. A slight imperfection of the title is outstanding, and Mr. Simpson has placed a \$1,000.00 cash bond until the defect is cleared. Director Cornwell stated the streets and curbs had been inspected at the installation and approved. Based on these factors, Councilman Oldfield made a motion to accept the Deed of Dedication, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- b. A 1st reading was given to a Zoning Variance Request of the Kay D. Owens for a 19 foot variance off railroad right-of-way at the corner of Oak and South River Street. Councilman Bond made a motion to set the Public Hearing for September 9, 1991 at 7:30 P.M., 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- c. A 1st reading of an Annexation Ordinance Request of Stanley Simpson was given for a tract off Henderson Bend Road west of the existing townhouses for R-2 Zoning. Councilman Shelton made a motion to set the Public Hearing for September 9, 1991 at 7:30 P.M., 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- d. A 1st reading was given to a Zoning Variance Request of Stanley Simpson for 10 feet from the 30 foot set back for a tract across from the existing townhouse on Henderson Bend Road. Councilman Bond made a motion to set the Public Hearing for September 9, 1991 at 7:30 P.M., 2nd by Councilman Shelton with Councilman Bond, Councilman Shelton, Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
- e. Jeff Henderson and Jay Manay of the CARE Group made a request for the City to purchase and locate two recycling trailers inside the City. Discussion followed regarding the method of funding for the trailers the County has purchased to be located in the unincorporated areas. The funding being through the sales tax proceeds collected county wide. The CARE Committee stated the present trailers have removed 100,000 pounds of waste from the current stream and has netted \$700.00 which was returned to the Care Committee for educational projects planned by the Committee. The Council stated there was definite need for the trailers in the City, and a request would be made for funding from the sales tax fund.
- f. A 1st reading was given to the Randy Holland Zoning Variance Request for an 8 foot Variance from the side property line in order to extend a carport at 215 Woodland Drive. Councilman Oldfield made a motion to set a Public Hearing for September 9, 1991 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.
- g. A 1st reading was given to the Burl Stephens Annexation Ordinance Request for a house/lot on Peters Street across

from new apartments for R-1 Zoning. Councilman Shelton made a motion to hold a Public Hearing on September 9, 1991 at 7:30 P.M., 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.

- h. A 1st reading was given to a Zoning Variance Request of Jack Crump for a modular pool house to be located on his property at the corner of Marine and Flowers Road. Councilman Oldfield made a motion to set a Public Hearing for September 9, 1991 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.
- i. Tallatoona Economic Opportunity Authority, inc. requested permission to locate a 2nd mobile unit on airport property and connect to City sewerage in order to increase enrollment to forty children. A letter being forthcoming from Health Department regarding need for connection to sewer system. Councilman Shelton made a motion to allow the unit for expansion, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- j. Following a review of a sewer line expansion off Kirk Drive with the developer's cost of approximately \$5,000.00 plus rock cost for Don Lewis and Dwight Walraven, Councilman Bond made a motion to approve the expansion and price the limited taps at a level to recover the full City/developer cost, with 70% being refunded to developers on each tap up to a 10 year period or until their cost has been recovered, exclusive of the connection fees for each developer. Agreement to be drafted by the City Attorney, 2nd by Mayor Pro-Tem King with Councilman Bond, Mayor Pro-Tem King, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.
- k. Councilman Bond made a motion to approve the DOT Agreement requiring the City to relocate utilities for the proposed improvements to Moss Memorial Road at Red Bud Road and at the intersection of Highway 136, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- l. Councilman Shelton made a motion to move utilities (water lines) if needed on Highway 53, East for installation of additional passing lanes as per the County/DOT Agreement, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.

9. Report of Director Kelly Cornwell:

- a. Cornwell reviewed the sewer spill, stating the pump station is 26 years old, parts are not available and the development in the area has rendered the station undersized. He recommended the Council approve a \$16,500.00 expenditure to replace the pumps, larger capacity. If the interceptor loan through the state is successful and the area is converted to a gravity flow line, the pumps can be used in another location. Based on the recommendation, Councilman Shelton made a motion to approve, 2nd by Councilman Bond with Councilman Shelton, Councilman Bond, Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
- b. Cornwell stated Don Brock was in the audience and had a water problem due to the speed of the water flow due to the tank construction off McDaniel Station Road. Cornwell stated he was waiting on the engineer to determine the pipe size needed to solve the problem. Mr.

Brock stated a pipe had been installed, but was too small to do the job. Councilman Shelton made a motion to authorize the proper size when determined, 2nd by Councilman Bond with Councilman Shelton, Councilman Bond, Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.

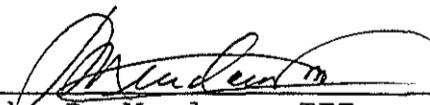
Amended 8-26-91
Herbert King
voted
affirmatively.

c. Cornwell stated the water/sewer truck bid and ordered earlier had the wrong size transmission. The dealer is unable to replace with a 1991 truck as bid since they are no longer in production, and a 1992 will cost approximately \$1,500.00 more than the 1991. They have asked the City to pay an additional \$465.00 above the 1991 bid. Mr. Cornwell stated Prater Ford was the only bidder for the truck. Following discussion, Councilman Bond made a motion to authorize the expenditure of \$465.00 and obtain a later model truck with the correct transmission, 2nd by Councilman Shelton with Councilman Bond, and Councilman Shelton voting affirmatively, and Councilman Oldfield and Mayor Pro-tem King voting negatively, motion to approve adopted.

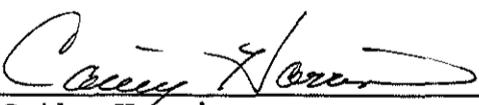
10. Administrator Harrison stated the City would be sending out letters to the City voters who had not voted once in the last three years in Municipal Elections with a request they sign an enclosed card to renew their registration if they still lived within the City. This year the number was especially high and everyone who still lives within the City are urged to return the card.
11. Councilman Oldfield made a motion to move to Executive Session for personnel and legal matters, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King Councilman Shelton and Councilman Bond voting affirmatively, motion carried.
12. Councilman Oldfield made a motion to move to General Session, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman Bond an Mayor Pro-Tem King voting affirmatively, motion carried.
13. Councilman Bond made a motion to adjourn, 2nd by Councilman Shelton with Councilman Bond, Councilman Shelton, Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator