

JUNE 12, 1995 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 welcomed everyone to the Council Meeting, called the meeting to order and gave the invocation.
2. Mayor Meadows led group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the May 22, 1995 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows welcomed Councilman John D. Shelton back to the meeting stating that some 18 days ago, he had undergone open heart surgery. He stated that the Council was extremely pleased to have Mr. Shelton at the meeting, and feeling so well.
 - b. Mayor Meadows reminded the Council and the General Public of the re-scheduled Council Meeting from June 26, 1995 to June 19, 1995 at 7:00 P.M.
 - c. Mayor Meadows stated the County Commission had held a Special Council Meeting on June 12, 1995 and had forwarded a Certificate of Distribution to the City which included a 20.34% portion of the Local Option Sales Tax for the City of Calhoun for the period beginning January 1, 1996. Following discussion, Councilman Palmer made a motion to complete a Certificate of Distribution indicating 2.5% for the City of Fairmount, 25% for the City of Calhoun and 72.50% for Gordon County, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond along with Mayor Meadows voting affirmatively, motion carried.
 - d. Mayor Meadows reminded the Council of the GMA conference on June 24-27, 1995, at which time the primary direction of activity for the following year would be determined.
 - e. Mayor Meadows stated the United Way had requested permission to hold the Unity Run on August 24, 1995 at 7:00 P.M. beginning at the Calhoun High School Track and ending at the Ratner Stadium on Gordon Central Campus. Following discussion, Mayor Pro-Tem Bond made a motion to approve the request provided the group work with the City Police Department in procuring proper manpower to properly patrol the run and to work with DOT to assure safety on the street right-of-ways, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department has continued hauling and working on the water plant basins, also grading for the soccer fields, in addition to normal

- street repairs and sinage replacement.
- b. Councilman Shelton stated the Police Department made 216 arrests in May, 1995 of which 17 were DUI. The collected \$20,689.00 in police fines, issued 126 warnings and 174 parking tickets. They investigated 101 accidents, provided 131 escorts, and provided and answered 99 burglar alarms. The Fire Department answered fire calls for one apartment fire, two industrial fires, one hazardous material, two bomb threats, two public assistance and 23 false alarms during the month of May, 1995 with estimated damages of \$85,200.00.
 - c. Councilman McEntire stated the Water Treatment Plant pumped a daily average of 12.255 million gallons per day of raw water. The Waste Treatment Plant treated an average of 8.709 million gallons per day with BOD effluent of 19, suspended effluent of 23 and COD effluent of 106. The Water/Sewer Construction Department made 43 water taps, four sewer taps, installed 2,183 ft. of two inch PVC water line, 1,334 ft. of four inch PVC water line, 3,331 ft. of six inch PVC water line, and installed 2,456 ft. of eight inch sewer line.
 - d. Councilman Palmer stated the Electric Department sold 26,456,975 KWH to a customer base of 3,799. The provided 55 inspections and issued 17 permits.

6. Public Hearings & Comments:

- a. A 2nd reading of the Zoning Change Request of Stanley Simpson for property around the Beth Bennet house off Jolley Road with a request to re-zone from Industrial-G to R-2 zoning was given. A public hearing was opened with Mayor pro-Tem Bond stating the Zoning Advisory Board had met, however, a quorum was not available, but based on the opinions of those in attendance and a conference with the Building Inspector, a recommendation would be to approve the request of the approximate one acre area, since the adjoining property owners had no objections. There was no further discussion, and the public hearing was closed. Mayor Pro-Tem Bond made a motion to approve the re-zoning request, 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 a Zoning Change Request of Dyetron, Inc. for property around the Beth Bennett house off Jolley Road to be re-zoned from Industrial-G to R-2 zoning was given. A public hearing was opened with Mayor Pro-Tem Bond stating those in attendance at the ZAB meeting recommended the approximate five acre tract South around the Beth Bennett property be approved for re-zoning as requested. There were no other comments, and the public hearing was closed. Councilman McEntire made a motion to approve the re-zoning request, 2nd by Councilman Shelton with Councilman McEntire, Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A 2nd reading of the Annexation Ordinance Request of Larry Grider and Lamar Whittenburg for property located at 813 South Wall Street for C-2 zoning was given. A public hearing was opened, with the ZAB stating the property was surrounded by other commercial property, and the request was in order and the board members would recommend approval. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and to approve for C-2 zoning, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

Ord. No. 568

Ord. No. 567

- d. A 2nd reading of the Annexation Ordinance Request of Sybil Spink, Florence Lawrence, and John Slagle for approximately 21 acres more or less South of Idle Acres off Curtis Parkway for R-2 zoning was given. A public hearing as opened with the members of the ZAB stating the request was for annexation for the construction of apartments. Mayor Pro-Tem Bond stated the members of the ZAB present, discussed with the Building Inspector the need for a hydraulic study to be provided for the property, and considering the proposed developer had begun plans for sewer extension to the site, the Board would recommend annexation at the R-2 zoning requested. There were no further comments, and the hearing was closed. Councilman McEntire made a motion to annex the approximate 21 acres for R-2 zoning. Following a waiver of the 3rd and 4th readings, and provided a hydraulic study be prepared during the construction phase and be filed with the Building Inspector, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- e. A public hearing was opened on the proposed budgets for the City of Calhoun for the Fiscal year 1995-1996. Harrison reviewed the proposed budget, including the General Fund for a balanced budget of \$12,681,176.00, the Water-Power-Sewer Enterprise Fund for \$31,475,969.00; the Gas Enterprise Fund for \$1,344,200.00; the Golf Enterprise Fund for \$1,210,405.00; the Special Projects Fund for \$9,318,151.00 for total budgets of \$56,029,901.00. Harrison stated the budget also included a five year capital plan and debt service for the Water and Sewer Revenue Bonds and for the General Obligation Bonds for the School System. Following a review of the proposed budget, Ken Bryson of Carriage and Charles Miller of Color Master discussed problems associated with the carpet industry, stating that competition was extremely high, and that increased utility rates would be extremely detrimental to their business at this particular time. Charles Miller stated that he had met with members of his organization, and hoped to be able to continue water reduction in his operation for approximately 30%, thereby reducing water and sewer charges. Mayor Meadows stated that it was possible for the City to hold the Fee Schedule Resolution, which will be considered shortly, and the Budget for adoption on June 19, 1995 with the understanding that the City not make any rate increase effective until October 1, 1995, or spend any cost other than engineering associated with the Sewer Plant expansion in order to allow continued review with the engineers to determine if an equalization basin or other avenues might be pursued which could reduce the cost, or could postpone the expansion for a period of time. Mayor Pro-Tem Bond stated that he would be anxious for the engineering study to be done on the equalization pond, that he was as concerned about the issuance of the additional debt as the industry was opposed to the increase in the rates for debt service and increased operation cost. He stated if an avenue was available to the City which would eliminate the borrowing and the increased cost, that would be the proper route to take. There were no other comments, and the hearing was closed.
- f. A 2nd reading of the Fee Schedule Resolution regarding the sewer rate increase was given. Councilman McEntire made a motion to hold the Fee Schedule Resolution for a 3rd reading on June 19, 1995, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively,

motion carried.

7. Old Business: None

8. New Business:

- a. a 1st reading of the Marion D. King Zoning Change Request for a lot located at the corner of Red Bud Road and Devonwood Drive for re-zoning from R-1 to O&I in order for a doctor's office to be built on the lot was given. Councilman McEntire made a motion to set the public hearing for July 10, 1995 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.
- b. A 1st reading of the Kitty Seto Leung Annexation Application was held until June 19, 1995.
- c. A 1st reading of the Annexation Ordinance Request of Herbert and Flora Thacker and Annie Grace Hall for approximately 21 acres in Land Lot 311, 14th District and 3rd Section of Gordon County off Old Belwood Road for Industrial-H zoning was given. Mayor Pro-Tem Bond made a motion to set the public hearing for July 10, 1995 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.
- d. Mayor Meadows introduced Bill McElreath of Fortis Benefits Insurance Company, and Wayne Morris the City's Insurance Agent to report to the Council regarding the City's group medical contract. Mr. McElreath stated the City's claims for the current Fiscal Year have exceeded the projected claims, and the maximum expected claims of 125% of expected claims. As a result, the underwriters for the company had projected an increase for the following year. Agent Wayne Morris stated based on the magnitude of the proposed increase, City management had requested that he secure selected bids from companies which had bid at the previous official bidding. From these, the best three bids were reviewed and their lowest figure obtained, as well as, the lowest renewal rate from Fortis Benefits. In the final analysis following a maturing of all bids, it was determined that other than the low bid from Blue Cross/Blue Shield for a fully insured plan, the lowest bid for a partially self funded plan was that of Fortis Benefits for \$963,923.04. He stated based on the selected bids procured, that he would recommend the City remain with Fortis Benefits, and remain under a self funded program. Harrison stated that based on the review that had been made and the lower bid which had been obtained from Fortis Benefits, and based on a decision to remain with a partially self funded program, that she would recommend the City remain with Fortis Benefits. Harrison stated that City management had addressed employee complaints of poor service with Fortis Management, and had been assured improvements would be made during the coming year. Harrison stated Linda Brookshire had recommended to the company, and they had agreed to provide a service representative on a quarterly basis for a minimum of one half day to review claim problems. Harrison explained the current budget restraints will not allow funding to the 125% level which had been the City's practice in the prior years, however, it will allow funding to the 101% level for expected claims and 100% level for fixed cost. The funding for those levels will require an increase on the employee portion which is funded by the City to increase from \$190.00 per month to \$240.00 per month. The dependent cost which is paid by the employee will increase from

\$155.00 per month to \$160.00 per month. Following discussion, Councilman McEntire made a motion to accept the recommendation of Agent Wayne Morris and Harrison to the funding levels as recommended by Harrison with the understanding that claims will be monitored closely, and should claims continue at the current rate, a mid year rate increase will be considered, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- e. Attorney Bailey reviewed the plat and proposed Quit Claim Deeds to donate the property currently used for the Tom B. David Airport to the Calhoun-Gordon County Airport Authority. Part of the property is from the City and County jointly since it is jointly owned, and a portion of the property is owned entirely by the City and is listed in a separate Quit Claim Deed. Following discussion of the areas, and following a notation by the City Attorney that the two Quit Claim Deeds include a reverter clause which would enable the property to revert back to the City and County should it cease to be used as a municipal airport in the future. Following discussion, Councilman Shelton made a motion to approve the donation of the property by Quit Claim Deed, and to authorize Mayor Meadows to sign, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- f. Administrator Harrison reviewed a budget amendment for the current budget year of 1995-1996 reducing special projects from over \$10,000,000.00 to approximately \$675,000.00 stating that several of the projects had been delayed to the end of the current Fiscal Year with actual construction to begin in the next Fiscal Year. Those projects being the sewer expansion, the sludge dryer and dechlorination, the block grant program consisting of water and sewer for Gallman Avenue and several other streets in the area, as well as, continued improvements at the Water Treatment Facility. Following discussion, Mayor Pro-Tem Bond made a motion to adopt the resolution reducing the special projects budgets for the year 1994-1995, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- g. Following review of a parade Permit Application for Mike Ernest for the Gordon Central Homecoming on September 29, 1995 at 3:30 P.M. on the City's normal parade route. Councilman Shelton made a motion to approve subject to DOT approval, 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. Mayor Meadows read a Zoning Change Request from Sybil Spink, Florence Lawrence and John Slagle for the 200 ft. strip of property directly south of Idle Acres which is presently zoned C-2 off Curtis Parkway for re-zoning to R-2. Councilman McEntire made a motion to set the public hearing for July 10, 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. Following review of a proposal from Marketek, Councilman Palmer made a motion to approve the contract which would provide a market study of the downtown and other shopping areas within the Calhoun community at a cost of \$7,500.00 with in kind work to be provided by the City in an

approximate amount of \$2,500.00. The study would aid the Downtown Development Authority and the City of Calhoun with a marketing program for specific retail establishments which could be moved into the area, and would prove to be profitable and advantageous for the community, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- c. Following a review of an invoice for changes in the bathroom facilities at the recreation area to meet the ADA guidelines, as well as, roof repair, Councilman Palmer made a motion to approve the City paying one half the cost at approximately \$11,000.00, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- d. Mayor Pro-Tem Bond made a motion to approve the annual charge off for utilities billed but unpaid for the period of July, 1993 through June, 1994 in the total amount of \$37,280.41. Said amount representing one thirteenth of one percent of the billing for the fiscal year, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

10. Report and Recommendations of Director of Utilities/Public Works Kelly Cornwell:

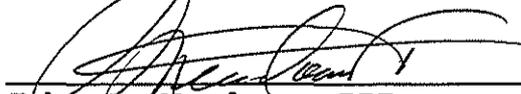
- a. Director Cornwell and Attorney William P. Bailey reviewed with the Council the Rakestraw bid for the sewer interceptor project which will be started after the first of the following fiscal year. Attorney Bailey stated the City had received a letter addressed to the engineering company. It stated that due to an error in a pipe vendor's price, that his bid was extremely low, and he would be unable to honor his bid. Attorney Bailey stated that the City could not accept this letter as a denial, but would need to have the contractor refuse to sign the contract in order for the City to proceed against the contractor's bid bond, therefore, the matter would need to be considered at a later date as to whether the City would award the bid to the next lowest bidder, or would re-bid the project.
- b. Director Cornwell stated he would review the garbage bids with the Mayor and Council at the next meeting scheduled for June 19, 1995.

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

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

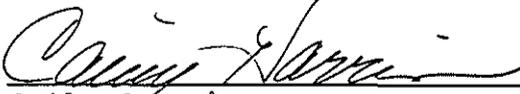
14. Mayor Pro-Tem Bond made a motion to adjourn, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

Approved:



John D. Meadows, III
Mayor

Submitted



Cathy Harrison
City Administrator