

JULY 24, 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: WILLIAM P. BAILEY, CITY ATTORNEY
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC
WORKS
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Meadows welcomed everyone to the July 24th meeting. He 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 July 10, 1995 Regular City Council Meeting were approved as written.
4. Mayor's Comments;
 - a. Mayor Meadows reminded the Council of the public hearings scheduled for August 14, 1995: (1) Annexation Ordinance Request of the City of Calhoun for the Water Plant property and the proposed park property for R-1 zoning; (2) Zoning Change Request for the proposed Super Walmart development which would be in the 20 acres off West Belmont Drive, North of Carriage Industries and East of the Proctor Clinic from C-N to C-2 Zoning; (3) Beer and Liquor by the Drink Pouring Request of Kurt Lucas, Managing Partner for the OPM Company, Inc. for the property off Highway 53, East, previously known as Oddessey Cafe.
 - b. Mayor Meadows asked Harrison to report on the Golf Advisory Commission meeting. She stated the Commission heard a report on July 17, 1995 from the Golf Maintenance superintendent and Golf Pro regarding their budget for the prior year. She stated the organization was only \$8,600.00 below budget out of an approximately one million dollar operation for the year.
 - c. Mayor Meadows expressed his appreciation for the County Commission's assistance with the volunteer water conservation program.
 - d. Mayor Meadows asked the group to review its brush and trash pick up policies. He stated the way the policies are designed at this time, there is a way to beat the system which is being used by several residences which seems unfair when some parties are paying for limb and leaf pickup in the amount of \$100.00 or more. The staff was asked to review the policies, and to submit a proposed amendment by the August 14, 1995 meeting.
5. Council's Comments:
 - a. Councilman Shelton gave a report for the Fire Inspection stating that 48 inspections were made during the month of June, of which 15 of these were for existing industries, seven annual reports and 12 for current projects. Councilman Shelton introduced Kevin Sutton of the Calhoun Police Department who stated the City Police would be

purchasing police audio videos during the current budget year, and had several projected for future years. He stated the department had been reviewing possible vendors, and at this time it appeared their choice would be Eagle Eye Technicians out of Rome. Mr. Sutton introduced Ms. Linda Pitman, who gave a demonstration on their type of product.

- b. Councilman Palmer stated the Building Inspector issued eight residential permits for \$942,000.00 of construction. There was one commercial permit for \$225,000.00 with additional permits for commercial alterations in the amount of \$208,000.00 for the month of June, 1995.
- c. Councilman McEntire reviewed the results of the volunteer water ban which had been established on July 19, 1995. He stated because of efforts made by everyone the tanks had been filled over the weekend, and the immediate pressure problem had been resolved and the ban would be lifted at this time, however, he asked that everyone be concerned and conscious about water usage, since the heat is predicted to last for at least another two week period. Mr. Mark Perry, representing a green house operation at the Georgia Cumberland Academy stated he was concerned about the City's policy regarding water cut backs, should a long term drought situation evolve. The Council discussed their proposed policies which are in the process of being reviewed, and stated that it was not their intent to completely cut off water to commercial activities, but if necessary to lower by a certain percentage across the board.

6. Public Hearings & Comments:

- a. Mayor Meadows stated that due to a death in his family, Mr. McKinnon would not be at the meeting, but would be scheduled to appear later.
- b. Mayor Meadows re-opened the public hearing for the Zoning Change Request of Spink, Lawrence and Slagle for the 200 ft. strip immediately South of Idle Acres off Curtis Parkway. The request being to re-zone from C-2 to R-2. Mayor Pro-Tem Bond stated the Zoning Advisory Board, who heard the request earlier in the month did not have a quorum, but following a review of the request, those present felt the request was reasonable. He also stated the members were made aware of the residents' desire to have the 200 ft. area remain at C-2 zoning. Tom E. Shanahan, representing Bobby Miller, who has contracted to purchase the property, stated the request was to re-zone from C-2 to R-2 for the approximate six acre tract. He stated it is a reasonable request, and the investor intends to build apartments. Initially he would build approximately 40 to 50 units at a rental price of \$400.00 to \$600.00 per month. The area would include tennis courts and a swimming pool which would illustrate the type of development. It would be landscaped, and would be suitable for the middle to upper income people. He stated there is evidence of the need of apartments, since approximately 25% of the work force reside outside of Gordon County. He stated that according to the census, that of the 13,700 units approximately 12,000 of these are apartments, and that approximately 83% of those existing units rent for less than \$400.00 per month, indicating a need for this type of apartments. He stated that growth and development would continue in the area. He stated Mr. Miller has 22 existing units at this time which were constructed in the early 70's, and have been very well maintained as evidenced by photos presented. He stated that in reference to traffic on Curtis Parkway,

that the street was built as a feeder street with anticipated high traffic flows, and that regardless of the type development or use of the proposed property, that traffic will increase. He stated that with regard to property values, the required buffers and the type of development, property values for adjoining property owners should not be diminished. In reference to crime, Mr. Shanahan stated that in discussing the criminal activity for the existing Miller units, as on record with the Sheriff's Office since 1990, there was no pattern of criminal activity. He stated that similar zoning in the area exists, with the property now being vacant. He also stated the request presented was a reasonable request and meets the standards, and that he would recommend the Mayor and Council vote for a zoning change from C-2 to R-2. Wayne Walters who represents the owners, stated that they wish to sell the property, and that they wish to sell the property to someone who would keep the value of the subdivision in mind, and they felt with the type of development that was being proposed was within reason, and would be compatible for the subdivision. George Odom stated that approximately 100% of the subdivision was represented at the meeting, and that their attorney, Scott Forster, would be their spokesman. Mr. Forster stated the residents of Idle Acres Subdivision were asking that the council not vote to change the zoning from C-2 to R-2, that in reference to 13.3.3, the Council should consider the long range plans, and in 14.5 that they consider the standards, and that part of the standards would be to consider the diminished value of the property in the immediate area, which would be the subdivision owners, and that a net change be determined. He stated the development would add more families to the area, and as families are added, there would be more problems. He also stated the subdivision did not want 100 apartment units directly behind them, that traffic is an excessive burden, since D.O.T. recorded Curtis Parkway as 6,000 vehicles per day, and schools are at capacity levels. The City will be unable to handle the additional growth that would be coming into the area. He stated there are problems at other apartments in town, and he is aware of those problems because he is an attorney, and he represents apartment dwellers in some of those cases. His final appeal was that the Council review all these items, and be aware and consider that the zoning remain at C-2 as opposed to changing to R-2. Mayor Meadows stated because of insufficient advertising time between July 10 and July 24, that he would recommend the matter be held until August 14, which would allow additional advertising time, and at that time he would ask Mr. Shanahan and Mr. Forster to be on hand to make their final recommendations to the Mayor and Council prior to a vote. Following that recommendation, Councilman McEntire made a motion to hold the matter for a 4th reading, and to carry over the public hearing until August 14, 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.

7. Old Business:

- a. A discussion was held on the matter of the garbage pickup bids which had been taken earlier in which BFI had given the City an excellent bid, which over a five year period would amount to only \$20,000.00 more than what the City estimates their operations of the service would be with the new truck and new containers. Mr. Cornwell reviewed

the advantages of contracting the services to a private hauler and the disadvantages. He stated that he was leaning toward the City continuing to provide services, but only slightly, because the bid from BFI was excellent. He stated the observations made by Eddie Peterson and Kevin McEntire on site visits to several of the communities which have services provided by BFI have been excellent. George Paturalksi of BFI Waste Systems stated that the company has a presence in the community at this time, and the company does extensive pickups in the unincorporated areas for residential customers, and also extensive pickups for commercial activities. He stated they had purchased two services from the Gordon County Community, the Brown Service and the Fuquea Service, and that Mr. Kenny Fuquea presently is an employee for BFI, and manages the Rome Center. If BFI is able to get the contract for the Calhoun Business, it will be handled through the Rome Center. He stated that references were listed in their bid package, however, it would probably be more useful to the City to contact several of their Gordon County Customers to really get a feel for the type of service they have. Mr. Paturalski reviewed their bid, a proposal to operate over the next five year period. The Council asked questions. Mayor Meadows asked that the Council review and be prepared to make a decision at a later date regarding this matter.

- b. Harrison reviewed the finance and budget policies which had been distributed, and reviewed those items which had been changed as was recommended by Sandra Long, Accountant for the City. Following review of the proposed policies, Mayor Pro-Tem Bond made a motion to approve and to adopt as existing policies, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- c. Engineer Sweitzer reviewed the bids for the CDBG program, which would be sewer and water improvements on the Crest Drive and Gallman Avenue area, with a small street project in the Yarborough Street area. He stated the low bid would be from Jan R. Smith for the water and sewer portion for a net amount of \$302,638.50, with a street paving bid from M&M Contracting of Jasper in the amount of \$63,378.12. Following discussion and review of the Engineer's way to lower the water portion of the bid so that it comes within budget. Mayor Pro-Tem Bond made a motion to accept both bids as recommended by Engineer Sweitzer, and to authorize the Mayor to sign the contracts and other documents necessary thereto, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading of the ordinance change regarding municipal elections was given. Following review, Councilman McEntire made a motion to set a public hearing for August 14, 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. A 1st reading of the Beer Package License Request of Cindy Bockholt for 100 Fairmount Highway (53, East) for the store presently operated by Louie and Faye Worley was given. Mayor Pro-Tem Bond made a motion to set the public hearing for August 14, 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.
- c. Harrison stated that residents of the small cluster of houses located off of C.L. Moss Parkway had requested the City review and allow parking on the street inside the development since the driveways are short, and they do not have sufficient parking areas. Following review of street right-of-way dedication, that that particular street had not been dedicated to the City, and is presently operated as a private drive owned by the developer. Cornwell stated the street was 20 ft. wide in paved area, and should parking on the street be allowed, that it would not provide sufficient space for two lane traffic. The Council stated that these items would need to be considered when a street right-of-way dedication is proposed for that area.
 - d. A request had been made for Brooks Technical Service, Inc. for an additional \$5,000.00 payment in addition to the original \$10,000.00 which had been paid as a result of the original contract. Cornwell stated that he had requested additional work of Mr. Brooks and additional time had been spent for other areas, the time being effective since he had just received notification that the price of the SONAT tap would be reduced by \$76,000.00 as a result of a presentation that had been made by he and Mr. Brooks. Following further discussion, Mayor Pro-Tem Bond made a motion to allow the additional \$5,000.00 payment, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 - e. Following review of the proposed continuation of the nutrition contract with Coosa Valley Regional Development Center, Councilman Shelton made a motion to approve renewal of the contract in which the City furnishes the driver and van upkeep while Coosa Valley Regional Development Center provides the van and food for the program, 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. Councilman McEntire made a motion to adopt a resolution appointing the Election Officials for the 1995 City General Election, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
 - g. Following discussion, Councilman Palmer made a motion to affirm permission to the First Methodist Church to close the street between the church and the youth center from July 23, 1995 through July 26, 1995 from 6:30 P.M. to 9:00 P.M. each evening for Vacation Bible School. It was noted the two residents whose homes front on the street had given permission for the closing, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 - h. Harrison reviewed the year end budget to actual revenues and expenses for the General and Water-Power-Sewer Funds. She stated the projected revenues for the General Fund were \$8,804,896.00 with actual revenues received of \$8,611,381.62. The revenue projected for the Water-Power-Sewer Fund was \$29,258,529.00 with actual receipts of \$28,499,494.25. The total income for both funds projected at \$38,063,425.00 with actual revenue of \$37,110,875.87. The actual revenues received was \$952,549.13 under budget. Harrison indicated that both funds had projected withdrawals from reserves in excess of \$1,000,000.00. While these transfers did not take place, this accounted for most of the actual revenue

being under budget. The total projected expenses for all departments in the General and Water-Power-Sewer Fund were projected at \$38,063,425.00 with actual expenses of \$36,887,447.39. Harrison stated the expenses were under budget by \$1,175,977.61. She stated of all the departments, four of those were over budget stating the Recreation was over budget by some \$18,000.00 because funds to reimburse for playground equipment and ball park fencing had not been received during the year. Purchasing was over in salaries which were underestimated in the areas of overtime and supplies. The total amount over budget for purchasing was \$12,185.00. The School Board was over budget \$82,875.00 because a \$99,000.00 payment due in June, 1994 was delayed until July, 1994 by action. The Electric Department was over budget by \$272,817.00. This was due to an overage of salaries and benefits for approximately \$53,000.00, overage in legal expense \$49,000.00, overage in electric purchases \$91,000.00, supplies and capital over \$90,000.00. Harrison stated that there was an anticipated reimbursement due which had not been received during the year, but would be received during the next fiscal year of some \$26,000.00 in reference to the Walmart red light. Harrison stated the year had been a tight year in terms of management of funds, and she indicated that it would be necessary in the future to become even more proficient in managing and accomplishing more with less funds. She stated a report had previously been forwarded to the Mayor and Council, which indicated that the golf account was under budget by \$8,600.00 out of a budget of approximately \$1,000,000.00. She stated that all department heads were to be commended for watching their expenses and being aware of their budget limitations.

9. Other Written Items Not on the Agenda:

- a. Councilman McEntire stated that he was concerned with the condition of Piedmont Street and also with the fact that Reeves Street had not been re-opened for at least one way traffic, and that he requested the Mayor and Council visit DOT in person, and make a request for assistance on these two projects.
- b. Mayor Meadows asked the Council to review the City's policy regarding water line expansion policy. He also asked the staff to review the overhead/underground electrical policy, and to provide information to the Mayor and Council as to how this is handled with other cities in order for the Council to consider at a later date.

10. Director Cornwell's Work Report:

- a. Director Cornwell reviewed a water conservation plan which was submitted to the Mayor and Council. Following review of the proposed plan, Councilman Shelton made a motion to approve, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. Director Cornwell stated the well sites off Campbell Road were currently in a test pattern, and he would report more at a later date.
- c. Cornwell stated the grading on the soccer fields is continuing.
- d. Cornwell reported that he had additional water line expansion requests which would be reviewed.

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

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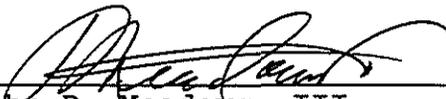
for legal matters, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

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

13. 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

