

DECEMBER 13, 1993 6:00 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
JIMMY PALMER, COUNCILMAN

ABSENT: PAUL MCENTIRE

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 November 22, 1993 Regular City Council Meeting and the December 7, 1993 Special Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows stated the Council and he had attended the National League of Cities in Orlando, Florida December 2-5, 1993. He stated he was able to attend three sessions on health care, he had the opportunity to hear Janet Reno and the Secretary of Labor on two occasions. He and the Council attended most of the programs designed for small cities. He also stated the primary focus of the National League of Cities was unfunded mandates and violence in the cities. He stated the conference was very successful and that Carolyn Banks, a council member from Atlanta would be the president in 1994.
 - b. Mayor Meadows stated the Mayor's Motorcade to Northwest Regional Hospital was the most successful he had attended in the last eleven years. He expressed appreciation to Chief Mitchell on coordinating the gifts, to the City Hall employees and also to Gary Duke and Club-Y who also gave gifts for the program, as well as, various other organizations and individuals.
 - c. Mayor Meadows reminded the Council and citizens of the Land Application Sludge Meeting to be held at 7:30 P.M. at the elementary school cafeteria on River Street.
 - d. On behalf of the Mayor and Council, Mayor Meadows extended Christmas greetings to the citizens of Calhoun/Gordon County.
 - e. Mayor Meadows reminded the Council of the G.L. Gosain Wine and Liquor Pouring Hearing to be held on December 27, 1993 at 7:00 p.m.
 - f. Mayor Meadows reminded the Council of the first meeting for the new year to be held on January 10, 1994, and asked if there were any items they wished to have considered at that meeting to let him know prior to January 10, 1994.
5. Council's Comments:

- a. Mayor Pro-Tem Bond stated the Street Department had continued to do patching, work on right-of-ways, work on the third lake at the golf course installing storm drainage on Marine Drive and have been very busy picking up leaves.
- b. Councilman Shelton stated the Fire Inspection Department had completed 55 inspections during the month of November, 1993. The Police Department made 197 arrests during November of which nine were DUI's, collected \$22,771.00 in fines, issued 74 warning tickets, 171 parking tickets, investigated 156 incidents, 77 accidents, provided 48 escorts and answered 114 false alarms.
- c. Councilman Palmer stated the Building Inspection Department had issued four permits for new residential housing for a total of \$315,000.00 in construction, one commercial permit for \$250,000.00 in construction, one industrial permit for \$1,880,000.00 in construction. The Electric Department sold 22,998,945 KWH during the month of November to a customer base of 3,737. They provided 33 inspections, set 8 meters and issued 7 permits. Councilman Palmer stated there were two items that was not included in the Recreation Department's Budget, but which they requested the City fund one half, one being a snapper mower and seating at the VFW park with the VFW paying one half and a request for the City and County to pay the remaining half. The total of the City's share for both items being \$2,508.50. Following discussion, Councilman Palmer made a motion that the budget be amended and these items be approved, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, and Councilman Shelton voting affirmatively, motion carried. Councilman Palmer stated the National League of Cities meeting was the first that he had had an opportunity to attend, and that he attended most of the sessions Mayor Meadows had, and in addition, he was able to have a one on one discussion with a group regarding downtown development, and he was very impressed and hoped to be able to share part of this information with the Chamber's Retail Affairs Committee, and also encouraged a group to visit Anniston, Alabama to review the activity that they have been able to achieve over the last few years.
- d. Mayor Meadows stated for Councilman McEntire's Report, the Water/Sewer Construction Department made 53 water taps and 2 sewer taps during the month of November. They installed 2,400 ft of 2 inch PVC water line, 2,727 ft. of 6 inch PVC water line and 40 ft of 6 inch ductile iron water line. The Waste Treatment Plant had an average daily flow of 8.161 million gallons per day with average BOD effluent being 19, average suspended effluent being 23 and average COD effluent being 113. The Water Treatment Plant pumped 326,893,000 gallons of raw water during the month of November for a daily average of 10.896.

6. Public Hearings & Comments:

- a. a 2nd reading of the Stanley Simpson Annexation Ordinance Request for three lots approximately one half acre each off of Jones and Newtown Roads for R-1 zoning was given. A Public Hearing was opened. Mayor Pro-Tem Bond stated the Zoning Advisory Board had reviewed this item at their prior meeting, and recommended approval. There were no other comments and the hearing was closed. Councilman Palmer made a motion to approve for R-1 zoning, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond

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voting affirmatively, motion carried.

- b. A 2nd reading to the Ordinance Amendment to organize a Tree Commission for the City of Calhoun 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 approve the Ordinance amendment, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- c. A 2nd reading of the Stanley Simpson Annexation Ordinance Request of approximately 6 acres north of the WPHG Partners, Inc. property on Jolley Road for R-2 zoning was given. Mayor Pro-Tem Bond stated that the Building Inspection Department and the city Planner and he had reviewed the request and would recommend approval. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion waive the 3rd and 4th readings and approve annexation for R-2 zoning, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- d. Harrison stated the Revolving Loan Application of Mr. Estaban Yu had been withdrawn since the site that Mr. Yu had in mind was no longer available.
- e. A Public Hearing was opened on the Joan Heiland Beer Pouring License Request for the Englander Restaurant at the Red Carpet Inn on Highway 53, East was given. Eddie Peterson, City Planner stated the Building Inspector had reviewed the building and found it to comply with the Beer Pouring Ordinance. Mayor Meadows stated the Police report was not available, and that if the license was approved that it be subject to the Police Report being clear. There were no other comments and the hearing was closed. Councilman Palmer made a motion to approve the request subject to a clear Police Report, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

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7. Old Business:

- a. Harrison stated the 4th reading of the Paul Lusk Zoning Change Requests were no longer effective since there had been property exchanges during the interim.
- b. A 2nd reading was given to the Beer/Wine/Liquor Licensee's Renewal Requests for 1994, and they are as follows:
 - 1. ABC Oasis Package Store - James D. Thomason - Beer/Wine Package
 - 2. American Legion - DeWitt Carter - Beer Package/Pouring & Liquor Package/Pouring
 - 3. Arch City Package - Otto L. Defoor - Beer Package
 - 4. Atlanta Gate Restaurant - Saleh Rashid - Beer/Wine Pouring
 - 5. B&L Liquor - Lindsey Lewis - Wine/Liquor Package
 - 6. Calhoun Liquor Store - John H. Bell - Wine/Liquor Package
 - 7. Golden Gallon, Inc. - Ida Ruth Anderson - Beer Package
 - 8. Gondolier Pizza of Calhoun, Inc. - Evangelos Pateritsas - Beer Pouring
 - 9. El Pueblito Mexican Restaurant, Inc. - Bill Walraven - Beer/Liquor Pouring
 - 10. Holiday Inn restaurant - Betty Gilbert - Beer/Wine Pouring
 - 11. J.J.'s Package Store - Raymond J. Brown - Beer Package

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12. The Beer Store - Larry A. Heard - Beer Package
13. Jimmy's Package - Raymond J. Brown - Beer Package
14. Louie's Package - Louie D. & Faye Worley - Beer Package
15. North 41 Package - Jimmy Chapman - Beer Package
16. Pizza Hut, Inc. - Ronald H. Leamer - Beer Pouring
17. Red Bud Liquor Store - Champ Kelly - Wine/Liquor Package
18. J & P - Patsy Colleps - Beer/Wine Package
19. South 41 Package - Roy T. Aaron - Beer/Wine Package
20. Speedy's Spirits Shop - Doug Thomason - Wine/Liquor Package
21. Troy's Package - Ronald Robinson - Beer Package
22. VFW - Lois Crump - Beer Pouring/Beer Package
23. Wallace Enterprises - Beverly O'Bryan - Beer/Wine Package
24. Highway 53 Package - Tery G. Ross - Beer/Wine Package
25. Noteworthy's, Inc. - Haley Stephens - Beer/Wine Pouring
26. D.D.'s Creekside Restaurant - John Nichols - Beer/Wine/Liquor Pouring
27. Dixie Beverage Shop - Barbara V. Bishop - Beer Package
28. China Hall - Yong Hwang Laing - Beer Pouring
29. Los Reyes Mexican restaurant - William Terry Howard - Beer/Wine/Liquor Pouring
30. Bill Gillespie - Beer Package/Pouring

Following the readings, Mayor Pro-Tem Bond made a motion to approve, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- c. A 2nd reading of the Amusement Licensee's Renewal Requests for 1994 was given, and they are as follows:

1. Calhoun Bowling Center - James H. Roark
2. Buck's Homestyle Laundry - Randy McEntyre & Bill Pitchford
3. King's Skating Palace - Harvey A. King
4. Martin Theater - Paul F. Jones
5. The Putting Place - William A. Moore
6. Pizza Hut - Ronald H. Leamer
7. Cherokee Pawn Shop - James Calvin Baker
8. Noteworthy's, Inc. - Haley Stephens

Following the reading, Councilman Shelton made a motion to approve, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- d. A 2nd reading of the Pawn Shop Licensee's Renewal Requests for 1994 was given, and they are as follows:

1. Calhoun Trophy & Sporting Goods - Jimmy Gee
2. Cannonballs Pawn Shop - Kenneth McEntyre
3. North Georgia Pawn Shop - Walter James
4. This & That - Roy McEntyre
5. Otasco/Coast to Coast - Jimmy Payne
6. Park Avenue Pawn & Jewelry - Douglas Driscoll
7. Pete's Music City & Pawn - C.L. Cochran
8. Cherokee Pawn Shop - James C. Baker
9. Title Exchange & Pawn of Calhoun - Deborah A. Shuler
10. D&S Pawn - Bobby J. Dobbs
11. A&A Title Pawn - Alex W. Feagin
12. Cash Express - Mike H. Horton

Following the reading, Mayor Pro-Tem Bond made a motion to approve, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- e. Mayor Meadows stated the City had received a reduced grant offer from the Department of Community Affairs for an Efficiency Assessment Grant of \$22,500.00 in which an assessment would be made of the City Police and Fire, and the County Police and Fire. Following discussion, Mayor Pro-Tem Bond made a motion to accept the grant offer of \$22,500.00 and to authorize Mayor Meadows to sign, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading was given to the Dwight Wilson Annexation Ordinance Request for 3.2 acres of property known as the Amakanata Valley Estates for R-1 zoning. Following review, Councilman Palmer made a motion to set the public hearing for January 10, 1994 at 7:00 p.m., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, and Councilman Shelton voting affirmatively, motion carried.
- b. A 1st reading of a Zoning Change Request of Stanley Simpson for property immediately North, South and West of the Beth Bennett property on Jolley Road was given. The request being to change from Industrial-G to R-2 for multi-family housing. Following discussion, Mayor Pro-Tem Bond made a motion to set the public hearing for January 10, 1994 at 7:00 p.m., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
- c. A 1st reading was given to the Larry Thomason Zoning Change Request for three parcels off Harmony Church Road for approximately 26 acres for rezoning as follows: The 1st part of the parcel presently zoned C-2 to be rezoned to R-2; 2nd parcel to be rezoned from C-2 to R-1; 3rd parcel to be rezoned from R-2 to R-1. Following discussion, Councilman Palmer made a motion to set the public hearing for the zoning change request for January 10, 1994 at 7:00 p.m., 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

9. Other Written Items Not on the Agenda:

- a. A 1st reading was given to the amended Zoning Change Request of Paul Lusk for property off the Harmony Church Road owned by Mr. Lusk individually to be changed from C-2 to R-1. Also for a tract of developed and partially developed property in Parks Place to be rezoned from R-2 to R-1. Following discussion, Mayor Pro-Tem Bond made a motion to set the public hearing for January 10, 1994 at 7:00 p.m., 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Following a request made by Bill Mathews to remove the east wall in the older sections of Fain Cemetery, and to open up eight additional grave spaces in a walkway area with approximately two feet in the Starr and Harland Lot. Mr. Mathews requested the City open this property up for sale for eight grave spaces. Following

review of a plat, Mayor Pro-Tem Bond made a motion to approve the request provided Bill Mathews pay for removal of the wall in addition to the purchase of grave spaces, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- c. A 1st reading of a Stanley Simpson Annexation Ordinance Request for approximately five acres off of Gee Road, being bound by the Georgia Floor Covering property with the Highway acting as a boundary line. The request being for industrial-G zoning. Councilman Shelton made a motion to set the public hearing for January 10, 1994 at 7:00 p.m., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- d. A 1st reading of the Pawn License Renewal Request for Manlfunction Junction located on Oothcalooga Street was given.

10. Director Cornwell's Work Report:

- a. Cornwell stated the Department of Transportation had requested the City sign an official signal light request for South Industrial Blvd. at Highway 53. He stated the City had made a request a couple of years earlier and had been planning to install a turning lane at the City's expense in order to receive a red light at the intersection, however, the City had not filed an actual permit, it had only made a written request. Following discussion, Mayor Pro-Tem Bond made a motion to authorize Mayor Meadows to sign a permit stating the City would pay the continual energy cost, as well as, the electronic telephone cost, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, and Councilman Shelton voting affirmatively, motion carried.

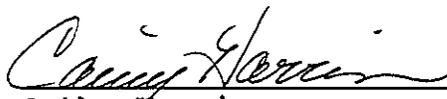
- 11. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.

Approved:

Submitted:



 John D. Meadows, III
 Mayor



 Cathy Harrison
 City Administrator