

APRIL 11, 1994

7:00 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 John 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 March 28, 1994 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the April 25, 1994 Public Hearing on the Cathy Dorminy d/b/a The Englander Restaurant Liquor-by-the-Drink License Request located at the Red Carpet Inn on Highway 53, East.
 - b. Mayor Meadows extended sympathy to the family of Mrs. Thomas J. Brown, Sr. Mrs. Brown represented a pioneer family in the textile industry.
 - c. Mayor Meadows reminded the Council and the public that City Council Meetings will return to 7:30 P.M. beginning May 9, 1994. In reference to this announcement, Councilman Jimmy Palmer read an ordinance amendment changing the Council Meeting time from 7:30 P.M. for part of the year until 7:00 P.M. year round. The amendment is held for a second reading on April 25, 1994.
 - d. Mayor Meadows reminded the City Council of the GMA District Meeting in Dalton on April 14, 1994 at 5:00 P.M. at the Trade Center.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department continued patching city streets, doing work on the third lake at the golf course, working on sidewalk repairs, cleaning ditches and clearing right-of-ways.
 - b. Councilman Shelton stated the Fire Department answered two commercial calls, six vehicle calls, two hazardous materials calls, one health care call, seven public assistance calls and nine false alarm calls during the month of March, 1994 with an estimated damage of \$7,450.00. He stated the Police Department made 192 arrests of which 9 were DUI's. They collected \$18,744.00 in fines, issued 82 warnings and 100 parking tickets, investigated 142 incidents, 90 accidents, 94 burglar alarms and provided 75 escorts during the month of March.
 - c. Councilman McEntire stated the Water Treatment Plant pumped a daily average of 12.214 million gallons of raw water per day in March. The Waste Treatment Plant treated a daily average of 12.168 gallons per day with BOD effluent being 23, suspended solids being 26 and COD

effluent being 111. The Water/Sewer Construction Department made 45 water taps and seven sewer taps, and installed 7,200 feet of two inch PVC water line during the month of March, 1994. Councilman McEntire stated the City of Calhoun had been notified by the Department of Transportation that ISTEA funds for the Depot improvements as the trail head for the first phase of the trail grant would not be available until October, 1996. An environmental engineer, Jack Burnside, made a statement that he felt if the City continued and prepared its environmental reports and returned its paperwork with those reports completed, that it was possible that it might receive funding prior to October, 1996. Following a lengthy discussion, Councilman Palmer made a motion to discontinue the ISTEA funding, and to apply the balance of the funds remaining in the 1993-94 budget toward renovation of the depot with additional funds being appropriated as needed, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- d. Councilman Palmer stated the Electric Department sold 26,819,216,000 KWH to a customer base of 3,745 during the month of March, 1994. They also provided 23 inspections, wrote 13 permits and made 5 meter sets. Councilman Palmer stated the Recreation Department received a grant of \$12,500.00 which would enable the Recreation Department to provide fencing for a ball area and playground equipment. The City and County would contribute one half the funding for the project or 25% each of the total cost. The Building Inspector issued four new permits for residential construction totaling \$317,000.00, one industrial addition for \$40,000.00, one commercial addition \$11,000.00, two new commercials for \$251,500.00 and one commercial remodel for \$25,000.00 during the month of March, 1994. Councilman Palmer was also asked to pursue the review of possible acreage at the back of the tower building on South River Street for a possible ball park.

6. Public Hearings & Comments:

- a. Ord. No. 536 A 2nd reading of the Annexation Ordinance Request of Norman D. McGathey for property located at 113 Fox Street for R-2 zoning was given. The public hearing was opened. The Zoning Advisory Board made a recommendation to approve the request for R-2 zoning which conformed to long range plans. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and to approve, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. Ord. No. 537 A 2nd reading of the Annexation Ordinance Request of Dorothy Faye and George Goble for property located at 115 Fox Street for R-2 zoning was given. A public hearing was opened, and the Zoning Advisory Board made a recommendation to approve for R-2 zoning since this parcel and the previous parcel were zoned R-2 because of lot size, and the recommendation conformed to long range plans. There were no other comments, and the hearing was closed. Councilman Palmer made a motion to waive the 3rd and 4th reading and to approve, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A 2nd reading of the Annexation Ordinance Request of James A. Cox for property located at 179 Moss Road for R-

- 1 zoning was given. A public hearing was opened, and the Zoning Advisory Board recommended approval stating the property was approximately five acres, and was compatible to the R-1 zoning with Park Place and long range plans.
- Ord. No. 540 There were no other comments, and the hearing was closed. Councilman McEntire made a motion to waive the 3rd and 4th readings and to approve, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- d. A 2nd reading of the Annexation Ordinance Request of Robert E. and Virginia McWilliams for property located at 207 Three Oaks Drive for R-1 zoning was given. A public hearing was opened. The Zoning Advisory Board stated the property was on Three Oaks Drive and was at the entrance of Saddlebrook, but was not included in the city limit area was compatible with long range plans, and they recommended approval. There were no comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th reading and to approve, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- Ord. No. 535
- e. A 2nd reading of the Annexation Ordinance Request of Betty Sutherland Reeves for property located at 117 Dogwood Drive for R-1 zoning was given. The public hearing was opened, and the Zoning Advisory Board recommended approval stating the Request conformed to long range plans. There were no other comments and the hearing was closed. Councilman Shelton made a motion to waive the 3rd and 4th readings and to approve, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- Ord. No. 539
- f. A 2nd reading of the Annexation Ordinance Request of Wanda Gail Bryant for property located at Lot 10 of Black Oak Parks Subdivision for R-1 zoning was given. A public hearing was opened, and the Zoning Advisory Board stated the area was approximately .60 acres, and they recommended approval for R-1 zoning since it conformed to the long range plans. There were no other comments and the hearing was closed. Councilman McEntire made a motion to waive the 3rd and 4th readings and to approve, 2nd by Councilman Shelton with Councilman McEntire, Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- Ord. No. 538

7. Old Business:

- a. Harrison stated the trip to Anniston, Alabama was scheduled for April 20, 1994 with the group departing by tour bus from the parking lot on the north side of the library on Park Avenue at 8:00 A.M. with an estimated time of arrival of 11:00 A.M. The group will have lunch and review the Anniston area, and will depart at 3:00 P.M. with arrival in Calhoun expected at 5:30 or 6:00 P.M.
- b. Harrison reported the inventory at the Pro Shop had been completed on March 31, 1994, and pricing had been verified. The City and Golf Pro are in the process of negotiating the final figure based on a very small amount of inventory not on hand March 31, 1994, those items lost due to theft. It is anticipated that the City will receive its funds no later than April 15, 1994.

8. New Business:

- a. A 1st reading of the zoning variance Request of Gosain

Enterprises, Inc. for a 50 ft. height variance for a sign to be located on his property at the Red Carpet Inn on Highway 53, East. Following discussion, Mayor Pro-Tem Bond made a motion to set a public hearing for May 9, 1994 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.

9. Other Written Items Not on the Agenda:

- a. A 1st reading of an Annexation Ordinance Request from Calhoun Church of Christ on South Wall Street for C-2 zoning was given. Councilman Palmer made a motion to set the public hearing for May 9, 1994 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. A 1st reading was given to the Zoning Variance Request of Cindy McEntire for a deck to be built on the property at Lindsey Court and Barret Road. Mayor Pro-Tem Bond made a motion to set the public hearing for May 9, 1994 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.
- c. Harrison stated the Beer Package Store located on Highway 53, East at Wallace Shell has a license in the corporate name, and the current manager has changed from Bill Brooks to Cathy Banks. A clear police report was given. Following discussion, Mayor Pro-Tem Bond made a motion to confirm the manager change, 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. Director Cornwell stated the Engineering Firm of Piedmont Olsen Hensley had been selected by the City of Calhoun earlier to provide an update to the City's 201 Facility's Plan, and as a result had authorized the initial phase of expansion at the Sewer Plant, therefore, he felt the firm should also be allowed to continue the 2nd phase of the plant expansion. Engineer, Wynne Grubbs with Piedmont Olsen Hensley provided two engineering contracts, one for design for \$17,500.00 and an engineering package for the basic design, construction, inspection and review for the full expansion project at a maximum of \$650,000.00 as an upper limit. Engineer Wynne Grubs also stated that he had prepared a preapplication to be submitted to the State Revolving Fund for possible funding of \$8,000,000.00 at an effective rate of 4.45. He stated the funds would be available due to unused funds returned to the State program and would bear the prior year's interest rate if the City qualified for the funding. Following discussion, Councilman Shelton made a motion to approve the two engineering contracts one for \$17,500.00 and one for a maximum of \$650,000.00, 2nd by Councilman McEntire with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried. Following review Councilman Shelton made a motion to adopt a resolution authorizing the preapplication to the SRF Funds, and authorizing the Mayor to sign, 2nd by Councilman McEntire with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. Director Cornwell stated an engineering contract to determine the amount of rock in the area for construction

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at the Waste Treatment Plant would be necessary. He stated he had reviewed three bids for the project, one from ATE for \$6,900.00, One from Professional Services for \$12,865.00 and one from ATEC for \$8,517.00. He stated he recommended the contract of ATE for \$6,900.00. Following discussion, Councilman McEntire made a motion to approve the proposal from ATE Engineering for \$6,900.00, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

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

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator