

JULY 26, 1993

7:30 P.M.

REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
226 SOUTH WALL STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR  
THOMAS H. BOND, MAYOR PRO-TEM  
JOHN D. SHELTON, COUNCILMAN  
PAUL R. MCENTIRE, COUNCILMAN  
JIMMY PALMER, 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 July 12, 1993 Regular City Council Meeting were approved.
4. Mayor's Comments:
  - a. Golf Commission Report:
    1. Mayor Meadows stated the Golf Commission recommended the City Council transfer the snack bar contract from Billy Holbert to Kevin Allen effective for food sales July 1, 1993 and beer sales January 1, 1994. Councilman McEntire made a motion to approve the recommendation and to sign the agreement as per the Golf Commission's request, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
    2. The Golf Commission recommended the Council approve a voucher system at their regular meeting, however, since that meeting, several of the Commission members have asked the Mayor to hold up on this recommendation until the next council meeting.
  - b. Mayor Meadows announced two public hearings: (1) Marie Silvers Zoning Variance Request for 15ft. off Court Street for a lot at Court and Oothcalooga Streets to allow building of a church on August 9, 1993. (2) Jim Nichols d/b/a D.D.'s Creekside Restaurant for a Liquor-by-the-Drink License Request on August 23, 1993.
  - c. Mayor Meadows congratulated the Calhoun Little Theater Group and also the actors in the recent production at the Calhoun Elks Club.
  - d. Mayor Meadows stated the Industrial Development Authority had recommended the City appoint an exofficio member to the Industrial Development Authority, and Mayor Meadows recommended the appointment of Councilman Bond who had served on that authority for many years. Councilman Palmer made a motion to appoint Tom Bond as the City's exofficio member for the Industrial Development Authority, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, and Councilman Palmer voting affirmatively, motion carried.
  - e. The Dalton Regional Library has recommended that August 7 be declared as "ItzaReader Day" in conjunction with the olympic emblem. Following discussion, Councilman Shelton made a motion to dedicate August 7, 1993 as "ItzaReader

Day", 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

- f. Mayor Meadows stated there would be two state wide transportation plan hearings set up on August 18, 1993 in Dalton at 7:00 p.m. and August 24, 1993 in Rome at the Days Inn at 7:00 p.m. Council members stated that August 24, 1993 would suit their schedules better.
- g. Mayor Meadows stated the City had received a call from an Atlanta television station stating they had been notified of a rumor that the City of Calhoun would be re-zoning the Memorial Garden Cemetery area to commercial zoning, and wished to check the validity of the rumor. Mayor Meadows stated that Administrator Harrison had notified the news media that the City had no intention of re-zoning the area, that it had been grandfathered for use as a cemetery, and the City was not planning to change that status. Mayor Meadows stated that he wished to make a public announcement that there was absolutely no plans on behalf of the City to re-zone that area, and that the City was in full agreement that the area had been grandfathered for use as a cemetery, and it had no intention of re-zoning.

5. Public Hearings & Comments:

- a. Mayor Meadows reopened the public hearing on the Bill Walraven d/b/a El Pueblito Mexican Restaurant Liquor-by-the-Drink License Request. Harrison stated the Building Inspector had reported that there were building changes that needed to be made prior to the issuance of the license, and the owner had agreed to make those changes. The Police Report was clear. A survey statement had been received indicating the location conformed to all distance requirements, and Harrison reported that the owner/operator had been notified of all the necessary reports to be filed, as well as, the additional tax to be collected. The hearing was closed. Mayor Pro-Tem Bond made a motion to approve the request subject to the building changes as per the Building Inspector's recommendation, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Betty Payne had requested an appointment as traffic deputy to serve handicapped parking tickets for the City of Calhoun. Harrison reported that Attorney Bailey had researched, and indicated that the City could make the appointment of handicapped citizens who are not employees for only this duty without any liability for the City or the individual, and without any need to provide insurance coverage. Following discussion, Councilman McEntire made a motion to approve the appointment of Betty Payne as a traffic deputy for serving handicapped parking tickets, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

6. Old Business:

- a. Frank Burdette produced pictures of at least three houses in the Hunt Subdivision which are in extremely poor condition, and asked the Council to make every effort to have these areas cleaned up since they are a nuisance for the neighborhood. Following discussion, Attorney Bailey stated that he would review the situation, and possibly handle through either City Court or Superior Court.

7. New Business:

- a. Greg Fender of GMA gave a presentation on the City's rights under new federal legislation to regulate cable T.V. operators when there is no competition. Mr. Fender explained that GMA would be opening a service unit to assist Cities with the regulations to also assist them in corporate audits for cities throughout the state which have the same cable company in order to reduce cost, as well as, engineering studies. He stated the service would be available for a cost of \$1.75 per cable customer for the first year with the price being lowered the 2nd year since more cities would be in the program, and the cost could be spread lowering the member cost. Mr. Fender presented a draft agreement for the service, and asked Administrator Harrison and Attorney Bailey to review. He also stated the agreement would be in final form by August 1, 1993, and the City could join on that date. Director Cornwell and Administrator Harrison both recommended the City become a member and begin regulating rates and other areas as allowed by federal regulation.
- b. Mayor Meadows stated that Administrator Harrison had discussed the September 21, 1993 Special Election with Probate Judge Johnny Parker. As it currently stands, the election will consist of two questions, one regarding the local option sales tax and the second being the question of a \$20,000.00 exemption for citizens 65 years of age or older regarding school taxes. The school tax question will be based on a call by both the City and County. The local option sales tax will be based on a call by the County. The election, if not held jointly, would require citizens as the Calhoun precinct, which is at the Calhoun Recreation Department to vote for the County question by means of signing and entering the polling booth for that question, and immediately upon exiting that booth go through the process of signing up and entering a 2nd booth for the City question, however, if the City contracts with the Probate Judge to handle the election for the City, it could be handled with one set of polling booths. However, the City would also be required to issue the Call for the City question as per the legislation regarding the referendum. Judge Parker had indicated that he would require the City to provide one City worker to assist with the calculation at the end of the election. Following discussion, Mayor Pro-Tem bond made a motion to contract with Judge Parker for the September 21, 1993 election, and to use the County Voter's List for the September 21, 1993 election, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- c. Mayor Meadows gave a 1st reading to the resolution adopting water/sewer rates and revenue neutral electric rates as previously discussed as public hearings on the 1993-94 budget. Mayor Meadows stated the resolution would be held for a 2nd reading on August 9, 1993.

8. Director Cornwell's Work Report:

- a. Cornwell stated the City had been busy at Eastside School providing piping and fill for the play ground.
- b. Cornwell stated the property owner near the raw water intake had notified the City that he would be selling property in that area, and the fence and gate would need to be removed in order to allow them access to their property. In order to properly protect the raw water intake property, new fencing had been placed at the sight in the amount of \$2,085.00.

- c. Cornwell stated the water level of the river is being checked daily. At this time, the City will not issue any conservation measures, but would ask the general public to be observant of those neighbors who are on higher elevations.
  - d. Cornwell stated that since July 12, 1993 the peak power for the City had increased daily. The recent peak is 17,887.
9. Councilman Palmer made a motion to move to Executive Session for legal discussion with City Attorney Bailey in reference to contracts and real estate, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
10. Councilman McEntire made a motion to move to General Session, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
11. Councilman Shelton made a motion to adjourn, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
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Cathy Harrison  
City Administrator