

NOVEMBER 9, 1992

7:30 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL STREET

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

ALSO: KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC WORKS
T. JOSEPH CAMPBELL, CITY ATTORNEY
WILLIAM P. BAILEY, CITY ATTORNEY ELECT
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 October 26, 1992 Regular City Council Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows reminded everyone to remember November the 11, 1992 Veterans' Day.
 - b. Mayor Meadows reminded the Council of the Christmas Motorcade to Northwest Regional Hospital in Rome on December 9, 1992 at 10:00 a.m. He also distributed lists of gifts appropriate for patients at the hospital.
 - c. Mayor Meadows reminded the City Council of the ACCG/GMA Legislative Road Show in Rome on November 10, 1992 at the Civic Center beginning at 6:00 p.m.
 - d. Mayor Meadows reminded the Council of four Public Hearings scheduled for December 14, 1992:
 1. Zoning Variance Request of Glennese Rogers to build a carport and storage garage approximately two to three feet within the adjacent property line.
 2. Zoning Variance Request of Lindsey A. Jackson for 8 ft. off the back property line which will allow him to construct a 12 x 14 utility building.
 3. Annexation Request of James W. Lawson for Lots 94, 95, 96, 97 and a portion of 98 of the Northside Subdivision for R-2 zoning.
 4. Annexation Request of Stanley Simpson for Tract 1 and Tract 2 of Westwood Hills Subdivision for R-1 zoning.
 - e. Mayor Meadows announced that he had received word from the Norfolk Southern Railroad stating that the City of Calhoun would be eligible to receive a caboose, and he had notified them that the City would be able to accept possession within 60 days. He commended HERbert King, Frank Hicks, and Fite Barnette for their work on the request.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department had been cleaning drains, picking up leaves, patching streets, doing curb, gutter and parking lot work at the depot, and installing signs.

- b. Councilman Oldfield stated the Electric Department sold 27,269,214 KWH of electricity during the month of October to a customer base of 3,647. They performed 97 inspections and issued 24 permits. The Building Inspection Department issued one building permit for \$80,000.00 residence, and issued several building permits for remodeling.
- c. Councilman Shelton stated the Fire Department answered 19 calls with \$820.00 in estimated damages, and completed 31 building inspections. The Police Department made 166 arrests with 11 being DUI's, collected \$13,721.00 in fines, worked 111 incidents 91 accidents, answered 87 alarms, and provided 55 escorts.
- d. Councilman McEntire stated the Water Plant had pumped 328,665,000 gallons of water during the month of October for a daily average of 10.6. The Waste Treatment Department treated an average of 8.8 million gallons of waste per day. The BOD effluent was 20, suspended solids was 23, and COD effluent was 110. The Water/Sewer Construction Department installed 35 water taps and one sewer tap. They installed 120 ft of 2 inch PVC water line, 118 ft of 4 inch PVC water line, and 1,220 ft. of 8 inch PVC water line. They installed 115 ft. of 8 inch PVC sewer line. They repaired 41 leaks, and installed 31 new meters and changed out 20 old meters.

6. Public Hearings & Comments:

- a. A 2nd reading of an Annexation Ordinance Request of Edward Legg and all for property off West Belmont Drive known as parcel 45-1-35 was given. Mayor Meadows opened the public hearing. Building Inspector Moore had recommended an R-2 zoning since applicants did not request a zoning on their request. There were no other comments and the public hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and approve, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Oldfield and Councilman Shelton voting affirmatively, motion carried.

Ord. No. 499

7. Old Business:

- a. Director Cornwell stated the leaf machine bid which was accepted on October 26, 1992 from Consolidated had not materialized. They had refused to send a warranty, and delivery was going to be delayed to 45 to 60 days. He stated in view of these problems, he would recommend the earlier bid be rescinded. Following discussion, Councilman Oldfield made a motion to rescind the bid awarded to Consolidated on October 26, 1992, 2nd by Mayor Pro-Tem Bond, with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Following a recommendation by Director Cornwell, Councilman Oldfield made a motion to award the 2nd low bid from ODB for \$12,700.00 for a leaf machine for a 30 day delivery with warranty, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. New Business:

- a. Helen Jane McDonald reviewed a request that the City Council work with the American Cancer Society which would allow patrons making a donation to the American Cancer Society the ability to play one free game at Fields Ferry Golf Club, provided cart fees and other fees are paid. This would play one time during the year. Following discussion Councilman McEntire made a motion to allow

this recommendation provided the Golf Committee work with Robbie Cole in establishing a time period and other restrictions which would be placed on those who would play at Fields Ferry under the donation to the American Cancer Society, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-tem Bond, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.

b. Mayor Pro-Tem Bond made a motion to re-appoint Thomas Shanahan to serve an additional term for the City of Calhoun Housing Authority. The term to be retroactive to October 16, 1991 and to expire on October 16, 1996, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.

c. A 1st reading was given to the following Renewal License Requests for Beer-Wine-Liquor License holders for 1993:

1. ABC Oasis, James D. Thomason, Beer Package
2. American Legion - Post 47, DeWitt Carter, Beer Liquor Package and Pouring.
3. Arch City Package, Otto L. Defoor, Beer Package
4. Atlanta Gate Restaurant, Soleh Rashid, Beer Pouring
5. B&L Liquor, Lindsey Lewis, Wine/Liquor Package
6. Calhoun Liquor Store, John H. Bell, Wine/Liquor Package
7. Golden Gallon, Yvonne Presley, Beer Package
8. Gondolier Pizza of Calhoun, Inc., Evangelos Pateritsas, Beer Pouring
9. J.J.'s Package Store, Raymond J. Brown, Beer Package
10. The Beer Store, Larry A. Heard, Beer Package
11. Jimmy's Package, Alton Defoor, Beer Package
12. North 41 Package, Richard Dixon, Jr., Beer Package
13. Red Bud Liquor Store, Champ Kelly, Wine/Liquor Package
14. J.P.'s, Patsy Colleps, Beer/Wine Package
15. South 41 Package, Roy T. Aaron, Beer/Wine Package
16. Speedy's Spirits Shop, James Thomason, Wine/Liquor Package
17. Troy's Packge, Ronald B. Robinson, Beer Package
18. VFW - Post 5376, James R. Pettit, Beer Pouring
19. Wallace Enterprises, Beverly H. O'Bryan, Beer/Wine Package.
20. Highway 53 Package, Terry G. Ross, Beer/Wine Pouring
21. Noteworthy's, Inc., Haley Stephens, Beer/Wine Pouring
22. Dixie Beverage Store, Barbara V. Bishop, Beer Package

d. A 1st reading was given to the following Renewal License Requests for Pawn License holders for 1993:

1. Calhoun Trophy & Sporting Goods, Jimmy Gee
2. Cannonballs Pawn Shop, Kenneth McEntyre
3. North Georgia Pawn Shop, Walter James
4. This & That, Roy McEntyre
5. Otasco/Coast to Coast, C.L. Cochran
6. Title Exchange & Pawn of Calhoun, Deborah A. Shuler
7. Echota Sporting Goods & Pawn, Billy Lambert
8. D&S Pawn, Bobby J. Dobbs
9. Cash Express, Inc., Mike Harry Horton
10. Feagin Title & Pawn, Alex W. Feagin

e. A 1st reading was given to the following Renewal License Requests for Amusement License holders for 1993:

1. Buck's Homestyle Laundry, Randy McEntyre & Bill Pitchford
2. Harvey A. King, King's Skating Palace

3. Martin Theater, Paul F. Jones
 4. The Putting Place, William A. Moore
 5. BBC Amusement, Betty A. Fregeau
- f. Charles Smith of Davis, Smith & Associates, Inc. reviewed possible changes in the investment practices for the current Employee Pension Plan Program. Mr. Smith stated that it was a now a common practice in pension plans to select a portfolio of investments in a range of four or five packages, in which employees may pick their level of investment with varying degrees of risk and interest return. He had found that it works quite well in most cases. He stated that since the City of Calhoun's investment was nearing a two million dollar mark and due to the low range of interest rates currently available for conservative investments normally made by the program that it might be more to the taste of City Employees to have the opportunity to have higher yields with a little higher degree of risk. Mayor Pro-Tem Bond made a motion for Chuck Smith and his firm to develop and outline a proposal and report back to the Mayor and Council, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
- g. A 1st reading of a Beer Pouring License Request for Yong Hwang Laing d/b/a China Hall Restaurant to be located at 431 Fairmount Highway, SE in the Wal-Mart Shopping Center was given. Councilman Oldfield made a motion to set a public hearing for November 23, 1992 at 7:30 p.m., 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton, and Councilman McEntire voting affirmatively, motion carried.
- h. Director Cornwell reviewed three DOT projects which involve utility relocation within the city limit area. Of the three locations, Director Cornwell stated that two did not have sufficient information in order for the City to make an estimate of the cost involved, and also DOT had required the City to have private utilities relocated. Director Cornwell nor the City Council was sure that they had the authority to make this requirement. Following review, Mayor Pro-Bond made a motion to authorize the signing approving the City to relocate a water line off 225 for bridge improvements by DOT. Also included in the motion was to allow Mayor Meadows to sign the agreement, 2nd by Councilman Oldfield with Mayor Pro-Tem Bond, Councilman Oldfield, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- i. A 1st reading was given to a Zoning Variance Request for McArthur/Glenn to raise the height of the sign at the new shopping area from 85 ft. to 110 ft. since DOT would not allow removal of the trees, and since the sign as presently installed, is not visible. Councilman McEntire made a motion to set the public hearing for December 14, 1992 at 7:30 p.m., 2nd by Councilman Oldfield with Councilman McEntire, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- j. A 1st reading was given to the A.L. Nix Beer Package License Request for 905 Oothcalooga Street in the former Talley Building. Following a review, Mayor Pro-Tem Bond made a motion to set the public hearing for November 23, 1992 at 7:30 p.m., 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- k. A 1st reading was given to the Zoning Variance of Jim Edwards requesting a lower set back for a new house being constructed on Malea Lane. Councilman Oldfield made a motion to set the public hearing for December 14, 1992 at 7:30 p.m., 2nd by Mayor Pro-Tem Bond with Councilman

- Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
1. Attorney Campbell stated that in a review by Calhoun First National Bank Auditors, it was discovered that a serial number on a lease purchase agreement for a 1990 Mack Fire Truck had a typing error of one letter which was required that a correction be made. Mr. Campbell stated that he had prepared a resolution authorizing the changing of the serial number and authorized the Mayor to sign all the necessary documents to make the correction. Following a reading of the resolution, Councilman Shelton made a motion to adopt the resolution and the authorize the Mayor to sign all necessary documents to make the correction, 2nd by Councilman McEntire, with Councilman Shelton, Councilman McEntire, Councilman Oldfield and Mayor Pro-Tem Bond voting affirmatively, motion carried.
 9. Director Cornwell stated that he had received a request from the Health Department stating that the property presently being requested for annexation by Mr. James Lawson on White Street had an extreme sewer problem, and asked if it was possible for a sewer connection to be made prior to the annexation since the existing sewer line in the area is within 200 ft. of Mr. Lawson's property. Following discussion, Mayor Pro-tem Bond made a motion to allow the immediate sewer connection since it was within 200 ft. and that the sewer tap fee be based upon a city rate if the property is annexed, otherwise it would be at the County rate. The motion was 2nd by Councilman Oldfield with Mayor Pro-Tem Bond, Councilman Oldfield, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 10. Councilman Oldfield made a motion to move to Executive Session for real estate matters, 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 11. Councilman Oldfield made a motion to move to General Session, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
 12. Councilman Oldfield made a motion to adjourn, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:


John D. Meadows, III
Mayor

Submitted:


Cathy Harrison
City Administrator