

NOVEMBER 28, 1994 7:00 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  
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 William P. Bailey gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the November 14, 1994 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Meadows reminded the Council and public of the Mayor's Motorcade to N. W. Regional Hospital on December 7, 1994 at 10:00 A.M. Mayor Meadows stated the group would leave Calhoun at 9:00 A.M.
  - b. Mayor Meadows congratulated the City and County School System on great football seasons for both systems.
  - c. Mayor Meadows reminded the Council of the Public Hearing scheduled for December 12, 1994 on the Colbert Cox Zoning Change Request at 48 Old Red Bud Road. The request being to change from R-2 to C-N zoning.
  - d. Mayor Meadows reviewed the scheduled Council Meetings for December and January. Following discussion, Mayor Pro-Tem Bond made a motion to move the 2nd December meeting from December 26 to December 19, 1994, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried. Councilman McEntire made a motion to move the 2nd meeting in January from January 23 to January 30, 1995, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
5. Public Hearings & Comments:
  - a. A 3rd reading of the proposed amendments to the Animal and Fowl Ordinance regarding a Leash Law was given, the the public hearing was opened. Rodney Harbin stated that he lived in the City, and had lived in the City for 39 years. He stated that he was opposed to the Lease Law. He stated that he had read no where on the accounts of the public hearings to date that anyone had been opposed to the Leash Law, but he was opposed to it because he felt that dogs were supposed to bring joy, and that they could not bring joy in a pen or on a chain. He stated that there are some problems, but they are minor, and that there are presently too many laws. He stated that the recent elections had really been a message to politicians that less government is needed not more, and that he doesn't think proper reporting will be done in order for dogs to be collected. He stated that owners should be responsible, and that he doesn't feel another law will do anything to curb the problem. He stated that

it will simply add employees to the City budget, and to the backs of the tax payers. He asked that the Mayor and Council reconsider, and not pass the ordinance. Lynn Houser Reece stated that she is for enforcing those areas which are very close, such as in a City. She stated that there is a need for dog owners to take responsibility, and that there is a need for the property owner, who does not have animals to have protection also. Leon Stewart of Devonwood stated that if the matter is controversial, that he has seen it 20 to one in favor of the Leash Law, and that while he does agree that dogs are a pleasure to many people, that there are a number of people that do not wish to have dogs on their property. Glenn Bunch stated that he concurred with Leon Stewart, that he presently has five dogs in his neighborhood that are very destructive to property, and he doesn't like to have them in his yard. Mayor Meadows stated that he was not in favor of the Leash Law, but was in favor of individual responsibility for the problem. He stated that he presently deals with the problem of dogs in his jurisdiction as judge for the City. Councilman McEntire stated that the people that have contacted him have been 100 percent for the enactment of a Leash Law, and that he will vote for a Leash Law. Mayor Pro-Tem Bond stated that he thinks the law should protect all citizens fair and equitably, and that he would favor a Leash Law at this time. Councilman Palmer stated that the people that he has talked with regarding this matter have favored it 10 to one, and that he felt that individual property owners have rights also. Mayor Meadows stated that he would agree that the present law is hard to deal with, because it does require neighbor to testify against neighbor, and that this is extremely hard. Councilman Shelton stated that some of the citizens who contacted him have been in favor and some opposed. There were no other comments regarding the Leash Law. The public hearing was closed, and Mayor Meadows stated the fourth reading of the proposed ordinance would be held on December 12, 1994 at 7:00 P.M. He asked the Council to be considering the fines and the length of time that persons would have to comply with should the ordinance be adopted.

6. Old Business:

- a. A 2nd reading of Beer, Wine and Liquor License Renewal License Applications for 1995 was given:
  1. ABC Oasis Package - Augustus Rawson King - Beer Package
  2. American Legion Post 47 - Dewitt Carter - Beer/Liquor Package/Pouring
  3. Arch City Package - Otto L. Defoor - Beer Package
  4. Atlanta Gate Restaurant - Soleh Rashid - Beer/Wine Pouring
  5. B&L Liquor - Lindsey Lewis - Wine/Liquor Package
  6. Calhoun Liquor - John H. Bell - Wine/Liquor Package
  7. Golden Gallon, Inc. - Nancy G. Williams - Beer Package
  8. Gondolier Pizza of Calhoun, Inc. - Evangelos Pateritsas - Beer Pouring
  9. El Pueblito - Juana Naranjo - Beer/Liquor Pouring
  10. Holiday Inn of Calhoun (Makibe Corp.) - Betty Gilbert - Beer/Wine/Liquor Pouring
  11. J.J.'s Package - Raymond J. Brown - Beer Package
  12. Jimmy's Package - Alton Defoor - Beer Package
  13. Louie's Package - Louie D. & Faye Worley - Beer Package
  14. North 41 Package - Jimmy Chapman - Beer Package
  15. Pizza Hut, Inc. - Cecilia Phillips - Beer Pouring

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16. Red Bud Liquor Store - Champ Kelly - Wine/Liquor Package
17. J&P - Patsy Colleps - Beer/Wine Package
18. South 41 Package - Roy T. Aaron - Beer/Wine Package
19. Speedy's Spirits Shop - Doug Thomason - Wine/Liquor Package
20. Troy's Package - Ronald Robinson - Beer Package
21. VFW - Lois Crump - Beer Pouring/Package
22. Wallace Enterprises - Beverly O'Bryan - Beer/Wine Package
23. Highway 53 Package - Terry G. Ross - Beer/Wine Package
24. Bilbeck, Inc. - Jana Mincey - Beer/Wine Pouring
25. Dixie Beverage Shop - Barbara V. Bishop - Beer Package
26. China Hall - Yong Hwang Laing - Beer/Wine Pouring
27. Los Reyes Mexican Restaurant - William Terry Howard - Beer/Wine/Liquor Pouring
28. Odyssey Cafe - Bill Gillespie - Beer Package/Pouring

Mayor Pro-Tem Bond made a motion to approve all for 1995 licenses, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- b. A 2nd reading of the Pawn License Renewal Applications for 1995 was given.

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

Councilman McEntire made a motion to approve all for 1995 licenses, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- c. A 2nd reading of the Amusement License Renewal Applications for 1995 was given.

1. Calhoun Bowling Center - James H. Roark
2. King's Skating Palace - Harvey A. King
3. Martin Theater - Paul F. Jones
4. Pizza Hut, Inc. - Cecilia Phillips
5. Odyssey Cafe - Billy Gillespie
6. Bilbeck, Inc - Jana Mincey

Councilman Palmer made a motion to approve, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried. Mayor Meadows stated that he felt that this was not the full extent of those businesses which presently have Amusement Licenses, and that he would require that each person having an Amusement License be checked, and be required to obtain those with the checking to be done by the City Police Department.

7. New Business:

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- a. A first reading of the Martha Stewart renewal application for a Beer and Wine Pouring License for 1995 for Jackie's restaurant at the Red Carpet Inn on Highway 53, East was given. A 2nd reading was scheduled for December 12, 1994 at 7:00 P.M.
- b. A request for a sewer connection for Winfred Worley at 175 Ridgecrest Drive, N.W. on the George Mashburn system was given. Mr. Worley is not presently eligible for annexation, and the sewer is within 200 ft. Following review of the application, and review of the letter from the Health Department, Councilman McEntire made a motion to approve with the stipulation that an inspection license be obtained from George Mashburn, since this is on his system, and he would grant the easements for the lines to go to his property, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- c. A 1st reading of the Occupation Tax Regulatory License Ordinance was given by Attorney Bailey, said ordinance amendment being the result of H.B. 362 which requires a change of licensing by the State of Georgia. Councilman Palmer made a motion to set the public hearing for December 12, 1994 at 7:00 P.M., 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. Other Written Items Not on the Agenda.

- a. Attorney Bailey stated the Milton Stewart request for exchange of easements which would allow an entrance easement into property owned by the Stewarts, on which a house was being built. It is to be exchanged for approximately one acre near the river, which would join other recreational property of the City of Calhoun. Said easement exchange has been advertised for four weeks, and the property was appraised by Joe Stepp. The appraisal value of the easement which the City would be granting to Milton Stewart is valued at \$1,250.00, and the easement the City would be gaining from Milton Stewart is valued at approximately \$3,000.00. Following discussion, Mayor Pro-Tem Bond made a motion to approve the valuations, and to authorize the exchange of easements as outlined, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- b. Attorney Bailey stated the City of Calhoun had requested a 30x30 ft. purchase of property from Barbara M. Jackson, Janice Mulkey Wehunt and Randall L. Mulkey for a pump station, however, they expressed a desire to trade the property for a one inch water line to be run from Mt. Olive Road to the old home place, and for two 3/4" taps. Following discussion, Councilman Shelton made a motion to approve the exchange, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A 1st reading of a revolving loan request was given to the William Lowery/Place on Piedmont request for a loan ranging between \$25,000.00 to \$75,000.00 was given. Mayor Meadows stated that there were some items which must be checked regarding a previous loan on the business, and that this must be confirmed prior to following up on the application process, however, this would constitute a 1st reading, and if a 2nd reading and public hearing is necessary, it could be held on December 12, 1994 at 7:00 P.M.
- d. Following review of the Georgia Housing and Finance Authority Program which the City has been approved for

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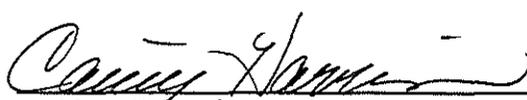
1995 in the amount of \$200,000.00, and following review of the inability to gain 100% of the administrative cost for the program from the program funds themselves, Mayor Pro-Tem Bond made a motion to approve, and to authorize the Mayor to sign the program agreements, 2nd by Councilman Palmer, with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

- e. Councilman McEntire complemented the Electric Department on the Christmas decorations, specifically the employee, Frank Coats, who made most of the decorations.
9. Director Cornwell's Work Report:
- a. Director Cornwell stated the Southern Champion, Inc. contracts for the update of the Waste Treatment Facility had been produced, and were ready for the Mayor's signature. Following discussion, Mayor Pro-Tem Bond made a motion to authorize the Mayor to sign the contracts, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
  - b. Director Cornwell stated the County had asked the City to review the possibility of the landfill leachate being brought to the City's Waste Treatment Facility. Cornwell stated he had asked the Piedmont Olsen Hensley Engineering Firm to review the cost to do a study of the river which would set the limits at which the City could accept the leachate. Their cost was not to exceed a total cost of \$24,900.00. A 2nd review for the project was done by Sweitzer Engineering with a figure not to exceed \$12,000.00. Following discussion, Mayor Pro-Tem Bond made a motion to approve the low bid of \$12,000.00 with the City to agree to split the cost 50/50 with the County if the City is selected to handle the leachate for the County, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
  - c. Cornwell stated the sidewalk project on South Wall Street was almost finished, that the hand rails would be installed as soon as they arrived, and that he was pleased with the overall effect of the project.
  - d. Director Cornwell stated the sewer line project on West Line Street was completed, and that the sewer line in the street can now be abandoned.
  - e. Cornwell stated the Covington Bridge water line is complete, and the taps are all that remain to be done.
10. Councilman McEntire made a motion to move to Executive Session for personnel and legal matters, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
11. Councilman Palmer made a motion to move to General Session, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
12. Councilman Palmer made a motion to adjourn, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:

  
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John D. Meadows, III  
Mayor

Submitted:

  
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Cathy Harrison  
City Administrator

