

OCTOBER 25, 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 Attorney William P. Bailey gave the Invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the October 11, 1993 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows expressed sympathy to the family of Howard Kinsey who passed away on Friday, October 22, 1993. Mayor Meadows stated Howard Kinsey had been an employee of the City of Calhoun for more than 30 years.
 - b. Mayor Meadows stated the City will recognize celebration of Halloween on Saturday evening from 6:00 p.m. until 9:00 p.m. for children 12 and under.
 - c. Mayor Meadows reminded the Council of Public Hearings scheduled for November 8, 1993: (1) Liquor-by-the-Drink License Request of William Terry Howard d/b/a Los Reyes Mexican Restaurant located at 447 Highway 53, East. (2) Zoning Change request of Paul Lusk for property located at the intersection of Harmony Church Road and Slagle Moss Road presently zoned C-2 request to be changed to R-1, and a 2nd request for property in the same location presently zoned R-2 to change to R-1.
 - d. Mayor Meadows reminded the Council and the General Public of the November 2, 1993 General Election.
 - e. Mayor Meadows reported that the Golf Advisory Commission had met on October 18, 1993. The revenue for September was over projections by \$22,700.00 with additional income of \$25,500.00. Expenses were over projections by \$204.00. Mayor Meadows and Kelly Cornwell reviewed the proposal made by the Golf Advisory Commission regarding additional property from the Phillips and Owens families to build a 3rd lake to assure proper water for the golf course. The Owens and Phillips families have tentatively approved the offer, and work is under way to formalize the agreement.
 - f. Mayor Meadows and Harrison explained that several customers of the local cable T.V. station have called regarding an increase in their cable bills, on instructions from the cable company that rate increases are due to the City's regulation of their rates and franchise fees. Mayor Meadows explained that the City had been collecting franchise fees for over 20 years, therefore this should not cause any additional rate increase. Harrison stated the City had applied to

become a rate regulator, since the local cable T.V. Company had no competition. She stated the City had not heard from FCC, therefore, no response indicating disapproval was deemed to be approval, therefore, a letter had been mailed to the Cable T.V. Company informing them that they had 30 days to submit their rates for the City to review. Once these rates are received, they will be forwarded to GMA for review since the City has contracted with GMA for these services.

- g. Mayor Meadows stated the Northwest Regional Hospital Mayor's Motorcade will be held on December 8, 1993 leaving Calhoun at 9:00 p.m. for the program at 10:00 p.m. in Rome. He stated Willie Mitchell would be the lead person for the City for collection of gifts.
- h. Mayor Meadows stated the County Commission had informed the City that it would not be able to fund the Capital Equipment cost needed for the City to fund a land application process for sludge management. Mayor Meadows stated that the Solid Waste Management Plan adopted by the Mayor and Council and by Gordon County had required a merf system which would include composting, and sludge would be a main ingredient in the composting. Those plans have changed, but Mayor Meadows stated to the best of his knowledge, no public hearing has been held informing the public of the change in the Solid Waste Management Plan. Mayor Meadows stated the action by the County Commission requiring \$56.00 ton would cause a severe hardship for industry since sewer rates would increase some 30% for sludge management.
- i. Mayor Meadows stated the County Commission had requested a 30 day extension on the animal control contract until December 31 to allow the Commission time to review their options. Following discussion, Councilman McEntire made a motion to grant the 30 day extension, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- j. Mayor Meadows stated the brush and garbage ordinance recently adopted by the City Council is proving unworkable in a couple of areas. The first area being that it is extremely hard for individuals who cut one or two trees to find someone to remove those trees. Secondly, it is extremely hard for people to find ways to take old unusable appliances to the landfill if they have no truck available. Following review, the Council suggested that a price be set for the City to dispose of these items, but not lot clearing. The Council asked that a proposal be brought back to them on November 8, 1993 for review.
- k. Mayor Meadows stated Chandler Cemetery had been vandalized in the last few days with some 13 head stones being knocked over. Those have been uprighted by City personnel. He stated also that several families continued to plant flowers and shrubs on graveside areas, and to bring in hay and pumpkins which are not allowed per the current cemetery ordinance. Mayor Meadows asked that everyone assist the City in keeping the cemeteries free of debris.
- l. Mayor Meadows stated that during the parade on Saturday, a horse had fallen, and one had fallen on a separate occasion, with the falls being attributed to metal shoes on slick pavement. Following discussion, Councilman McEntire made a motion that the parade policy also include a restriction that any parade horses be required to wear no shoes or to have rubber shoes or boots which would assist in preventing falls,

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

5. Public Hearings & Comments:

- a. A 2nd reading of the Beer Package/Beer Pouring License Request of Billy Gillespie for property located at 732 Highway 53, East, formerly operated as Barbecue Sons was given. A Public Hearing was opened. The Building Inspector's Report indicated the structure had been approved by the Building Inspector, Electrical and Plumbing Inspection for 100 or fewer customers. Following discussion regarding the use of the area, Mayor Meadows tabled the hearing, and moved on to the 2nd request of Mr. Gillespie, that being an Amusement License Request for the same location. A Public Hearing was opened. The maximum number of amusement machines and pool table listed on Mr. Gillespie's application indicated some twenty amusement games and a maximum of ten pool tables. City Planner Peterson stated there were 1,790 sq. ft. of dining area, 302 sq. ft. area for pool tables and amusement machines with a kitchen area. Peterson stated based on the footage, there would be space for three pool tables and eight video machines with possibly a fourth pool table, but there would not be sufficient room for as many as ten without going into the dining portion of the area. The Council inquired as to the service of beer in the facility. Following discussion, Councilman McEntire made a motion to approve the Amusement License Application provided dining and sale of beer by means of the pouring license be restricted to the dining area, but no beer be allowed in the amusement area which would be divided by means of a salad bar or etc. The motion was 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried. Mayor Pro-Tem Bond made a motion to remove the Beer Pouring/Beer Package License Request from the table, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton, and Councilman McEntire voting affirmatively, motion carried. During the hearing on the Beer Package/Beer Pouring License Request, the Council again stated they desired the serving of beer and food be restricted to the dining area, with no food or beer being taken into the amusement area. There were no other discussions, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the Beer Package/Beer Pouring License Request for Mr. Billy Gillespie with the understanding that the sale of Beer Pouring be restricted to the dining area only, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

6. Old Business:

- a. Eddie Peterson stated the caboos had been moved from the side track to the depot property. He stated the Norfolk Southern personnel along with City personnel, with the assistance of Raymond King Construction, and a low boy from Northwest Georgia Paving had been able to move the caboos in approximately three and a half hours. He also stated Norfolk Southern had stated they would assist the City in renovating the caboos back to its original 1974 condition by providing decals and

paint colors.

7. New Business:

- a. A 1st reading of the Pawn Shop License Request of Scott Burnette d/b/a Malfunction Junction for property located at 108 Oothcalooga Street was given. Councilman Shelton made a motion to set a Public Hearing for November 8, 1993 at 7:30 p.m., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. A 1st Reading of the Annexation Ordinance Request of Stanley Simpson for three tracts, one for .44 acres, one for .422 acres and one for .409 acres off New Town Road and Jones Road for R-1 zoning was given. Councilman Shelton made a motion to set the Public Hearing for December 13, 1993 at 7:00 p.m., 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- c. A Temporary Hardship Manufactured Home Permit Request of Wanda Semon for 114 Telfair Street was given. Mayor Meadows stated Mrs. Semon's manufactured home had recently burned, and due to the non conforming situation when the property was annexed, the grandfather restriction was no longer effective since the home burned. Mayor Meadows stated Mrs. Semon owned the property and lived on the property with her children, that it would not be rental property. Following discussion, Councilman Shelton made a motion to set a public hearing for November 8, 1993 at 7:30 p.m., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- d. A 1st Reading of an ordinance to change the time of winter council meetings from 7:30 p.m. to 7:00 p.m. was given. Councilman Shelton made a motion to set the Public hearing for November 8, 1993 at 7:30 p.m., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. Other Written Items Not on the Agenda: None

9. Director Cornwell's Work Report:

- a. Director Cornwell stated Mrs. Jackie Smith had made a request for the City to replace a water line which was assumed to have been installed by the City in the 1960's. The City had not received an easement for the installation of the previous line, however, Attorney Bailey stated if the line had been installed by the City, it would be on an implied easement. Following discussion, Councilman Shelton made a motion to relay the approximate 400 ft. of one or two inch line and secure an easement, 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
- b. Cornwell stated DOT had asked the City to sign two contracts regarding relocation of City utilities, one being on the widening of Highway 41 from the 53/41 intersection to south of the airport, approximately 3 1/2 miles, and a 2nd one for reworking the turning lanes at Highway 53/I-75 bridge area. Following discussion, Mayor Pro-Tem Bond made a motion to authorize the Mayor to sign the contracts, and to

- approve relocation of City utilities only on the two projects, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- c. Director Cornwell stated he has received a water line request for three miles off the Covington Bridge Road, and stated there were approximately 20 signups for services, however, there are a number of chicken houses which would increase the volume of water sold, and would make the project an acceptable project. The Mayor and Council asked that the project be added to the list for funding when money is available.
10. Councilman Palmer made a motion to move to Executive Session for legal matters, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
11. Mayor Pro-Tem Bond made a motion to move to General Session, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
12. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

Approved:



John D. Meadows, III
Mayor

Submitted:



Cathy Harrison
City Administrator