

OCTOBER 24, 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 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 10, 1994 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows asked for a brief report from each person attending the GMA Pre-Legislative Meeting in Augusta during the previous week.
 1. Mayor Pro-Tem Bond stated he was a member of the Justice Committee, that he along with Councilman Shelton had reviewed training needs for firemen and policemen, had discussed recreational areas, and had reviewed 15 legislative issues brought before their committee.
 2. Councilman McEntire stated he was a member of the Transportation Committee, and they had reviewed DOT plans which had been amended due to the South Georgia floods. They also considered rail service within a radius of 50 to 60 miles out of Atlanta.
 3. Councilman Shelton stated he also was a member of the Justice Committee stating that training requests were discussed most by his committee, that cities and counties pay the funds into the state to provide training for their police and firemen, but not all the funds are used for training, but go into the State's General Fund.
 4. Councilman Palmer stated he was a member of the Community Development Committee, and they reviewed downtown areas, main street programs, and discussed historic preservation. He also stated the City would be hosting Gaile Jennings, the Main Street Director of Dalton on October 25, 1994 at 6:15 P.M. at the City Council Chambers for a question and answer session regarding the Main Street Program.
 5. Cathy Harrison stated that she was a member of the Revenue Committee, and they reviewed several pieces of legislation in their committee of which one was HB 362, and reviewed proposed changes that would be asked for by the State in terms of an additional one cent sales tax.
 6. Kelly Cornwell serves as a member of the Environmental Committee. He stated they had speakers from the state level regarding state revolving loan funds. There was discussion

regarding the Florida/Alabama Water Wars, and also discussions regarding ways to evaluate public health regulations.

7. Mayor Meadows stated he was a member of the Municipal Government Committee whose main focus was mandates, that legislation regarding mandates at the Federal level had not been passed. They had been approved at the State Senate, but had not been approved at the House of Representatives, however, cities and counties would be pushing for approval at the January, 1995 meeting of the legislature.

 - b. Mayor Meadows reviewed the public hearings scheduled for November 14, 1994 at 7:00 P.M.: (1) Zoning Variance Request of Calhoun Auto Parts located at 424 South Wall Street for a 5 ft. variance off the south property line and a 5 ft. variance off the front property line to allow erection of an on premise sign which would be approximately 4' x 12' and 10 ft. high; (2) Zoning Change Request of the Raymond King Company for 965 North Wall Street for 3.7 acres on the north end of the Old Echota Mill property, the request being to re-zone from C-2 to Ind.-G zoning; (3) Zoning Variance Request of the Raymond King Company for property located at 965 North Wall Street for a 10 ft. variance from the commercially zoned area, and a 28 ft. variance for an addition to an existing building off College Street; (4) Annexation Ordinance Request of Joe Stepp for 204 Kirk Drive, Units 1, 2, 5, 6, 9 and 10 for R-2 zoning; (5) Zoning Variance Request of Thurman Carpets in reference to the Interstate Sign Ordinance to increase in total sq. footage of sign in one direction from 672 sq. ft. to 756 sq. ft. for two faces in each direction.
 - c. Mayor Meadows once again reminded the Council of the joint meeting with the Downtown Development Authority on October 25, 1994 at 6:15 P.M. in the City Council Chambers.
 - d. Mayor Meadows introduced Kevin Sutton, who presented the City's D.A.R.E. program which was initiated by the City of Calhoun in October, 1989. Mr. Sutton stated that he had received 40 hours of training in 1993 and 80 hours of training in 1994 through the G.B.I. and the Ga. Dept. of Education. He said in a recent study that it was determined that 75%-80% of the local crime is related in some way to drugs. He stated the D.A.R.E. program is a 17 week program targeting training for 5th and 6th graders on the dangers of drugs.
5. Council's Comments:
- a. Jimmy Palmer stated that he, as a member of the Committee for passage of the Local Option Sales Tax would encourage the City to pass a resolution regarding support for the local option sales tax. He stated a resolution had been passed by Fairmount, Ranger and was being passed by the City of Resaca. Following a review of the proposed resolution, Councilman Palmer made a motion to adopt the resolution, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire with Mayor Meadows voting affirmatively, motion carried.
6. Public Hearings & Comments: None
7. Old Business:
- a. A 1st reading of the Animals & Fowls Ordinance Amendment regarding a Leash Law was given. Following discussion,

- Councilman McEntire made a motion to set two public hearings for November 14, 1994 and November 28, 1994 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. Harrison reviewed the results of a Business License Tax Survey (40% response, 60% estimated by City), and proposed schedule of license taxes to be levied based on the number of employees which are within the bounds of the budget passed in June, 1994. Following discussion, Mayor Meadows asked the group to review, and to consider these proposed five schedules as presented, and be prepared for a discussion on November 14.
 - c. A 2nd reading of the Freeport Resolution and possible adoption was considered. Following discussion, Mayor Pro-Tem Bond, made a motion to adopt the Freeport Resolution allowing 20% exemption for industries inventory of raw materials and goods in process, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
 - d. Following review of the Police Report and confirmation of citizenship, Councilman Palmer made a motion to confirm the Manager Change of El Pueblito Mexican restaurant, Inc. for the Liquor Pouring License from Bill Walraven to Juana Naranjo, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 - e. Harrison presented a symbolic check in the amount of \$343,950.00 to the City of Calhoun from a block grant to aid the City with water, sewer and street improvements in the Gallman Avenue Area. Harrison stated a 2nd public hearing would need to be held which would allow discussion of the project. Following discussion, Councilman Palmer made a motion to set the public hearing for November 14, 1994 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried. Harrison also stated that included in the application, the City had agreed to provide engineering funds as local cost for the project, in addition to some local monies which would go toward water and sewer line extensions. The amount of engineering funds was \$47,030.00 and \$3,500.00 for soil testing. She stated that it had been her assumption that Sweitzer Engineering would handle the project under their general contract by work order, however, she needed confirmation prior to beginning work on the project. Following discussion, Councilman McEntire made a motion to authorize the work order for Sweitzer Engineering for the project as outlined in the application, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading of the Amusement License Request of Bilbeck, Inc, (William D. Lowery, President/Jana Mincey, Manager) located at the Place on Piedmont on 360 Piedmont Street was given. A public hearing was scheduled for November 14, 1994 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. A 1st reading of an ordinance amendment regarding insurance companies was given. The ordinance would be to amend the amount of license for the year 1995, and would

be separate legislation other than HB 362 regarding other business license taxes. Mayor Pro-Tem Bond made a motion to set the public hearing for November 14, 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. A 1st reading of the Zoning Variance Request of McArthur Glenn Outlet Centers Limited Partnership regarding lowering the parking spaces to 5.5 per 1,000 square feet of building space. Councilman Shelton made a motion to set the public hearing for November 14, 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. A 1st reading of the Beer Pouring License Request of El Pueblito Mexican Restaurant, Inc., Juana Naranjo, Manager, located at 206 Park Avenue was given. Following discussion councilman Shelton made a motion to set the public hearing for November 14, 1994 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Shelton, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- e. A 1st reading of the Fee Schedule Ordinance Amendment was held for inclusion of other fee changes for all three dog ordinances.

9. Other Written Items Not on the Agenda:

- a. A 1st reading was given to the Martha Stewart Beer/Wine Pouring License Request for Red Carpet Inn, Jackie's Restaurant. Councilman Shelton made a motion to set the public hearing for November 14, 1994 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. Linda Leachman of Taltoona's EOA made a request for adding a 3rd modular unit for the Tallatoona Training Program on the City's airport property. Leachman stated the modular unit would have sewer service, and they had discussed power with N.G.E.M.C. stating they would adhere to all regulations. Mayor Pro-Tem Bond made a motion to approve the third unit, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- c. Harrison presented a request for a dedication of the streets in the Dwight Wilson Saddlebrook Development with the Warranty Deed and Title Opinion being in order. Mayor Meadows asked the item be held for review by Director of Utilities/Public Works Cornwell until the next meeting.
- d. Harrison presented a sewer tap application of John Didier for property off Highway 41 North, Lot 16 of J. Mack Robinson, which cannot be annexed. Mayor Meadows asked the item to be referred to the Health Department for their request to be added to the application.
- e. A 1st reading was given to the Martha Stewart, d/b/a Jackie's Restaurant for a Beer/Wine Pouring License for the restaurant at Red Carpet Inn on Highway 53, East. Councilman Shelton made a motion to set the Public Hearing for November 14, 1994 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- f. Eddie Peterson stated the Street Department Superintendent, Dean Harris had made a request to exchange the shop extension for a larger backhoe for the department. The budget allowed \$40,000.00. Bids for

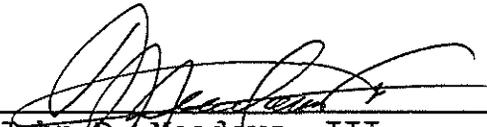
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larger equipment were: Yancey Bros. - \$51,634.00; Metrac, Inc. - \$53,800.00. Mayor Pro-Tem Bond made a motion to approve deletion of shop extension of \$15,000.00 and approve the low bid of \$51,634.00, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

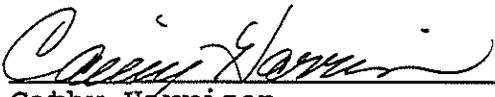
10. Director Cornwell's Work Report - None
11. Councilman McEntire made a motion to move to Executive Session for personnel matters, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
12. Councilman McEntire made a motion to move to General Session, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
13. Councilman McEntire made a motion to adjourn, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator

