

DECEMBER 14, 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
WILLIAM P. BAILEY, 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 November 23, 1992 Regular Meeting, November 27, 1992 Special Meeting and December 9, 1992 Special Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows wished everyone a Merry Christmas and Happy New Year.
 - b. Mayor Meadows commended the members of Club-Y for their support in the Mayor's Motorcade to Northwest Regional Hospital in Rome, and he also commended the ladies of City Hall for collection of gifts.
 - c. Mayor Meadows commended T. Joseph Campbell for his seven years of excellent service as City Attorney, and welcomed William P. Bailey as the new City Attorney for the City of Calhoun.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department had completed curb, gutter and paving work at the Depot. They are presently installing lot numbers for the Fain Cemetery Addition, working at the new fire station, collecting leaves, and clearing grates and drains. Mayor Pro-Tem Bond stated the Zoning Advisory Board was saddened to have the resignation of Dan Davis, who has moved to Gainesville, Georgia. Mayor Pro-Tem Bond extended his thanks to Mr. Davis for his excellent service. Mayor Pro-Tem Bond asked the Council to be considering a replacement.
 - b. Councilman Oldfield stated during the month of November one new residential building permit for \$130,000.00 and an Industrial Permit for \$200,000.00 had been issued. The Electric Department sold 25,233,430 KWH during November to a customer base of 3,629. They performed 47 inspections, set four meters and issued six permits.
 - c. Councilman Shelton stated the Fire Department answered 15 fire calls during the month with an estimated damage of \$1,400.00, and they performed 47 inspections during November. The Fire Department expressed Merry Christmas to each one, and asked them to be very mindful of the danger of Christmas Trees. The Police Department had 159 arrests with 10 being DUI's. They collected \$11,766.00 in fines, worked 159 incidents, 83 accidents, provided 40 escorts and answered 35 burglar alarms.

- d. Councilman McEntire stated the Water Plant had pumped 320,296,000 gallons of raw water during the month of November for an average day flow of 10.476 million. The Waste Treatment Plant treated an average of 10.779 million with BOD 18, COD 105 and suspended solids 24. The water and Sewer Construction Department made 16 water taps and one sewer tap. They installed 670' of 6 inch PVC, 1,900' of 8 inch PVC and 128' of 6 inch sewer pipe.

6. Public Hearings & Comments:

- a. Sharon Gates, a representative of the Humane Society stated they had given a proposal to the City of Calhoun in which they would handle all adoption of animals from the Rabies Control Unit. They would provide the paper work in the form of an application, and should a person qualify for an adoption, they will give the documentation which will provide for neutering and the necessary shots for the animals. They will interview the applicants prior to adoption. Following discussion of their proposal, Mayor Pro-Tem Bond made a motion to accept their proposal, 2nd by Councilman Oldfield with Mayor Pro-Tem Bond, Councilman Oldfield, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Jay Manay of the Care organization stated they desired to continue the Recycling Christmas Tree Program for the year. The program will be carried out at the Calhoun Recycling Center outside the fenced area and will be open on January 2, 1993 from 10:00 a.m. until 2:00 p.m. Brock Baxter will provide trailer trucks for the trees. The trees will be mulched and sold for \$20.00 per load. Following discussion, Councilman Shelton made a motion to approve the program, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A public hearing was opened on the Zoning Variance Request of Glennese Rogers, 43 College Street. The request to build a carport within three or four feet of the property line. The request also contained a notice from the adjoining property owner stating they had no problem with the application. The Zoning Advisory Board stated they recommended approval. There were no other comments and the hearing was closed. Councilman Shelton made a motion to approve, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- d. A Public Hearing was opened on a Zoning Variance Request of Lindsey A. Jackson, 52 Old Red Bud Road for an eight ft. variance to build a 12'x16' utility building within two feet of the back property line. The application contained a statement from the adjoining property owner stating they had no problem with the application. The Zoning Advisory Board stated they recommended approval. There were no other comments and the hearing was closed. Councilman Oldfield made a motion to approve, 2nd by Councilman McEntire with Councilman Oldfield, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- e. A 2nd reading of an Annexation Ordinance Request of James Lawson for Lots 94, 95, 96, 97 and a portion of 98 of the Northside Subdivision on White Street for R-2 zoning was given. A Public Hearing was opened with the Zoning Advisory Board stating the lots were small and did not fall within the perimeters of the zoning guidelines, therefore, they recommended denial of the application. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to recommend denial, 2nd by Councilman McEntire with Mayor Pro-Tem Bond,

- Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively to deny, motion carried.
- f. 2nd reading of an Annexation Ordinance Request of Stanley Simpson for Tract 1 and Tract 2 off New Town Road at Westwood Hills for R-1 zoning. A Public Hearing was opened. The Zoning Advisory Board stated they were familiar with the area and the surrounding zoning, and recommended approval. There were no other comments and the hearing was closed. Councilman McEntire made a motion to approve, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried. Ord. No. 496
- g. A Public Hearing was opened on the Zoning Variance request of James W. Edwards for the 2nd lot on the left of Malea Lane for five feet from the side property line for construction of a house. A statement from the adjoining property owners stating they had no problem with the application. The Zoning Advisory Board recommended approval. There were no other comments, and the hearing was closed. Councilman McEntire made a motion to approve, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- h. A Public Hearing was opened on the Zoning Variance Request of Haley Stephens for the ABC Health Care sign (free standing) on the lot on the east side of Devonwood Drive/Red Bud Road intersection. The Zoning Advisory Board recommended approval, the Council reviewed pictures of the area, the set back and a sketch of the sign. There were no other comments and the hearing was closed. Councilman Shelton made a motion to approve, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- i. A Public Hearing was opened on the Parker Anchem, division of Henkle Corp.'s request to rezone the lot on the northern portion of the former Corn Property being 102'x103'x121' in dimensions. The request being to rezone from R-2 to Ind.-G. The Zoning Advisory Board recommended approval since the triangle portion of property adjoins the former Dana property and would be properly zoned at Ind.-G. There were no other comments and the hearing was closed. Councilman Oldfield made a motion to approve, 2nd by Councilman McEntire with Councilman Oldfield, Councilman McEntire, Councilman Shelton, and Mayor Pro-Tem Bond voting affirmatively, motion carried. Ord. No. 498
- j. A 2nd reading of the Annexation Ordinance Request of Henkle Corp. for 3.12 acres in Land Lot 156 adjoining the former Dana property for Ind.-G. 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 Bond made a motion to approve, 2nd by Councilman Oldfield with Mayor Pro-Tem Bond, Councilman Oldfield, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- k. A Public Hearing was opened on the McArthur/Glenn zoning request for a sign to be relocated on the northern end of the development off Belwood Road. The sign would be an on premise sign, and the request would be for an additional 60' in height for an overall height of 110'. The Zoning Advisory Board stated after consideration of all factors involved, they determined no permitting from DOT was required. They determined there would be no interference regarding the Mercer Airport, however, there was a permit that should be filed with FAA regarding the Tom. B. David Airport, but the City of Calhoun has no jurisdiction in that regard, and it should not interfere

with the pending application. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.

- l. The continued hearing on the Beer Package License Request of A.L. Nix for the Talley Building at 905 Oothcalooga Street was reopened. The police report was given and was clear. The Building Inspector recommended that if the license were approved that it be subject to meeting all the building and fire codes prior to the issuance of the license. The hearing was closed. There was no motion.
- m. A Public Hearing was opened on the Betty Sue Gilbert d/b/a Holiday Inn Restaurant for a Beer Pouring License Request off the Red Bud Road. A clear police report was given. There were no public comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the Beer Pouring License Request, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried. (Public Hearing for Wine Pouring License to be held December 28, 1992.)
- n. A Public Hearing was opened on the Stephen Pendley Revolving Loan Fund Request of \$39,000.00 to re-roof a portion of the industrial building on McConnell Road. Harrison stated the Revolving Loan Advisory Commission following review of all documentation and the history of the existing loan which the City has at the present time, they had recommended approval of the application in order to protect the collateral of the present loan. The Mayor and Council reviewed the background of the original loan, its current status and current collateral. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the request, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.

7. Old Business:

- a. A 2nd reading of Beer, Wine and Liquor License Renewal Request for 1993 was given:
 1. Pizza Hut, Cecilia Phillips, Manager, Beer Pouring
 2. Carol Wingate d/b/a Los Reyes, Beer/Wine Pouring
 3. Bill Walraven d/b/a El Pueblito Restaurant, Beer Pouring.

Councilman McEntire made a motion to approve for 1993 License, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.

- b. 2nd reading of the Haley Stephens Amusement License Renewal Request for Noteworthy's for 1993 was given. Councilman McEntire made a motion to approve, 2nd by Councilman Oldfield, with Councilman McEntire, Councilman Oldfield, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. New Business:

- a. 1st reading was given to the Harry R. Whitfield Beer Pouring License Request for the Red Carpet Inn Restaurant presently operated as Simpson's. The application was in order. Councilman Shelton made a motion to set the public hearing for December 28, 1992 at 7:30 p.m., 2nd by Councilman Oldfield with Councilman Shelton, Councilman McEntire Councilman Oldfield and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- b. Following review of names submitted by the historical society for possible street names, and following a request that the road by Cherokee Nursing Home be named, Councilman Oldfield made a motion to name the Road J. Roy McGinty Drive, 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 - c. A 1st reading was given to the Amusement License Renewal Request for 1993 for James H. Roark d/b/a Roll Well Enterprises, Inc. operating at the Bowling Alley off Columbus Circle and for the Pizza Hut on Highway 53. A 2nd reading is scheduled for December 28, 1992.
 - d. A 1st reading was given to the Bethel Baptist Church Annexation Ordinance Request for property located at 601 East May Street for R-1 zoning. Councilman Oldfield made a motion to set the public hearing for January 11, 1993, 2nd by Councilman McEntire with Councilman Oldfield, Councilman McEntire, Councilman Shelton and Mayor Pro-tem Bond voting affirmatively, motion carried.
 - e. Diane Pool approached the Council regarding a problem she has with City water at her existing site. She is located on Scott Lake Road_ an area which is higher than the elevation of the current system. Mrs. Pool has a pump at the end of her line which is elevated above the water meter at the road right of way. The pump had burned up, and Mrs. Pool presently has very little water pressure at her location. She informed the Mayor and Council that she had been promised a minimum of 15 to 20 lbs. of pressure at her home site, and that she does not have that amount of pressure and that she felt it was the City's responsibility to replace her pump and to pay part of the expense for new lines to be laid to her existing house. Discussion followed regarding the City's responsibility which ends at the metering point at the right of way. Following continued discussion, the Council stated they would contact James W. Hobgood, who was the Water Superintendent at that time in order to obtain information regarding his original commitment to Mr. & Mrs. Pool. The Council stated this information would be available for her by December 28, 1992.
9. Director Kelly Cornwell's Work Report:
- a. Following review of the concrete work needed for the area surrounding Fire Station No. 3 on Curtis Parkway, Director Cornwell stated that he had asked Foremost to present a change order to the bid for the building to cover that work. The bid had been for \$1.50 per ft. for six inch concrete. He stated that price was in line with the pricing for the depot job, and also for other work recently finished in the City. The overall cost would be \$14,598.00, and he would recommend approval. Following discussion, Councilman Shelton made a motion to approve the change order, and to authorize the Mayor to sign, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
10. Councilman Oldfield made a motion to move to Executive Session for personnel and legal matters, 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
11. Councilman Oldfield made a motion to move to General Session, 2nd by Councilman McEntire, with Councilman Oldfield, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

12. Councilman Oldfield made a motion to adjourn, 2nd by Councilman McEntire with Councilman Oldfield, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:



John D. Meadows, III
Mayor

Submitted:



Cathy Harrison
City Administrator/Clerk