

JUNE 19, 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, JR., COUNCILMAN
PAUL MCENTIRE, COUNCILMAN
JIMMY PALMER, COUNCILMAN

ALSO: WILLIAM P. BAILEY, CITY ATTORNEY
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC
WORKS
CATHY HARRISON, CITY ADMINSTRATOR

1. Mayor Meadows welcomed the group, 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 June 12, 1995 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the GMA Conference to be held on June 24-27, 1995 in Savannah.
 - b. Mayor Meadows reminded the Council of the Public Hearings scheduled for July 10, 1995: (1) Zoning Change Request of Marion King for a lot located at the corner of Red Bud Road and Devonwood Drive to re-zone from R-1 to O&I; (2) 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, Georgia for Ind.-H zoning; (3) Zoning Change Request of Sybil Spink, Florence Lawrence and John Slagle for the 200 ft. strip of property directly south of Idle Acres off Curtis Parkway from C-2 to R-2 zoning.
 - c. Mayor Meadows stated the City and County continue to review their options for distribution of the local option sales tax. He stated the City of Atlanta and Fulton County, and the City of Rome and Floyd County are all still in negotiations regarding the sales tax.
5. Council's Comments:
 - a. Councilman Shelton stated the Fire Department made 45 inspections during the month.
 - b. Councilman Palmer stated the Building Inspector had issued permits for over \$2,000,000.00 during the month of May, 1995, with those including seven new residential for \$446,730.00, one new commercial addition for \$15,000.00, and one industrial addition for \$2,100,000.00.
6. Public Hearings and Comments: None
7. Old Business:
 - a. A 3rd reading of the Fee Schedule Resolution regarding sewer rate increases was given. Mayor Meadows re-opened the public hearing and stated that in order for the City to hold the proposed stated funding for improvements at the Sewer Treatment Plant, it was necessary to adopt the budget, and to propose a rate increase to fund the debt

service and additional operating cost, however, the rate increase would not be effective until October 1, 1995 in order to allow an additional engineering review for less costly improvements or other alternates. The public hearing was closed. Mayor Pro-Tem Bond made a motion to approve the resolution, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

- b. George Crowley, Carol Shanahan and Buford Arnold reviewed the school's portion of the budget for the 1995-1996 year, stating the state mandated 6% raise for teachers had affected the budget in excess of \$500,000.00, however, the Board had worked to cut the increase down to \$350,000.00 which will be approximately one mill. Mayor Meadows read a resolution and a list of all funds of the City Budget, including the General Fund, Water/Power/Sewer Fund, Gas Fund, Golf Enterprise Fund, Special Projects Fund and Debt Service Funds. Following further discussion, Councilman McEntire made a motion to adopt the Budget Resolution and Staff Positions for 1995-1996, 2nd by Councilman Palmer with Councilman Palmer, Councilman McEntire, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. Mayor Meadows reviewed the proposed Settlement Agreement between Scripps Howard and the City of Calhoun regarding the company's cable rates dating back to September, 1993. Mayor Meadows read a resolution regarding the proposed settlement, and following discussion Councilman McEntire made a motion to adopt the resolution and authorize the Mayor to sign the Agreement, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading of the Kitty Seto Leung Annexation Ordinance request for five parcels fronting on U.S. 41, North and Hood Street on the west side were reviewed. The three parcels fronting on Highway 41 are for C-2 zoning and the two parcels fronting on Hood Street are for R-2 zoning. The property joins the Tierce Market on Highway 41, North. Mayor Pro-Tem Bond made a motion to set the Public Hearing for July 10, 1995 at 7:00 P.M., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

9. Other Written Items Not on the Agenda:

- a. A 1st reading was given to the Mary Ann Leatherwood Kenemer Annexation Ordinance Request for approximately three fourths of an acre consisting of two tracts off Jones Road for R-1 zoning. 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.
- b. A 1st reading of a Zoning Change Request was read for the Ferrell and Ann Grizzle property lying on Newtown Road, the request being to re-zone from R-1 to R-2 for apartments. 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.
- c. Harrison stated the City Budget for 1995-1996 includes

implementation of a computer system to handle the City's tax collections, which is currently handled on a manual basis. An Agreement has been proposed between Keck & Wood and the City of Calhoun which would allow Keck & Wood to draft a software program for the day to day recording of payments on advalorem taxes, and to transcribe the information from the Tax Assessor's Office to the language for the City's PC system. Harrison recommended the contracts for approximately \$3,000.00 be approved subject to approval by the City Attorney. Following further discussion, Councilman Palmer made a motion to authorize the Agreement with Keck & Wood for approximately \$3,000.00 contingent upon approval by the City Attorney, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- d. Eddie Turner stated that he was concerned regarding the fill dirt which is being moved for the construction of the park, and that his primary concern is flooding of his property. He stated that an enormous amount of dirt has been moved, and that he understood that dirt could be moved from within the flood plain area, but outside materials from other areas could not be brought in. City Engineer, John Sweitzer of Sweitzer Engineering stated the City had contacted FEMA and had also contacted the Corp. of Engineers, and that the City's primary concern had been wetlands, however, this had been cleared. While the area is in the flood plain, it is not in the flood way. He stated that any activity must not add to the flood way, and that the City had been told by the County on two occasions, that they had no Flood Plane Ordinance, however, on June 19 they had informed the City they did have a Flood Plane Ordinance. Kelly Cornwell stated the work had been held up, and would be held until a copy of the County's Flood Plane Ordinance could be reviewed to make sure that all activity is in accordance with the Ordinance. City Attorney Bailey informed Mr. Turner that should any flood damage occur to his property, and if it could be determined that the City's action had caused any damage, that he would have an option to seek remedies through the courts. Mayor Meadows stated the City had attempted to review the regulations properly, and was under the impression from the County that no Flood Plane Ordinance until as late as June 19. Mayor Meadows stated the City had been informed by FEMA that the local ordinances would apply, and that the property is currently in the unincorporated areas and will be subject to County Ordinance.

10. Director Cornwell's Work Report:

- a. Cornwell stated the City had not received any refusal to sign contracts at this time from the Rakestraw Construction Company.
- b. Cornwell distributed copies of the recent garbage pickup bids, and reviewed the current operations and the cost over a five year period for residential pickup for two pickups with backloading equipment consisting of nine employees. He also reviewed a once a week pickup with a mechanical system which would include only two employees, this being a lower cost than the lowest bid received by a relatively small margin. He asked that the Council review this information and address further at the next Council Meeting.

11. Mayor Pro-Tem Bond made a motion to move to Executive Session regarding a real estate matter, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, 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 McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

13. Mayor Meadows stated Frank Hicks had worked with the County Commission and the Local Senior Citizen Groups to receive donated property which would allow construction of a Senior Citizens Center, provided a Community Development Block Grant was procured through the State. Mayor Meadows stated Mr. Hicks had been successful in getting one acre of land donated by Mrs. Mary Will Stephens, one acre of land donated by Gordon Hospital and had asked that the approximate two acres previously donated by Mrs. Stephens to the City of Calhoun, which joins the other two acres to be donated for construction of the Senior Citizens Center, parking and a walking trail. Mayor Meadows stated that Mrs. Stephens had also donated an easement off Kent Drive which would allow traffic to come off Red Bud Road at the Curtis Parkway red light and enter Kent Lane off Curtis Parkway. The additional acreage donated by Gordon Hospital and Mrs. Stephens would allow sufficient buffer between the Devonwood Subdivision and the Senior Citizens Center. Following discussion, Councilman Shelton made a motion to approve the Agreement contingent upon the approval of a Community Development Block Grant which would allow construction of the center, 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

14. 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