

MAY 23, 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: 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 May 9, 1994 Regular City Council Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Meadows expressed sympathy to Gail Quinn and her family at the loss of her husband.
 - b. Mayor Meadows reminded the Council and those in attendance of a Town Hall Meeting regarding health care services in Calhoun, Gordon County to be held on Tuesday, May 31, 1994 from 7:00 until 9:30 P.M. at the Calhoun High School Cafeteria.
 - c. Mayor Meadows reminded the Council of several public hearings scheduled for June 13, 1994: (1) Public Hearing regarding the exchange of property at the golf course; (2) Public Hearing on the City's General, Water/Power/Sewer, Golf Enterprise and Special Project Budgets; (3) Annexation Ordinance Request of Carriage Industries for two tracts being the former Cressa Stone and Giddens Property off Highway 41, South being approximately 2.43 acres for C-2 zoning; (4) Annexation Ordinance Request of Charles Rickett and Geneva Owens for four tracts adjoining the above Carriage Request for two tracts fronting on West Belmont Drive for C-2 zoning; (5) Annexation Ordinance Request of Charles Rickett for one tract fronting on West Belmont Drive for C-2 zoning.
 - d. Mayor Meadows stated the Golf Advisory Commission met earlier in the day. He stated the course continues to operate above budget projections for revenues and below for expenditures. He stated the staff is currently handling some additional construction which should be complete in approximately two months.
 - e. Mayor Meadows announced a public meeting on May 25, 1994 at 7:00 P.M. at the County Courthouse regarding a City/County Police and Fire Efficiency Assessment Study. The meeting is open to the public.
 - f. Mayor Meadows asked Administrator Harrison to set a Work Session with the City School Board for possibly June 1 or 2, 1994.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department has been doing additional work at the closed landfill, has been

patching, replacing street signs and cutting right-of-ways.

- b. Councilman Shelton stated the Police Department made 235 arrests during the month of April with 13 DUI's. They collected \$16,420.00 in fines, issued 137 warning tickets and 212 parking tickets. They investigated 216 incidents, 109 accidents, answered 91 burglar alarms and provided 77 escorts. The Fire Department answered one private residence call, 9 vehicle calls 8 brush and trash calls, three rescue calls, 9 false alarms, 3 hazardous material and three other calls with an estimated damage of \$26,450.00. Councilman Shelton made a motion to move the June 27, 1994 Council Meeting to June 20, 1994 since the Council will be attending the annual GMA conference in Savannah, 2nd by Councilman McEntire with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. Councilman McEntire stated the Water Plant pumped 362,990,000 million gallons of raw water in the month of April, 1994 for a daily average of 12.099 million gallons. The Waste Treatment Plant had a daily average flow of 12.64 million gallons with the average BOD effluent being 24, average suspended effluent 31, and the average COD effluent being 122. The Water/Sewer Construction Department installed 29 water taps and four sewer taps and several feet of PVC water line during the month of April.
- d. Councilman Palmer stated the Electric Department had a customer base 3,702 customers. They issued 12 electrical permits and set seven meters. The Building Inspector's Office issued permits for \$703,250.00 of construction during the month of April, 1994.
- e. Mayor Meadows stated that growth was very important to the Calhoun area. He also stated that the City and County are fortunate to have 80% of their growth to come from existing industries. He stated in an effort to accommodate local industry presently located in our area, that the Mayor and Council had asked for the Freeport issue to be on the July ballot. He stated Freeport could be implemented at the 20% level, and be effective to assist current industry. He stated that it was quite possible for the amount of growth that is presently underway to offset this initial level of Freeport exemption.

6. Public Hearings & Comments:

- a. A 2nd reading on the following three revolving loan applications was given.
 - 1. A request by Terry R. and Stacy D. Timms for \$50,000.00 to purchase and renovate three downtown buildings on South Wall Street. The total estimated project cost being \$100,000.00. The estimated renovation time would be twelve months, and the loan application included a request to pay interest only for the first twelve months since the buildings would not be in a condition to rent during that period of time. The total anticipated jobs would be five.
 - 2. Remat Corporation, whose parent company is Mat, Inc. request for \$275,000.00 to purchase equipment and provide working capital. A local bank is reviewing the possibility of participating in the loan request with some equity from the parent company. The new business proposes to create 20 jobs.
 - 3. American Home Fashions has been in business since

1992, and is seeking a \$300,000.00 working capital loan to meet the growth demand at their company. The company started with 39 employees in 1992, and currently has 113. The additional working capital loan would be requested along with a participating loan from a financial institution in Pittsburg, PA in order to retain the existing jobs.

Mayor Meadows stated the public hearing would be continued until June 13, 1994 in order to allow the Loan Advisory Commission to meet and make a recommendation to the Mayor and Council.

- b. Norma Jean and Billy Padgett made a request to speak to the Mayor and Council regarding the closing of Reeves Street. Norma Jean stated that they were continuing to request the opening of Reeves Street. She stated the DOT had alluded to the fact that the grade on Reeves Street would be at such a level that it would be impossible for traffic to use Reeves Street as an exit or entrance off Highway 41, South. However, she stated the grade was really no greater than in prior years. She also stated that she saw no evidence of any additional water problems created by the street entrance. She stated the probability of emergency vehicles either fire or ambulance being able to exit Reeves Street up the hill in an emergency in inclement weather was not great. She stated there were ten residents affected by the closing of the street, and that it necessitated a minimum of five minute delay for emergency vehicles coming into the area. Ms. Padgett asked the Council who actually closed Reeves Street and did the City of Calhoun make any concessions for the closing? Mayor Meadows stated the State closed Reeves Street without the City of Calhoun approving or signing a Quit Claim Deed. Mayor Meadows also stated the City of Calhoun has continued to request the opening of Reeves Street at every meeting with any DOT official. Councilman McEntire stated that he had obtained three letters from emergency fire services, those being the Calhoun Fire Department, the Ambulance Service and E-911 System, and he planned to obtain one from the City Police Department with a letter written by the Mayor and Council with all being delivered to the local representative of the DOT Board, James Beverly Langford who has agreed to assist the City in efforts to re-open the street. Billy Padgett stated that he asked the City to continue its efforts through any means necessary to attempt to re-open the street. Hugh Dell West asked the City to keep the pressure on in order to get some action. Mrs. Daisey Fox stated that if they would give us a little asphalt to go over the dirt, that residents could begin using the street once again.

7. Old Business:

- a. Harrison stated the State had passed a new law House Bill No. 362, which requires all cities and counties in the State of Georgia who are presently administering business occupation tax or license programs to redevelop their program to include one of three methods for taxation, those being a method based on number of employees or profitability ratios, or gross receipts in combination with profitability ratios. Harrison stated that if the City had any desire to implement a gross receipts business tax program in the near future, that this would be the opportune time to do so. She stated that in most cases there is a great deal of opposition from the public, however, the State has mandated a change from the present flat rate method presently in process by

the City, and that the City Council will need to make a decision prior to January, 1995. She stated that she and Attorney William P. Bailey, would be making several recommendations and preparing ordinances between now and January in order to continue to obtain the business occupation tax and license fees presently provided to the City.

- b. Harrison stated the State Legislature has passed a mandatory renegotiation requirement for all cities and counties who are presently receiving local option sales tax. The new regulation would require cities and counties to renegotiate their formula following each census year with the 1990 renegotiation to be started by July 1, 1994, and completed with a filing of a new distribution certificate by July 1, 1995. Failure to file a new Certificate of Distribution would discontinue the tax.

8. New Business:

- a. A 1st reading of the Annexation Ordinance Request of Deborah Mulkey and Patricia Holbrook Teague for property located a 171 West Belmont Drive, S.W. for R-1 zoning was given. Mayor Pro-Tem Bond made a motion to set the public hearing for June 13, 1994 at 7:00 P.M., 2nd by Councilman Shleton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Palmer and Councilman McEnitre voting affirmativley, motion carried.
- b. A 1st reading of the Annexation Ordinance Request of Ray G. Robinson and Bettye B. Robinson for property located a 103 East Fuller Street for R-2 zoning was given. Councilman Shelton made a motion to set the public hearing for June 13, 1994 at 7:00 P.M., 2nd by Councilman McEnitre with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A 1st reading of the Annexation Ordinance Request of J. Mike Meadows for property located at 309 Belwood Road, S.E. for C-2 zoning was given. Councilman Shelton made a motion to set the public hearing for June 13, 1994 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
- d. Following discussion, Councilman McEntire made a motion to adopt a resolution authorizing a grant application for E-911 Consolidation System Planning Grant subject to the findings of the study which will warrant such action, 2nd by Mayor Pro-Tem Bond with Councilman McEnitre, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- e. Harrison reported for the period ending March 31, 1994, representing the 3rd quarter of the fiscal year, the City of Calhoun had received \$8,403,836.12 in General Fund Revenue. The City had received \$20,821,628.25 in actual revenue through the Water/Power/Sewer Fund for a total revenue received \$29,225,464.27. The total annual budget for the year for both funds being \$36,989,843.00. The expenses for both departments during the first nine months of the fiscal year were \$25,932,104.99 compared to the total annual budget of \$36,989,843.00. Between the actual revenues received and the expenses paid, \$3,235,000.00 has been set aside to cover school allotments and general obligation debt cost. Harrison also stated those figures did not include \$196,511.13 of a Business License Tax which had been received from NGEMC during that period which had been set aside until litigation is complete. Based on the findings for the three quarters of the fiscal year, Harrison recommended

adopting amendments to the current Water/Power/Sewer and General Fund Budgets in the total amount of \$225,147.00 increase in revenue and expenditures. She also recommended a reduction in the Water Plant renovations GEFA project, and asked that the SRF interceptor project which had been scheduled for the current fiscal year in the amount of \$700,000.00 be reduced and held for funding in the next fiscal year 1994-95. Following discussion of the recommendations, Councilman Palmer made a motion to adopt the resolution regarding the budget amendments, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

9. Director Cornwell's Work Report

- a. Director Cornwell stated he had two permits for railroad bores, one from CSX with a fee of \$750.00 for permission to acquire the bore and one from Norfolk Southern for a fee of \$1,600.00 for the bore. Following discussion, Councilman Palmer made a motion to adopt a resolution authorizing the bore applications from both CSX and Norfolk Southern, and to authorize Mayor Meadows to sign the applications, by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. Director Cornwell stated that according to state reports, that additional drilling and testing would be needed at the landfill area, and that he had discussed the engineering with Piedmont Olsen Hensley, and was able to obtain engineering for \$1,100.00 for the project. Following discussion, Councilman Palmer made a motion to approve the Engineering Agreement, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton & Mayor Pro-Tem Bond voting affirmatively, motion carried.

10. Other Written Items Not on the Agenda:

- a. A 1st reading was given to a Zoning Variance Request from Calvery Church of God in Christ for a set back allowance on both McConnell Road and Court Street. Following discussion, Councilman Shelton made a motion to set a public hearing for June 13, 1994 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.
- b. Harrison reviewed a License Agreement with the Calhoun First National Bank which would allow the bank access for a road bore under Piedmont Street in order to lay communication cable from their operations building to their man office facility. The License Agreement being very similar to a prior agreement made with Crown Crafts and the City of Calhoun in 1989. Following discussion of the proposed License Agreement, Councilman McEntire made a motion to approve the License Agreement and to authorize the Mayor to sign, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried. Mayor Pro-Tem Bond abstained since he is a director of the Calhoun First National Bank.

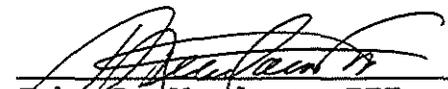
11. Councilman Palmer made a motion to move to Executive Session for legal and real estate matters, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

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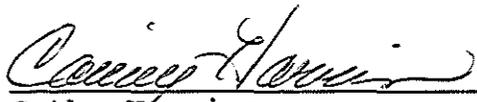
- 12. Councilman Palmer made a motion to move to General Session, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- 13. Councilman Palmer made a motion to adjourn, 2nd by Councilman McEntire with Councilman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

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator