

NOVEMBER 8, 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 October 25, 1993 Regular City Council Meeting were approved.
4. Mayor's Comments:
  - a. Mayor Meadows congratulated Councilman Shelton and Councilman Palmer and City School Members Henry Holland, Judy Wilson and Becky Mathews. He expressed appreciation to the 614 voters who attended the November 2, 1992 election. He also expressed appreciation to Ms. Amy Atkinson on a fine initial race.
  - b. Mayor Meadows expressed sympathy to Mrs. Clarence Walker and her daughter on the death of her husband. Clarence Walker the City Manager at Cartersville, Georgia.
  - c. Mayor Meadows reminded the Council of the Public Hearing scheduled for December 13, 1993 at 7:00 P.M. regarding the Annexation Ordinance Request of Stanley Simpson for property consisting of 3 lots off Newtown and Jones Roads for R-1 zoning.
  - d. Mayor Meadows reminded the group of the Mayor's Motorcade to Northwest Regional Hospital on December 8, 1993 at 10:00 A.M.
  - e. Mayor Meadows gave the holiday schedule for the City. City Hall will be closed on November 25, 1993 for Thanksgiving; December 24 and 27, 1993 for Christmas; and January 3, 1993 for New Year's.
  - f. Mayor Meadows stated the tax notices had been mailed. They were mailed on November 2, 1993, and he asked the Council to change the due date to January 2, 1994 in order to give the citizens the proper sixty day notification. Councilman Shelton made a motion to extend the tax deadline until January 2, 1994 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
  - g. Mayor Meadows read an article from the Atlanta Journal from November 5, 1993 which stated that Tokyo was developing a sewer sausage out of their sludge, however, Mayor Meadows stated he would not recommend this for Calhoun.

5. Councilmen's Comments:

- a. Mayor Pro-Tem Bond stated during the month of October, the Street Department continued patching, clearing right-of-ways, working at the Ranger Tank and at the airport.
- b. Councilman Shelton stated the Police Department made 266 arrests in October of which 16 were DUI's they collected \$18,383.00 in fines, issued 108 warnings and 119 parking tickets. They investigated 142 incidents, answered 92 burglar alarms and provided 53 escorts. The Fire Department answered one residential fire, three commercial, two vehicle, one hazardous material and five false alarms with an estimated damage of \$6,750.00. Lenny Nesbitt, Fire Inspector, stated for the month of October he had a total of 63 inspections which included not only the standard routine inspections, but also inspections for new construction and remodeling.
- c. Councilman McEntire stated the Water Department pumped 338,648,000 of raw water in October for an average of 10.9 million gallons per day. The Waste Treatment Department treated an average of 8.46 million gallons per day with the BOD effluent being 14, suspended solids effluent 18, and COD effluent 115. The Water and Sewer Construction Department made 28 water taps and three sewer taps during the month of October.
- d. Councilman Palmer stated the Electric Department sold 28,224,043 kilowatt hours to a customer base of 3,714. They provided 49 inspections and issued 18 permits. They set seven meters and cleared 1.5 miles of line.

6. Public Hearings & Comments:

- a. A Public Hearing was opened on the William Terry Howard d/b/a Los Reyes Mexican Restaurant, Inc. Liquor-by-the-Drink Application for the restaurant located at 447 Highway 53, East. A clear police report was given. There were no other comments and the hearing was closed. Councilman Palmer made a motion to approve the application, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- d. A Public Hearing was opened on the Paul Lusk Zoning Change Request for property located off Harmony Church Road and Slagle Moss Road which is currently zoned C-2 and R-2, both being requested to be changed to R-1. The Zoning Advisory Board stated following review of the application and evidence obtained during the Zoning Advisory Board Meeting, the members stated they would recommend changing the zoning to R-1, however, between the two parcels currently zoned C-2, there is a small tract of land that is currently zoned R-2 and owned by a 3rd party which would be harmed due to set back requirements for abuttment of R-1 property. The Zoning Advisory Board recommended that the zoning changes be approved, however, that the set back requirements on the two commercial parcels remain at the present set back requirements as currently established for C-2. Paul Lusk stated that at the time he annexed the property which at that time was approximately 115 acres, he wasn't sure if his project would be successful, therefore, he obtained more than one zoning, but it was always with the understanding that if the development was established, those outlying properties would be rezoned to R-1 zoning. He stated there are presently 50 citizens living in the

subdivision which would be harmed if the set backs normally associated with R-1 property did not follow the Zoning Change Request. He stated that it would be detrimental to their property valuations, and he felt like they should be considered, as well as, the one property owner which was being considered by the Zoning Advisory Board. Trammell Burch, the owner of the tract lying between the two C-2 parcels stated he had bought the property from Mrs. Muse under two conditions, that the property would be annexed for R-2 (multi-family housing), and that there would be no problem with the owners of property in Parks Place. He stated the applications were filed, public hearings were held, and no one objected. He also stated that he paid a premium price for that property, and that if R-1 set backs were required on the rezoned property, that it would render his property useless for the original intent, and that he would be very much opposed to rezoning those parcels with the current set back restrictions. Mr. Lusk stated that no one knew it was being annexed for R-2 zoning. Mayor Pro-Tem Bond stated the annexation application of Mrs. Muse had been published in the Calhoun Times, and a public hearing held prior to annexation, as was the custom on all annexations. Following discussion, Mayor Pro-Tem Bond made a motion to hold the two items for a 3rd reading, and to give each Councilman an opportunity to review the request, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

- c. A Public Hearing was opened on the Pawn Shop License Application of Scott Burnette d/b/a Malfunction Junction at 108 Oothcalooga Street. Mayor Meadows stated the Police Report was acceptable, and he noted that the application did not include a request to handle fire arms. There were no other comments, and the hearing was closed. Councilman Palmer made a motion to approve the application, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- d. A Public Hearing was opened on the Wanda Semon Temporary Hardship Manufactured Home Application for 114 Telfair Street. The Zoning Advisory Board stated the Application had been reviewed, and the Board found that Mrs. Semon's previous manufactured home had burned in June, 1993. They stated the present home which Mrs. Semon wishes to purchase is attractive, and would be comparable to the surrounding housing in the area, therefore, the Zoning Advisory Board would recommend approval. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the application, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- e. A 2nd reading of the ordinance to change the winter council meetings to 7:00 P.M. for the months of November, December, January, February, March and April was given. A 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.

Ord. No. 522

7. Old Business:

- a. Cathy Harrison, Election Superintendent gave the November 2, 1993 General City Election report. She stated Jimmy Palmer for City Council Post 3 received 460 votes; John D. Shelton, Jr. for City Council Post 4 received 434 votes; Henry Holland for City School Board Post 1 received 446 votes; Judy Wilson for City School Board Post 2 received 439 votes; Amy Atkinson for City School Board Post 3 received 198 votes; and Becky Mathews for City School Board Post 3 received 408 votes. There were 614 voters for the November 2, 1993 election of which 10 were absentee ballots.

8. New Business:

- a. Mayor Meadows stated the Library Board had recommended the appointment of Joyce Brownlee to a three year term beginning December, 1993 through November, 1996. Following discussion, Mayor Pro-Tem Bond made a motion to approve, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Harrison stated the quarterly report for July, August and September of 1993 indicated that revenues were exceeding those budgeted with electricity, water and sewer fees being well above 25% of the annual budget with general fund revenues, local option sales tax and police fines being above the 25% mark for the annual budget. She stated the Golf Enterprise Fund had an income of over \$100,000.00 above the 1st quarter projections while expenses for all departments were lower than anticipated for the 1st quarter. The primary reason for the lower expenses for the Water/Power/Sewer and General Funds was the delay in purchasing capital items during the 1st quarter. Harrison stated for the General and Water/Power/Sewer Funds, the annual budget for both revenue and expenses was \$35,114,448.00 indicating a balanced budget with the 1st quarter revenues for both funds being \$8,665,639.67 and expenses for the 1st quarter for the General and Water/Power/Sewer Funds being \$8,292,057.57. The quarterly budget for the revenue of the Golf Enterprise Fund was \$268,508.00 with actual revenue of \$371,286.04. The 1st quarterly budget for expenses was \$193,395.00 with actual expenses for the 1st quarter being \$166,213.98.
- c. Discussion followed regarding renovation at the Depot and the options available. Peterson gave a review of the initial goals of the Depot Committee and the City Council stating those goals were to use the depot as a catalyst for development of the downtown area, and to provide a meeting facility which was needed for industry, civic organizations and committees, but at the same time, to provide as much historical preservation for the depot as possible. An architect had been obtained, and work on the plans under the guidance of the Depot Committee were finished. Since completion of the plans, the City staff has continually searched for funding renovation of the depot with small grants from the state and one from the federal government to offset part of the architectural fees being received over the last two years. The City recently applied for an ISTEA application through the DOT system for funds to completely renovate the depot. The City did not received funding, and after reviewing the reasons for not receiving the funding, the City

discovered that part of the City's supporting documents for the grant application did not accompany the grant through its review teams, therefore, it was considered an incomplete application and did not receive favorable reports. Mrs. Elizabeth Lyons expressed dissatisfaction that an application was handled in this manner and stated that she would work with the City in trying to restore the historic designation for the depot since it had been removed. The City staff met with Mrs. Lyons and several of her staff members in reviewing the possibilities for funding under the bike path grant which was approved for Gordon County, and a small portion for the City of Calhoun. Jim Langford stated that he had talked with Mrs. Lyons as well, and that she had asked him to work with the City of Calhoun in trying to rectify the situation. He stated he had submitted the City's architectural plans and other information to Larry Evans, a second architect with extensive historic preservation experience. He stated Mr. Evans felt the historic preservation would reconsider the project for an amendment under the bike path grant if the structure was returned more to a freight depot renovation project rather than along the friendly user guidelines of the present architectural drawings. Mayor Meadows stated the City was interested in historic preservation, however, the need for a meeting facility and a useful facility would outweigh having the name of the depot on a list for historic preservation. He stated that if it was a relatively short period of time to review the documentation, and to meet with state officials to determine if a medium situation was obtainable to determine if a compromise was possible in order to allow more efforts toward historic preservation, but also to have a useable building by the general public, that he felt it would be worth giving another two or three weeks effort, and he asked that Councilman McEntire represent the City Council in working with the officials to determine if this was possible. Harrison stated that she had received word that a meeting would be held within the next couple of weeks by DOT officials regarding the grant application, and she would keep Mr. McEntire informed of the meeting dates. A separate meeting will be set up with representatives of Mrs. Lyon's office to visit the Calhoun site and review the stored materials to determine what type of preservation might be possible. There was no further discussion on the matter.

- d. Eddie Peterson stated that he had a proposed purchasing policy which had been developed over the past few months had been reviewed by Harrison, Cornwell and himself. He submitted copies for the Council to review since changes would continue to be made on the document. He stated he would be meeting with department heads over the next few days and would implement the new purchasing program beginning December 1. The program would be implemented on a PC program and converted to the City's mini computer when total conversion is complete.

9. Other Written Items not on the Agenda:

- a. Following discussion, Councilman Shelton made a motion to adopt a resolution declaring the week of November 14-20 as American Education Week, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- b. Following a 1st reading of an ordinance amending the solid waste management ordinance, specifically brush, trash and furniture, Mayor Pro-Tem Bond made a motion to set a public hearing for the ordinance amendment for November 22, 1993 at 7:00 P.M., 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

10. Director Cornwell's Work Report:

- a. Cornwell reviewed the proposal which represented the results of negotiations between the Phillips and Owens and the City regarding property acquisition for an additional lake at the golf course, and also for correcting some property lines between the Owens, Phillips and City property. Following discussion, Councilman Mcentire made a motion to ratify the agreement which had been signed by Cornwell, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Larry Vickery of the Electric Department recommended that the City Council approve a trade of the 1973 city bucket truck with an established value of \$5,000.00 for a special education bus, two air conditioning units and \$3,600.00 from the Gordon Central School System. Following discussion, Councilman Shelton made a motion to approve the request, 2nd by Councilman Palmer with Attorney Bailey stating that he had reviewed the request prior to negotiations, and that it fell within state guidelines. The motion was approved by Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively.
- c. Cornwell stated bids had been opened on a new four wheel drive 3 quarter ton pickup truck for the Water/Sewer Construction Department on November 5, 1993. The bid packages were sent to Prater Ford, Service Chevrolet, Parkway Ford and Lawson Chevrolet. The bid for Service Chevrolet was \$16,950.00; Prater Ford \$17,468.00; Parkway Ford \$17,704.00. There was no response from Lawson Chevrolet. Following review, Mayor Pro-Tem Bond made a motion to approve the low bid of \$16,950.00 from Service Chevrolet, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- d. The Council reviewed the estimates for the West Line Street sewer project. Cornwell stated the easements had been obtained and the project was ready to commence. Councilman McEntire made a motion to continue with the project, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- e. Cornwell stated the side walk south of the Court House had cracking and was sinking in a couple of places and had been closed off. He stated a two tier sidewalk plan was being developed and pricing was being secured. Mayor Meadows stated the project is another item that would need to be proceeded on as soon as possible regardless of the cost.

- 11. Mayor Pro-Tem Bond made a motion to move to Executive Session for legal matters, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton, and Councilman McEntire voting affirmatively, motion carried.

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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. Councilman McEntire made a motion to approve the Herron, Inc. computer contracts for the new company for maintenance and support of the City's many computer systems, and also to approve a release to be signed by the Mayor for Network Computing Corp. (NCC) for the same services on the same equipment provided a couple of legal questions are answered and corrected according to the request of Attorney Bailey, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
14. Councilman Palmer made a motion to adjourn, 2nd by Mayor Pro-Tem Bond, with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
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Cathy Harrison  
City Administrator