

MARCH 13, 1995

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: 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. Two members of Boy Scout Troop 39 led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the February 27, 1995 Regular City Council Meeting were approved as written.
4. Mayor Meadows asked the Council to consider the adoption of a resolution honoring Mr. Herbert A. King for his 17 years of service on the Industrial Development Authority as an appointee of the City of Calhoun. Following a review of the proposed ordinance, Mayor Pro-Tem Bond made a motion to adopt the resolution, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department have been doing grading work at the well site on Campbell Road, patching and hauled, put in and compacted 732 yards of dirt in the floor area of the depot. They had to distributed de-icer during the month of February.
 - b. Councilman Shelton stated during the month of February, the Police Department made 179 arrests, 13 being DUI. He stated they issued 106 warning tickets and 123 parking tickets. They worked 159 incidents, 88 accidents, provided 122 escorts and answered 111 burglar alarms. They collected \$16,712.00 in fines. Councilman Shelton stated during the month of February the Fire Department answered four residential, one commercial, three vehicle, 1 health care, three bomb threats, one emergency medical, two brush and trash, four public assistance, and five false alarms. The total estimated damages for the month was \$4,950.00.
 - c. Councilman McEntire stated the Water/Sewer Construction Department made 28 water taps and three sewer taps during the month of February. They installed 1285 ft. of six inch PVC water line, 431 ft. of four inch PVC water line, and 1900 ft. of two inch PVC water line. They installed 2345 ft. of eight inch sewer line. The Waste Water Treatment Plant treated an average of 12.150 million gallons per day with the BOD effluent being 25, suspended effluent 29, and COD effluent 104. The Water Treatment Plant pumped an average of 12,323 million gallons of raw water per day during the month of February, 1995.
 - d. Councilman Palmer stated during the month of February the Electric Department sold 25,363,446 KWH to a customer

base of 3,758. They made 62 inspections, issued seven permits and set seven meters. The Building Inspection Department had nine new residential houses for \$370,000.00, one new commercial for \$70,346.00, two commercial additions for \$46,000.00, one commercial alteration for \$12,000.00 and one industrial alteration for \$2,000.00. Councilman Palmer also reviewed building permits for the period of 1986 through 1994. In 1986 there were permits issued for \$3,807.00 of construction, In 1987 there were permits issued for \$11,303,000.00. In 1988 there were permits issued for \$14,948,000.00. In 1989 there were permits issued for \$18,893,000.00. In 1990 there were permits issued for \$15,032,000.00. In 1991 there were permits issued for \$4,493,000.00. In 1992 there were permits issued for \$13,695,000.00. In 1993 there were permits issued for \$32,682,000.00. In 1994 there were permits issued for \$16,262,000.00. The nine year average was \$15,081,000.00.

6. Public Hearings & Comments:

- a. A 2nd reading of the Annexation Ordinance Request of Ivanor Apperson for a parcel in Land Lot 265 of the 14th District and 3rd Section of Gordon County with the South portion fronting on Highway 41, and the West side of the parcel fronting on Erwin Street for C-2 zoning. The public hearing was opened. The ZAB reported that the property, according to the 1992 Annexation Regulations for the 100% method, indicated that the property was not contiguous, and therefore, not eligible for annexation. The City Attorney confirmed that the property was not contiguous. There were no further comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to deny the request based on it not being contiguous, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- b. A 2nd reading of the Annexation Ordinance Request of Joe and Brent Stepp for a parcel of approximately 13 acres (former Putnam property) on the Dews Pond Road for R-1 zoning was given. The public hearing was opened, and the ZAB recommended that the project be approved, however, Dews Pond Road is a highly traveled road, with approximately 4,000 vehicles per day. They asked that a study be performed by DOT regarding the entrance into the development, however, on review it was noted that there was good visibility in both directions. Mayor Pro-Tem Bond also stated the ZAB recommended that the developers be required to perform the hydraulic engineering to assure there will not be any change in the water run off of the property. 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 with the stipulation of the entrance being reviewed by DOT, and a requirement that hydraulic engineering be the responsibility of the developers, 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 Annexation Ordinance Request of Floyd C. Reed for Lots 365, 366, 367 and 368 of the Mason Subdivision on Fox Street for R-2 zoning was given. A Public Hearing was opened with the ZAB recommending approval, and stating that the property was zoned R-2 because of the size, however, single family dwellings are located on the property. There were no further comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and to approve,

Ord. No. 565

Ord. No. 563

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

- Ord. No. 564
- d. A 2nd reading of the Annexation Ordinance Request of Jerry Lackey for Lot 7 of Block "L" of Black Oaks Park, Belmont Farms, Inc., for R-1 zoning was given. The public hearing was opened, and the ZAB recommended that the Annexation Application be approved as a single family dwelling for R-1 zoning. 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 Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- e. A 2nd reading of the Hardship Trailer Application of Elease Nichelson for a mobile unit to be located at 107 Adair Street, for her son to assist in her care was given. The public hearing was opened. the ZAB recommended that the request be denied since the area is zoned R-1, and is not eligible for mobile units. The ZAB recognized that the property had grandfathered in several units when the property was annexed several years ago, but no further mobile units had been moved into the area, with the exception of one that had burned, and was considered to be covered under the grandfather regulations. Doris Faith stated she had worked for the annexation of the property several years ago, and that she was assured by the Elected Officials at that time that there would be no additional mobile units under R-1 zoning. Councilman McEntire stated that he agreed that under R-1 zoning they were not applicable. There were no further comments, and the hearing was closed. Councilman McEntire made a motion to deny the request, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- f. Mayor Pro-Tem Bond made a motion to remove the Stacy Cochran Beer/Wine Package License Request from the table, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried. Mayor Meadows stated the Police Report for Stacy L. Cochran was clear, the application was in order, and he re-opened the public hearing. Dale Hice of Eastgate Baptist Church stated he was the spokesman for the church, and he felt according to the criteria in the City Ordinance regarding the granting of a license for a new establishment, that he would ask the Council to consider the high traffic area, the location of the church, the immediate location of another beer package store, and he asked that they not approve the request. Mrs. Faith Joyce and Ted Baker stated they were also from Eastgate Baptist Church, and that they were opposed to the package store. They stated that the establishment would be too close to Golden Gallon, which also has a package store. Mr. George Hudgins and Dennis Ivey stated they were concerned about the increase in traffic and the closeness of other stores also. There were no further comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to deny the request, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- Ord. No. 565A
- g. A 3rd reading of the proposed ordinance regarding the franchise fees to be assessed on NGEMC for use of city streets and right-of-ways in lieu of a business license tax was given. The public hearing was opened. Mayor Meadows recognized Jerry Erwin of the local NGEMC office, who introduced Ron Hudgins, the General Manager and Mr.

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Henry Tharp, the Attorney for NGEMC. Mr. Hudgins presented the Mayor, Council and Staff a letter stating the objections of NGEMC, and asked that the Council delay any action until they had time to review and consider the objections outlined by NGEMC. Following a brief review of the letter, Mayor Pro-Tem Bond made a motion hold the item for a fourth reading on March 27, 1995, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

- h. A 2nd reading of the Amusement License Request of the VFW for the West Line Street Location with Lois Crump as Manager was given. A public hearing was opened, with a clear Police Report. There were no comments, and the hearing was closed. Councilman McEntire made a motion to approve the request, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- i. A 2nd reading of the Sarah M. King Beer/Wine Package License Application for ABC Package Store on Highway 53 and I-75 was given. A public hearing was opened. A Police Report was not available at the time. There were no comments, with the exception that Mayor Meadows stated the location was for an existing location which had been licensed for a number of years. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the request subject to a clear police report, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

7. Old Business:

- a. The Mayor and Council reviewed the current regulations regarding Peddler's License with the Administrator stating that according to the present state law, the city is required to levy a fee which is consistent with the cost of the regulatory action regarding licenses without administrative fees, however, the Mayor and Council stated that they felt the cost certainly should equal the cost of a license for a single business owner, and asked the City Attorney to review and to notify them by March 27, 1995.
- b. A 2nd reading of the T&T Title Pawn License of James W. Pickler, Jr., Manager for 440 Highway 53, East was given. The Police Report was not available, therefore, Mayor Pro-Tem Bond made a motion to hold for a 3rd reading, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading of the Annexation Ordinance Request of Gary Duke for a parcel located in Land Lot 264, being Lot No. 3 of the H.H. Dobson property in the 14th District and 3rd Section of Gordon County for R-2 zoning. The property being located at 110 Fox Street. Councilman Shelton made a motion to set the public hearing for the request on April 9, 1995 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.

9. Other Written Items Not on the Agenda:

- a. A 1st reading was given to a Zoning Change Request of Joe

and Brent Stepp for an easement which had previously been zoned A-1 when Mary Ratner Corley annexed her property, and the easement was accidentally included and was zoned as A-1. The request is to re-zone the easement R-1, since it will be a part of the development previously mentioned. Councilman McEntire made a motion to set the public hearing for the Zoning Change Request for April 9, 1995 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 presented a request from the Electric Department regarding surplus property which is presently being removed from an area to make way for a new addition to the department. The property has little or no value, (less than \$500.00). Following review, Councilman Palmer made a motion to declare the property surplus property, and to authorize the Electric Superintendent to dispose of the property at the most cost effective means possible, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- 1.) 10,000 lbs. of substation lattice steel (galvanized), unusable, line hardware (bow bracing, misc. brackets, switch arms)
- 2.) 500 unusable miscellaneous insulators (primary & secondary)
- 3.) 100 mercury vapor lights (various voltage/wattage, working and not working)
- 4.) Random lengths 4' chain length fencing and various sized gates (used non-spec)
- 5. Miscellaneous damaged street light poles and arms

- c. Harrison presented the Mayor and Council with a publication from the Government Finance Officer's Association which is a handbook for Elected Officials as a guide to internal controls and fraud prevention. Harrison stated the Council is continually taking steps to establish sufficient internal controls, and she asked that the Council and management continue to support these efforts in order for department heads and employees to understand the importance of these controls.

10. Director Cornwell's Work Report:

- a. Director Cornwell introduced George Paturarski of BFI, who asked the Council to consider putting out bid specs for private pickups within the city limits, as opposed to pickups by the city government, if for no other reason than to properly price the pickups and cost that the city must levy within the next few months. Following discussion, the Council asked Director Cornwell to prepare specs and to move forward with this approach.
- b. Cornwell stated the well drilling is moving along at a satisfactory pace. The first drill hit rock at about 100 ft., and the company moved a few feet away from the site, and are continuing with the second drilling.
- c. Cornwell stated the sludge dryer facility is beginning to show progress now that weather is improving.
- d. Cornwell stated the depot compaction is nearing completion, and will be ready for concrete to be poured for the flooring.
- e. Cornwell stated the Water Treatment Plant work is continuing, and work should begin on the basins within the next week.

11. Councilman Palmer made a motion to move to Executive Session

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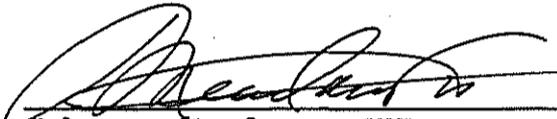
for legal and real estate matters, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

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

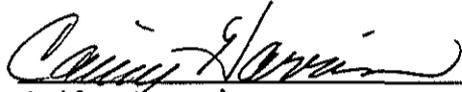
13. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator