

SEPTEMBER 13, 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: 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 August 23, 1993 Regular City Council Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows welcomed the delegation to the Regular City Council Meeting, and asked all to return as frequently as possible.
 - b. Mayor Meadows reminded the Council of the Public Hearing scheduled for October 11, 1993 for the Annexation Request of Reba Olson for Lot 4 of Belmont Farms for R-1 zoning.
 - c. Mayor Meadows reminded the Council of the GMA Pre-Legislative Meeting to be held in Gainesville September 22 and 23.
 - d. Mayor Meadows reminded local citizens of the City/County Election scheduled for September 21 at the Recreation Center regarding the School Tax Exemption and the Special Local Option Sales Tax questions.
 - e. Mayor Meadows reminded the group that the Calhoun Little Theater would have a production on September 26 at 2:00 P.M.
 - f. Mayor Meadows stated Channel 9 operating out of the State of Tennessee, had recently reported a spill at the Calhoun Waste Treatment Facility, and he asked Cornwell to comment. Cornwell stated that representatives of the news media from Channel 9 had recently arrived at the Waste Treatment Facility indicating they had received a report of a spill at the Calhoun Waste Treatment Facility, however, the Superintendent on sight stated the City did not have a spill, that it had normal flows and normal aeration which causes a bubbling of the water which is normal in the City's operation. He stated the records and data indicates the City is operating under permit, and records are available for inspection by Channel 9 or any other citizen or group. The news media, however, ran the program as a spill. Cornwell stated that he had notified EPD regarding the accusation. They indicated they are fully aware of the current method of operation at the Calhoun Waste Treatment Facility, and no additional inspection would be needed by their department.

5. Council's Comments:

- a. Mayor Pro-Tem Bond stated the Street Department is continuing to cut right of ways, doing street patching and piping. They have presently been reviewing streets and adding to the LARP list which will be submitted to DOT.
- b. Councilman Shelton stated the Fire Department answered 30 fire calls during the month of August, 1993 for an estimated damage of \$3,700.00, they provided 32 inspections. Mr. Shelton stated the 911 is in affect, and at this time appears to be operating very smoothly. Councilman Shelton stated the Police Department made 234 arrests in August, 1993 of which 22 were DUI's, and collected \$21,056.00 in fines. They issued 127 warning tickets and 254 parking tickets. They worked 202 incidents, investigated 90 accidents, responded to 98 burglar alarms and provided 40 escorts.
- c. Councilman McEntire stated the Water Treatment Plant treated 377,943,000 gallons of raw water during the month of August for a daily average of 12.191 million gallons per day. The Waste Treatment Plant treated an average of 9.29 million gallons per day with BOD effluent being 22, suspended solids being 22 and COD effluent being 119. The Water/Sewer Construction Departments made 40 water taps during the month, 10 sewer taps and they installed 2,000 ft. of 2 inch PVC water line.
- d. Councilman Palmer stated the Electric Department sold 29,338,346 KWH during the month of August, 1993 to a customer base of 3,701. They provided 45 inspections and issued 6 permits. The Building Inspector issued 9 new residential building permits for \$605,450.00 of construction and two Commercial Permits for \$387,194.00 of construction. Councilman Palmer stated the Recreation Department had purchased a grasshopper mower of which the City's half of the purchase would be \$4,207.50, and exceeds the amount budgeted for the fiscal year by \$1,207.50. Councilman Palmer made a motion to approve the purchase, and to approve the amendment to the budget, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

6. Public Hearings & Comments:

- a. Ord. No. 516 A 2nd reading of the Annexation Ordinance Request of Ben D. Morrow for property located at 101 Richardson Road for R-2 zoning was given. A public hearing was opened. Mayor Pro-Tem Bond stated the Zoning Advisory Board did not have a quorum, however, those present did discuss the request, and there was no problem with the request as stated. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve for the zoning as requested, 2nd by Councilman McEntire with Mayor Pro-tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Ord. No. 521 A 2nd reading of an Annexation Ordinance Request ratifying all City Annexations up to and including No. 517 was given. The public hearing was opened, there were no comments and the hearing was closed. Councilman McEntire made a motion to approve the ordinance, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton, and Councilman Palmer voting affirmatively, motion carried.
- c. A 2nd reading of an Ordinance regarding Adult Entertainment was given, and a public hearing was

Ord. No. 520

opened. There were no comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve and adopt the ordinance, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

- d. A 2nd reading of the Zoning Variance Request of Mike Patel d/b/a Hampton Inn for a 50 ft. variance in height for a sign to be located on Highway 53, East, and also a smaller sign to be located on the road easement into Hampton Inn. A public hearing was opened. Mayor Pro-Tem Bond stated the members attending the Zoning Advisory Board reviewed the application including a letter from John Cunningham stating that the 2nd smaller sign was located on private property for a road easement into Hampton Inn, and had their approval. He also stated a surrounding property owner, James Thomason had no objections to the 50 ft. variance for the larger sign to be located on the property. Mayor Pro-Tem Bond stated the only question that the committee had was regarding the distance from the 100 ft. high sign from the actual activity which would be the hotel/motel itself. Mr. Mike Patel stated the sign would be within 100 ft. from the activity, the activity being the hotel/motel. There were no other comments or questions, however, the drawings prepared by the sign company were reviewed as to the height above the tree line, and the entrance into the property. There were no other questions, and the hearing was closed. Councilman McEntire made a motion to approve the variance as requested, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- e. Members of the committee for passage of the Special Local Option Sales Tax made a presentation as follows:
1. Ken Smallwood spoke on the purpose of the Special Local Option Sales Tax being to fund road and street improvements in Calhoun/Gordon County stating that the main project would be the south by-pass and the interchange which would be a progressive move, and would generate new business for the community. This would be approximately 6.2 million of the proposal with approximately 4.2 million being designated for the Cities in Gordon County and approximately 3.9 million for the multi purpose building and a little over 13 million for roads to be built or improved in Gordon County. He stated that it was a progressive move for Calhoun/Gordon County, and that he would urge the passage of the sales tax. Steve Hatcher, Director of Department of Family & Children Services, stated the portion dedicated to a multi purpose building would allow several service organizations such as Department of Family and Children Services, Department of Labor, Council for Abused Children and Etc. to be housed in the building, and to have mutual day to day contact which would allow services for affected families from all areas in one location which would be more productive not only for the citizens, but also for the social services as well. He stated he would recommend passage of the sales tax which would allow this unified social services to be directed toward those persons needing assistance in Calhoun/Gordon County.
 2. Rebecca Owen of United Way urged passage of the sales tax which would be of benefit to Calhoun/

Gordon County, and which would provide a multipurpose building which would provide a broad spectrum of services for all citizens of Calhoun/Gordon County.

3. Wanda Davis speaking on behalf of the Arts Council stated that it would allow a part of the facility to be used by the Arts Council, and that it would enable a better quality of life to be provided for all citizens of Calhoun/Gordon County. She stated that the Arts is a method in which social and racial barriers can be broken which is beneficial to any community. Mary Richie stated the committee for the multi purpose building had worked from April until June of 1993 preparing a proposal, and stated that their estimates were based on preliminary information since no funds were available to do a needs assessment. She stated that the committee had worked to provide the maximum amount that would be needed to develop the facility, and hopefully when funds were available to do a proper needs assessment, that those needs for the facility will be lower. She stated the committee would recommend that the City and County jointly operate the facility, and that she also would recommend approval of the Special Local Option Sales Tax in order to meet all of these progressive goals for Calhoun/Gordon County. Mayor Meadows thanked the delegation for their efforts, and for the time spent on these projects. He stated, however, the Council is divided in its view point of the Special Local Option Sales Tax question, therefore, a unified endorsement will not be forthcoming from the Council, however, the Council will not file a unified opposition to the proposal. He stated each official will vote their individual conviction on the question.

7. Old Business:

- a. Eddie Peterson and Cathy Harrison presented the work to date that had been done regarding cost for a joint public and private renovation of the downtown depot. Peterson stated that the four larger contractors within the Calhoun/Gordon County area had been contacted regarding review of the architect's plans, and their projected cost for the project. Only two of those responded, and those projections are available for the Council to review. Harrison stated based on the preliminary figures for the work, it is estimated that the cost from the private contractor would be in the neighborhood of \$200,000.00 exceeding the present budget allocated for the project. Harrison and Peterson asked for the Council's direction as to continuing with the project. Harrison asked the City Attorney if the work to date regarding the proposals requested from four contractors was sufficient to meet the public works contract requirements based on a public private work relationship. Also, if it would be acceptable for a cash bond to be held until completion of the project, rather than the cost of a normal insurance bond being charged to the project by the contractor. Attorney Bailey stated that he felt more work would need to be done regarding a bid process, however, the proposed bond, if it is as high as required by State Law would be satisfactory. Following discussion, the Council gave permission for Harrison and Peterson to continue to pursue a method to fund the project and report back to the Council.

- b. Peterson stated he had recently met with officials from Norfolk Southern, and that they would be unable to move the caboose from the side track to the public track owned by the City, however, they would supply supervisory personnel, and work with the City in moving the caboose by crane and low boy.
- c. Harrison provided a standard ordinance provided through the GMA services which the City recently joined regarding the basic tier rates and regulated equipment installation for cable systems operated within the City. Following a first reading by Mayor Meadows, Councilman McEntire made a motion to set the public hearing for September 27, 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.

8. New Business:

- a. A 1st reading of an Election Ordinance regarding the qualifying dates for candidates was read. Councilman Palmer made a motion to set the public hearing for September 27, 1993 at 7:30 p.m., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Harrison reviewed the proposed election calendar for the November 2, 1993 General Election for the City.
- c. Following discussion and reading of an election Resolution regarding appointment of election officials, Mayor Pro-Tem Bond made a motion to adopt the resolution, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- d. A 1st reading of the William Gordon Tierce Beer Package License Request for 1116 North Wall Street was given. Harrison stated the location would be adjacent to the Little Giant market on North Wall Street, and would be operated as a separate business completely segregated from the Little Giant Market as per the code. Councilman Palmer made a motion to set the public hearing for September 27, 1993 at 7:30 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- e. Harrison presented a request by Skip Matherly of Gordon Central regarding a 5K road race to be held on September 18, 1993 on Highway 156 and New Town Road. Following Discussion of the route and police protection to be provided. Mayor Pro-Tem Bond made a motion to approve the request, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

9. Other Written Items Not on the Agenda:

- a. A 1st reading was given to the Larry Davis Annexation Request for Phase III of the Sunset Hills development for R-1 zoning. Mayor Pro-Tem Bond made a motion to set the public hearing for October 11, 1993 at 7:30 p.m., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Harrison reviewed the year end budget to actual figures for the fiscal year ended June 30, 1993. Those being:

Income:

	<u>Budget</u>	<u>Actual</u>
General	7,575,577.00	7,543,958.07
WPS	<u>26,207,317.00</u>	<u>26,149,787.20</u>
Total	\$33,782,894.00	\$33,693,745.27

Expenses:

	<u>Budget</u>	<u>Actual</u>
General	10,681,432.00	10,268,703.34
WPS	<u>23,101,462.00</u>	<u>22,420,825.21</u>
Total	\$33,782,894.00	\$32,689,528.55

GOLF:

Income:	\$759,778.00	\$784,111.81
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Expenses:

	<u>Budget</u>	<u>Actual</u>
Pro Shop	274,550.00	284,456.71
Maintenance	398,172.00	391,336.11
Tran. to Debt Ser.	<u>87,056.00</u>	<u>108,318.99</u>
	\$759,778.00	\$784,111.81

- c. A delegation from Parks Place headed by Mr. Wilson presented a petition requesting the Mayor and Council to reject a request for construction of apartments or duplexes to be constructed on the Trammell Burch property located adjacent to Parks Place. A general discussion regarding zoning of property surrounding Parks Place and the inability of the City to officially reject a proposal by Mr. Burch should it be forthcoming regarding apartments or duplexes since the property is zoned for multi family housing. The Mayor, Council and City Attorney recommended that each resident in the area write a letter to Mr. Burch expressing their concern for this type of development adjoining their subdivision.

10. Director Cornwell's Work Report:

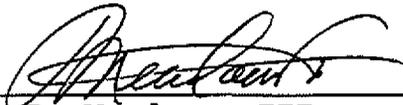
- a. Director Cornwell submitted a LARP List of projects to be forwarded to the Department of Transportation. Following review by the Mayor and Council, the list was to be mailed in tact with no changes.
- b. Director Cornwell submitted a proposed copy of the Power Sales Contract to be reviewed, and to possibly be adopted by the Mayor and Council prior to October 13, and he suggested a work session prior to that date. Following discussion, the work session was set for 6:30 p.m. on September 20, 1993 at the City Council Chambers.
- c. Director Cornwell stated that Paul Lusk had requested the Mayor and Council to reconsider the invoice sent to him for 100% of labor cost for the last sewer line extension in the Parks Place area. Following discussion, there was no adjustment authorized by the Mayor and Council.

11. Councilman McEntire made a motion to move to Executive Session for personnel 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.

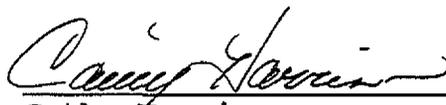
12. Councilman McEntire made a motion to move to General Session, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
13. Councilman McEntire made a motion to adjourn, 2nd by Mayor Pro-Tem Bond with Councilman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

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator