

SEPTEMBER 23, 1991

7:30 P.M.

REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
SOUTH WALL STREET

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

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

1. Mayor Meadows called the meeting to order.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the September 9, 1991 Regular City Council Meeting were approved.
4. Mayor's Comments:
  - a. Mayor Meadows reminded the Council of the GMA Pre-Legislative Meeting October 9, 10, and 11, 1991.
  - b. Mayor Meadows reminded the Council of the Mary Frances Muse Annexation request for property off Harmony Church Road for R-2 Zoning on October 14, 1991 at 7:30 P.M.
5. Council's Comments:
  - a. Councilman Shelton made a motion to adopt a resolution in recognition of Fire Prevention Week beginning October 7, 1991, 2nd by Mayor Pro-Tem King with Councilman Shelton, Mayor Pro-Tem King, Councilman Oldfield and Councilman Bond voting affirmatively, motion carried. Councilman Shelton recognized Assistant Chief Jerry Quinn.
6. Public Hearings:
  - a. A 2nd reading was given to the Patnik M. Soni Malt Beverage License Request for a package store to be located in front of the Rosser Motel on Highway 41 South. A Public Hearing was opened. Mr. Roy Chastain stated he lived 350 feet from the area and does not wish to have a package store so near his home. Mr. W.C. Page stated the Rosser property joins the Belmont Baptist Church property and it didn't seem appropriate for a package store to be located there. City Building Inspector Wylie Moore stated he measured 548 feet to Nellie Peters Church which made the application in conflict with the ordinance. Mr. Soni stated he had measured, and had had a surveyor to measure with the distance being in excess of 600 feet, by way of drive and street measurement. Inspector Moore stated he would be glad to re-measure. Councilman Oldfield made a motion to table and continue Hearing until October 14, 1991, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King, Councilman Bond and Councilman Shelton voting affirmatively, motion carried.
  - b. A Public Hearing was opened regarding the City's intention to develop a Solid Waste Management Plan and a timetable for doing so. Planner Eddie Peterson reviewed the 1989 Planning Act adopted by the Legislature in 1990. He discussed the components of a Solid Waste Management Plan and the state's objectives. He also reviewed the process and proposed a calendar for the Council to consider:

October 21, 1991 - Draft to Interested  
October 28, 1991 - 2nd Public Hearing  
November 11, 1991 - City Council Resolution  
November 12, 1991 - Submit to RDC

Jeff Henderson of the CARE Group stated he felt a second plan being submitted was unnecessary and a waste of money. Commission Chairman Montanaro stated the County would be glad to have the City join the plan. He stated the RDC has a hearing scheduled for November 30, 1991 in Rome. Mr. Montanaro stated the wording primarily objected to by the City was in the history and it was not germane to the plan. Councilman Bond stated that he attended the County's Hearing and submitted comments, and he was told no changes would be made since the plan was being sent to DCA the next day, however, it was two or three weeks later before it was submitted. Mayor Meadows stated it may appear to be a waste of time, but the plan was not accurate, and signing the plan would require a Council resolution stating it agreed with the plan, and this was not possible, therefore, a decision was made to submit a separate plan. Following discussion, the Landfill Committee set a meeting for September 24, 1991 at 8:30 A.M. at City Hall to review the plan as submitted since it had been changed following to the County's hearing on August 26, 1991.

Mayor Pro-Tem King made a motion to adopt the City's proposed Solid Waste Management Plan Calendar as proposed by Planner Peterson, 2nd by Councilman Bond with Mayor Pro-Tem King, Councilman Bond, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.

7. Old Business: None

8. New Business:

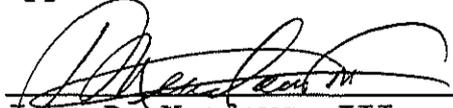
- a. Harrison reviewed the 1991 Municipal Election Calendar for the November 20, 1991 Election. Opening qualifying date being September 30, 1991; close of qualifying being October 20, 1991; close of voter registration being November 4, 1991 and runoff date of December 10, 1991 if needed.
- b. Councilman Oldfield made a motion to appoint Harrison as registrar, Mrs. Clara Furguson and Mrs. Pat Stokes as Deputy Registrars; Harrison as Election Superintendent; Hoyt Edwards as Election Manager and Dixon Owen/Sandi Richardson as Co-Absentee Ballot Clerks, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
- c. A 1st reading of a Zoning Variance Request of Scottish Inn for a sign to be 50' higher than code, the sign to be 14' x 30', 100' high at 1510 Red Bud Road, NE as an on premise sign. Councilman Bond made a motion to set a Public Hearing for October 14, 1991 at 7:30 P.M., 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Mayor Pro-Tem King and Councilman Shelton voting affirmatively, motion carried.
- d. Councilman Oldfield made a motion to adopt a resolution approving the Waste Water Compliance Maintenance Report, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King, Councilman Bond, and Councilman Shelton voting affirmatively, motion carried.
- e. Mayor Pro-Tem King made a motion authorizing an official request for lowering/eliminating the fine assessed on the August 6, 1991 spill at New Town Creek, pumping station at I-75, Red Bud Road; and to further approve and authorize the Mayor to sign the consent order with an amendment of fine assessment from \$5,000.00 to \$2,500.00, 2nd by Councilman Shelton with Mayor Pro-Tem King,

Councilman Shelton, Councilman Oldfield and Councilman Bond voting affirmatively, motion carried.

- f. Attorney Campbell stated the Downtown Development Authority had met on September 23, 1991 and had approved being a "Straw Party" to deed the City School property to GMA for a lease/purchase plan for approximately 1.4 million dollars of school improvements. He stated the Board had recommended an expansion of the Downtown Development Authority boundaries in order to be able to serve as a conduit for the transaction. Councilman Bond made a motion to adopt a Resolution expanding the Downtown Development Authority boundaries to include the school property off River, Oothcalooga, and Pine Streets, 2nd by Councilman Oldfield with Councilman Bond, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
9. Utility/Public Works Director Cornwell's Reports:
- a. Director Cornwell stated the DOT had forwarded two new permits for signal lights at Richards/Wall Street and W.C. Bryant Parkway and Wall. He stated they also submitted permits for four current locations which were unpermitted. Those are for Piedmont Street, Court Street, Highway 156 and Hicks Street. The permits would require the City to furnish power and telephone service to the signals. Maintenance and installation cost would be furnished by DOT. Councilman Bond made a motion to approve the permit applications and authorize the Mayor to sign, 2nd by Councilman Shelton with Councilman Bond, Councilman Shelton, Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried.
  - b. Director Cornwell reviewed two County Sewer Requests: Sam Moss/Wayne Moore request for Circle Drive, with a letter from Health Department, Bob Baldrige, stating the property was within 200 feet of the public sewer, therefore, septic service was not approved. Mayor Pro-Tem King made a motion to approve for a tap provided the property was eligible for annexation, was annexed; or if not the County rate was charged, 2nd by Councilman Oldfield with Mayor Pro-Tem King, Councilman Oldfield, Councilman Shelton and Councilman Bond voting affirmatively, motion carried.  
A second request being from Bradley Burr for Lots 8, 9 10, & 11, of the Morning Side Subdivision off Sylvania Circle. Mr. Burr submitted an application indicating the property was not eligible for annexation and a letter from Mr. Bob Baldrige regarding the unavailable permit for septic service since public sewer is within 200 feet. Councilman Oldfield made a motion to approve based on these conditions, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
10. Councilman Oldfield made a motion to move to Executive Session for legal and real estate matters, 2nd by Councilman Bond with Councilman Oldfield, Councilman Bond, Councilman Shelton and Mayor Pro-Tem King voting affirmatively, motion carried.
11. Councilman Oldfield made a motion to move to General Session, 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 adjourn, 2nd by Mayor Pro-Tem King with Councilman Oldfield, Mayor Pro-Tem King, Councilman Shelton and Councilman Bond voting affirmatively, motion carried.

Approved:

  
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John D. Meadows, III  
Mayor

Submitted:

  
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Cathy Harrison  
City Administrator