

JULY 12, 1993

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
JOHN D. SHELTON, COUNCILMAN
PAUL MCENTIRE, COUNCILMAN
JIMMY PALMER, COUNCILMAN

ALSO: WILLIAM P. BAILEY, CITY ATTORNEY
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC WORKS
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 June 21, 1993 Regular City Council Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows congratulated Kelly Cornwell on his election as a MEAG Board Member for a three year term.
 - b. Mayor Meadows announced that the Annual GMA Business Meeting held in Savannah at the end of June was very successful. He stated that the primary topic of conversation was House Bill 10 regarding no mandates without funding resources from at the state or federal level. Tom Bond stated he served on the Environmental Committee, and found his meeting to be both informative and enlightening. Councilman Paul McEntire stated he served on the Transportation Committee which is reviewing the outer perimeter, and a look at moving toward trains as an alternate transportation source for passengers. Jimmy Palmer stated that he visited the Revenue Committee and discussed various ways to raise funds for local cities in the State of Georgia. John Shelton stated he served on the Public Safety Committee, and a prime target was police training. Harrison stated she attended a cable T.V. meeting, and also a meeting regarding the changes in the Business License Law effective January, 1995. Harrison stated she would have recommendations at the July 26 meeting regarding the new cable regulations. Kelly Cornwell stated he attended various committees, but was involved primarily with the election at the MEAG meeting.
 - c. Mayor Meadows announced that former Councilman H.A. Oldfield, Jr. was inducted into the GMA Hall of Fame as was Mr. Jake Woods from Trion, Georgia.
 - d. Mayor Meadows stated Attorney J.C. Maddox is presently at Emory Hospital in Atlanta with heart problems, and that on behalf of the Council and himself, he wishes him a speedy recovery.
 - e. Mayor Meadows stated the Calhoun Little Theater will have a production on Saturday evening, July 17, 1993, and he encouraged everyone to attend.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department had been working during the month of June at the golf course, had paved Stewart Drive, Elm Street and Oak Street, as well as, three other streets on a DOT Contract. They removed

a house in addition to the regular duties of patching and limb and leaf removal.

- b. Councilman Shelton stated the Fire Department received two residential calls, five vehicle calls, five hazardous materials calls, one brush fire, four public assistance and thirteen false alarms during the month of June for a loss of approximately \$17,450.00. The Fire Department also provided 38 inspections during the month. The Police Department answered 184 arrests 15 being DUI. They collected \$16,723.00 in fines, distributed 98 warnings, 184 parking violations, worked 133 incidents and 90 accidents, answered 108 burglar alarms and provided 66 escorts.
- c. Councilman McEntire stated the Water Treatment Plant pumped 379,810,000 gallons of raw water during the month of June. The Waste treatment Plant in June, treated an average of 8.942 million gallons per day with the average BOD effluent being 19, suspended effluent 26, cod effluent 120. He stated the Water/Sewer Construction Department made 28 water taps and two sewer taps. They installed 280 ft. of 1 inch PVC, 1400 ft. of 2 inch PVC, 700 feet of 6 inch PVC, 890 ft. of 8 inch PVC and 160 ft. of 6 inch ductile iron water line.
- d. Councilman Palmer stated the Building Inspector issued permits during the month which were for construction of \$7,289,216.00. The Electric Department sold 22,600,401 KWH to a customer base of 3,691. The Electric Department provided 42 inspections, issued 8 permits and set 4 meters.

6. Public Hearings & Comments:

- a. A 2nd reading of the Annexation Ordinance Request of the Georgia Flooring Distributors, Inc. for approximately 4 acres located at I-75, Damascus and Gee Roads for Industrial-G zoning was given. A public hearing was opened. Mayor Pro-Tem Bond stated the unofficial recommendation of the Zoning Advisory Board was to approve the request. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and to approve the annexation for Industrial-G zoning, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- b. A 2nd reading of the Marie Silvers Zoning Variance Request of 15 feet off Court Street for a lot at the intersection of Oothcalooga and Court Streets. The request would allow the building of a church on the property. A public hearing was opened. Mayor Pro-Tem Bond stated there was an insufficient number of members present at the Zoning Advisory Board Meeting, and he asked the current owner of the property, Mr. Coggins, if it would be within his time frame to hold the request until August 9, 1993 in order to have a full membership of the Zoning Advisory Board. Mr. Coggins stated that would be within his schedule. Mayor Meadows stated the request would be held until the meeting on August 9, 1993 which would allow the Zoning Advisory Board to meet on the matter on August 5, 1993.
- c. A 2nd reading of an ordinance amendment regarding the utility deposit requirements was given. A public hearing was opened. Mayor Meadows stated that he would remind the Council of a request made by Mr. Henry Holland of First Federal Savings Bank regarding the ability to exclude banks from the deposit requirement since all the local banks issue letters of credit for the majority of the existing commercial and industrial customers. There were no other comments and the hearing was closed. Councilman McEntire made a motion to waive the 3rd and

Ord. No. 515

Ord. No. 513

4th readings and to adopt the ordinance as read, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- Ord. No. 514
- d. A 2nd reading of the ordinance amendment regarding updates of technical codes was given. A public hearing was opened. There were no comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings, and to adopt the ordinance amendment, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
 - e. A public hearing was opened on the Liquor-by-the-Drink License Request of Bill Walraven d/b/a El Pueblito Mexican Restaurant on Park Avenue. The application was in order, with the Police Report being clear, however, a report from the Building Inspector was not completed, and the item was held for a 3rd reading on July 26, 1993. Leonard Brown requested the Council not approve the application for Liquor-by-the-Drink for this location or for other locations within the City Limit area.
 - f. Ms. Shirley Aker addressed the Mayor and Council regarding a sewer problem at Friendship Baptist Church. Ms. Aker serves as the trustee for the church, and she stated that for some time, the church has had a problem with backup due to an old line. She requested the City replace the lien as soon as possible. Director of Utilities/Public Works Cornwell stated the City had reviewed the situation several months earlier, and had requested permission from the Department of Transportation to relay the line which is in the road bed of State Route 156, however, the Department of Transportation refused the City's request to make the cut in order to provide line repairs. Cornwell stated there is a possibility of relaying the line on private property, however, easements would need to be procured from approximately four land owners. He stated if the Council desired, he would make initial contact with the property owners and determine a possible cost for the easement and for the project. City Attorney Bailey stated that he would like to review the present easement, and have a better understanding of what the City's alternatives are on the existing easement. The Mayor and Council held the matter for a later meeting, until these items could be reviewed and a recommendation made at a later date.
 - g. A public hearing was opened on the Jim Davis Revolving Loan Request for \$35,000.00. Harrison stated the Loan Advisory Commission had met, and recommended approval of the loan request provided a lien was taken on the equipment owned by Jim Davis, as well as, a 2nd mortgage on his home, since Georgia Bank & Trust would be making the primary mortgage on the business property. Following this report, there were no other comments and the hearing was closed. Councilman McEntire made a motion to approve the request based on the recommendations of the Loan Advisory Commission, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
 - h. Mike Ralston addressed the Mayor and Council regarding an airport hangar issue. He stated that he had been on the initial waiting list for a hangar for several years when the list was moved from the fixed based operator to the City, his name was left off in error, however, it had been reinstated at a later date. He stated he is next in line for a hangar, but a hangar is currently held by an individual who purchased an airplane with a partner who had a hangar for a short span of time in order to gain access to the hangar, and has since become the sole owner

of the plane. He stated this action seemed to be unfair to him and other members on the waiting list. Harrison stated she had discussed the hangar situation with the insurance company recently, and proposes that the City of Calhoun lease the property presently operated by the Airport Authority, including the hangar area, to the Airport Authority in order for the new fixed base operator to provide liability coverage on all these areas within his jurisdiction with the fixed based operator maintaining the hangar list and collecting rent on the hangars. The Council stated they felt this would be a proper avenue to follow, and asked Attorney Bailey to review the current lease and this recommendation.

7. Old Business: None

8. New Business:

- a. Harrison stated the property insurance is due, and with the additions made last year for approximately \$20,000,000.00 of additional coverage for both the Water Treatment and Waste Water Treatment Facilities, plus the addition to the property and contents owned by the City of Calhoun, that it was extremely hard to provide coverage with an A rated carrier, however, two bids were obtained (one from Affiliated FM Insurance which is the present carrier for a premium of \$53,584.00, and one from Zurich American Insurance Company in the amount of \$48,710.00). Harrison stated that the Mayor and Council had obtained general liability insurance from the Zurich American Insurance Company in December, 1992, and at that time the company had expressed a request to quote on the City's property insurance. The company had provided the City with \$1,000,000.00 in general liability coverage as opposed to the previous \$500,000.00 at a price of \$12,000.00 below the nearest competitor. Based on all these considerations, Harrison, as well as, the insurance agent, Jim Silvers of Starr-Mathews, recommended the Mayor and Council accept the bid of Zurich American for \$48,710.00. Following discussion, Mayor Pro-Tem Bond made a motion to follow the recommendation, and obtain coverage from Zurich American for \$48,710.00, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Mayor Meadows reviewed the renewal contract for transportation for the elderly for the food program handled by Coosa Valley Regional Development Center. The contract calls for the City of Calhoun to provide a driver, fuel and maintenance for the vehicle with Coosa Valley RDC Area Agency providing the vehicle and insurance coverage for the van. Following review, Councilman Palmer made a motion to approve the contract, and to authorize the Mayor to sign, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- c. Mayor Meadows read a resignation from Henry Holland for his membership on the Recreation Commission. Councilman Palmer stated the Recreation Commission recommended the appointment of Jimmy Mathews to serve the unexpired term through June 30, 1994 on the Recreation Commission. Mayor Meadows expressed his regret at the resignation of Mr. Holland, but stated he felt Jimmy Mathews would be a good member for the commission. Councilman Shelton made a motion to appoint Jimmy Mathews to the Recreation Commission to serve the unexpired term of Henry Holland through the calendar year 1994, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively,

motion carried.

- d. Mayor Meadows read a resignation from Farrell Palmer, the current Chariman of the Recreation Commission. Mr. Palmer stated it would be impossible for he and Jimmy to both serve on the commission, therefore, he felt it was necessary for him to resign at this time. Mayor Meadows and the Council expressed regret for the resignation. Councilman Palmer stated the Recreation Commission had recommended Mike Nance to fill the unexpired term of Farrell Palmer. Following discussion, Councilman McEntire made a motion to appoint Mike Nance to serve the unexpired term of Farrell Palmer through the calendar year 1997, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- e. Eddie Peterson stated the Downtown Development Authority, along with members of the Retail Merchants Committee of the Chamber of Commerce, and City staff met on two occasions regarding reactivating the Downtown Development Authority, and working toward an overall plan for revitalizing the downtown area. Peterson also reviewed the recent study provided by members of DCA in accordance with the mainstreet program. Following this report, Mayor Meadows stated that Ms. Kay Goldberg, Chariman of the Downtown Development Authority, had recommended that four members be reappointed for additional terms on the Authority with three new additional members being appointed. Following this recommendation, Mayor Pro-Tem Bond made a motion to reappoint Kay Goldberg and Tim Haney for two year terms, July, 1993 - June, 1995; Gloria Brown and Bill Mathews for four year terms, July 1993 - June 1997; and Vincent Bagwell, Jimmy Payne and Don Richie for six year terms, July, 1993 - June 1999, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- f. 1st reading of the Jim Nichols d/b/a D.D.'s Creekside Restaurant Liquor by the Drink Application for 675 Jolley Road, Calhoun, Georgia was given. Following review of the application, Councilman McEntire made a motion to set the public hearing for August 23, 1993 at 7:30 p.m., 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

9. Other Written Items Not on the Agenda:

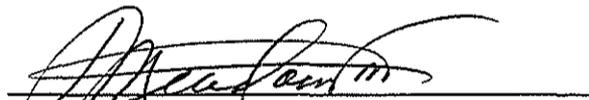
- a. Harrison stated that in accordance with the Council's authorization, at the previous meeting regarding the group medical insurance coverage, that she, Wayne Morris and Bill McElreath of Fortis had met several times to work out the final details of group insurance coverage to maintain the coverage within the budget if possible. She stated the group had increased the deductible from \$100.00 at the hospital and \$100.00 at the doctor to a total of \$250.00, and had maintained the mental and nervous at the present level provided by CNA, with these two reductions in the bid of Fortis Insurance allowing the City to install a short term disability policy for 60% of weekly earnings up to a maximum of \$200.00 per week for 26 weeks. This coverage with the group medical insurance is within the budget recently adopted with the exception of begin \$.77 per person per month over the budget for a total of \$1,885.00 for the year based on the current number of employees.
- b. Frank Burnette of Hunts Drive requested that each Council Member visit Hunts Subdivision regarding several houses in the area which are in dilapidated conditions, and which are unsightly for the entire community. Mayor Meadows stated he had previously reviewed the area.

Eddie Peterson, City Planner, stated that Building Inspector Moore has been working with one property owner in the area in an effort to improve conditions.

10. Director of Utilities/Public Works' Work Report:

- a. Cornwell stated the contract for the work recently approved by the Mayor and Council at the Water Treatment Plant has been reviewed by the City Attorney and is ready for adoption. Following discussion, Councilman Shelton made a motion to approve the contract for the additions to the Mauldin Road Water Treatment Plant Phase II Instrumentation and Controls with Willow Construction, Inc. in the amount of \$258,700.00 to authorize the Mayor to sign the contract, and to sign the Notice to Proceed, 2nd by Councilman McEntire with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
11. Councilman McEntire made a motion to move to Executive Session for real estate and legal matters, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
12. Mayor Pro-Tem Bond made a motion to move to General Session, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
13. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

Approved:


John D. Meadows, III
Mayor

Submitted:


Cathy Harrison
City Administrator