

DECEMBER 19, 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 ADMINSTRATOR

1. Mayor Meadows called the meeting to order, and Larry Vickery gave the Invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the December 12, 1994 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows took the opportunity to wish a Merry Christmas and a Happy Holiday Season to everyone from the Mayor and Council.
 - b. Mayor Meadows reminded the Council of the Mayor's Day Legislative Meeting of GMA in Atlanta in January.
 - c. Mayor Meadows once again notified local businesses that the new business license regulations are the effect of a new state regulation passed affecting all cities and counties. The new regulations will be effective January 1, 1995.
 - d. Mayor Meadows reminded the public of a public hearing on January 9, 1995 on a Zoning Variance Request from Service Chevrolet regarding a height limitation relief of 21 ft.
 - e. Mayor Meadows stated that on behalf of the Mayor and Council, he wished to express his appreciation to Commission Chairman Joe Powell and to Commissioner Everett Defoor, regarding their service to Gordon County during the last several years. Mayor Meadows stated that contrary to public perception, City and County relations have been the best in the last two years that he has seen in the last nine years, and he state a great deal of the credit goes to Commission Chairman Joe Powell.
5. Public Hearings & Comments: None
6. Old Business:
 - a. In reference to a loan request through the revolving loan fund for William Lowery of the Place on Piedmont, the recommendation of the Loan Advisory Commission, based on the financial information as presented, was not strong enough to support a loan application, and they would recommend denial at this time. Following discussion, Mayor Pro-Tem Bond made a motion to deny the William Lowery application, 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 amended Fee Resolution was given which includes the regulatory and occupation tax rates for 1995. Following discussion, Councilman McEntire

.....DECEMBER 19, 1994 REGULAR CITY COUNCIL MEETING.....

made a motion to approve the amended Fee Resolution, 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 Reimbursement Policy drafted to meet the new IRS regulations was given. Following discussion, Mayor Pro-Tem Bond made a motion to adopt the policy, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- d. Harrison reported that the City of Calhoun has reapplied for the 1995 Tree City designation. The Tree City designation is an annual event, and the City must reapply each year. The application is due by December 31, 1994, and has been properly filed.

7. New Business:

- a. Harrison made a request to extend the advalorem deadline to December 31, 1994 due to some tax notices being mailed after October 20, 1994. She stated that it would be much simpler to have the due date December 31, 1994 for everyone, rather than just those with late mailings. Following discussion, Councilman Palmer made a motion to officially extend the advalorem tax deadline for the City of Calhoun to December 31, 1994, 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 City Hall would be open on December 31 until noon to assist citizens with payment of their taxes.
- b. Harrison stated the City had filed a COPS grant application with the federal government to partially fund four officers, consisting of three patrolmen and one investigator. The COPS application is a result of the new crime bill passed recently by the federal government.

8. Other Written Items Not on the Agenda:

- a. Steve Forester came before the Council with a request to be heard on several items. The first being a complaint regarding the poor quality service from Scripps Howard Cable of Northwest Georgia. Mr. Forester stated that the cable company does not provide the level of service that it does for other areas, has not upgraded its system, and has failed to be responsive to its local customers. He encouraged the City to bring competition in to enable citizens to have proper service. He stated his second item was regarding his recent tax bill, which had approximately \$143.00 in City M&O Taxes, and that he understands that for this he receives services for streets, police, and fire protection, however, he paid triple that amount to the County for County M&O Taxes, and other than county roads, he did not understand what services he was paying for. He stated that the City of Calhoun receives a disproportionate share of the sales tax to relieve property taxes when in fact, citizens are receiving more for their dollars from the City. His fourth item, was regarding the Industrial Development Authority which he stated has set a dangerous precedent in allowing the second phase of the outlet mall to be deeded to the Industrial Development Authority in order to avoid taxes. He stated this would be detrimental to the City and County Tax Digests. In rebuttal, Mayor Meadows stated the City of Calhoun investigated the possibility of entering cable service several years ago, but due to the cost of providing the service, there would be an insufficient number of customers to pay the debt,

therefore it was not feasible. However, the City of Calhoun has adopted the legislation necessary to be a regulatory agency for the cable service under federal guidelines, however, those are very lax, and not very effective. Mayor Meadows reviewed those services which includes streets, police, fire, sanitation, cemetery, parks, and recreation services which are provided by City Advalorem Taxes. Mayor Meadows stated in regard to his question regarding sales tax, that as of July 1, 1994 the City of Calhoun, Gordon County and other cities in the County have been negotiating regarding a new formula effective January 1, 1996 for the local option sales tax effective for advalorem tax roll back. This is in response to a state regulation passed in the 1994 legislative session. In regard to the statement regarding the Industrial Development Authority, Mayor Meadows stated each member of the City Council had contacted the members of the Industrial Development Authority, and had notified them of their opinions regarding the mall project. He stated the City of Calhoun has a non-voting member who had also expressed his opinion to each of the board members. He stated that he felt it would be inappropriate for the Council to do anything further at this time regarding the situation. Councilman McEntire stated he would like for the Industrial Development Authority to reconsider their position if possible.

- b. 1st reading of the Amusement License Application of Grand Prix Amusement from Tonya F. Anderson for 148 West Belmont Drive was given. Harrison stated the 1994 license was in Mrs. Anderson and Her husband's name, however, the couple have divorced during the year, and the notice of renewal had been received by Mr. Anderson, and Mrs. Anderson was unaware of her need to have the application in for two readings prior to the end of the year. She asked that the Council consider the circumstances, and allow her to operate prior to the second reading on January 9, 1995. Following discussion, Mayor Pro-Tem Bond made a motion to grant the grace period to allow her to operate during the first nine days of the new year prior to the second reading, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- c. Councilman McEntire reviewed the depot situation, stating the City had received a letter from the Department of Transportation regarding the separation for the ISTEPA project which would allow the City of Calhoun to work with the depot, the bike trail, and the County to work with their bike trail project, all which are officially scheduled for funding in 1997, but with the possibility of early funding for the depot project. Councilman McEntire stated the City had promised that it would begin work in the year 1994, that the structure is in very poor condition and cannot continue to be left without proper support. He stated the City would loose control of handling the project whether it could be leased, or how it could be operated. He stated he was not in favor of the restrooms being located outside the facility, and after conferring with City employees, that he felt that 80% to 85% of the labor could be handled in kind, and a great deal of work could be accomplished during the winter months, while the City was unable to work on other construction projects. Following discussion, Councilman McEntire made a motion that the City decline funding through the ISTEPA project for the depot only, leaving the option open for bike trails, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman

Shelton and Councilman Palmer voting affirmatively, motion carried.

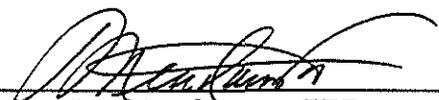
9. Director Cornwell's Work Report;

- a. Cornwell stated the County had written a letter indicating that they would be willing to pay one half of the cost for the engineering study regarding leachate up to a cost of \$6,000.00. Cornwell stated the item had been approved by the City at an earlier meeting, however, a letter would need to be sent to EPD stating the City of Calhoun would accept the initial leachate from the County immediately after its opening. He stated that the City and County will possibly make an agreement allowing the City to continue to take its sludge to the new landfill until the City's new system is up and running. He also stated the initial testing on the leachate for opening should prove not to be harmful to the City's Waste Treatment Facility, with this arrangement working well for the City and County. Following further discussion, Councilman Shelton made a motion to authorize a letter to EPD regarding the initial leachate acceptance by the City, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. Cornwell stated that Engineer Sweitzer had recommended the low bid of the Miller Drilling Company for the price of \$40,170.00 for the initial well by the City of Calhoun. Following discussion, Councilman McEntire made a motion to approve the low bid of \$40,170.00 from the Miller Drilling Company, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shleton and Councilman Palmer voting affirmatively, motion carried.

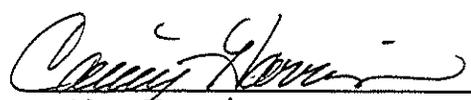
10. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton, and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator

DECEMBER 23, 1994 11:45 A.M.

SPECIAL CALLED COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL STREET

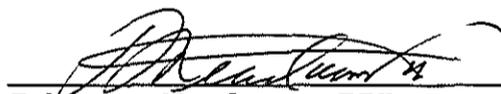
PRESENT: JOHN D. MEADOWS, III, MAYOR
THOMAS H. BOND, MAYOR PRO-TEM
JOHN SHELTON, COUNCILMAN
PAUL MCENTIRE, COUNCILMAN
JIMMY PALMER, COUNCILMAN

ALSO: CATHY HARRISON, CITY ADMINISTRATOR
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC WORKS

1. Mayor Meadows called the meeting to order, and stated the purpose of the meeting was to give a first reading to Fast Petroleum, Inc. regarding their Beer Package License Renewal Request for their Highway 41, South location in Calhoun, Georgia. Mayor Meadows stated the main office in Dalton had not received their renewal information, and had not gone through the renewal process previously, therefore, they were unfamiliar with the necessity of two readings prior to being eligible to do business at the first of the next calendar year. Following discussion of the request for renewal, and for consideration to allow the business to operate during the first nine days of January prior to the 2nd reading, Councilman McEntire made a motion that based on the fact that the business had not been in operation during a renewal process, that he would make a motion that the business be allowed to operate during the first nine days of 1995 prior to a 2nd reading, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
2. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator

10

11

12

13