

AUGUST 28, 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 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 August 14, 1995 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows announced City Hall will be closed and city employees would be off for Labor Day, September 4, 1995.
 - b. Mayor Meadows stated that he had received a call from Bob Sosbee, who is the Chairperson for the new GMA Main Street Committee. Mr. Sosbee was informing the City that its first year of being designated as a Main Street City was about to be reached, and the City had failed to hire a Main Street Director as part of the requirements of the designation. He stated it is imperative that a director be hired in order for the City to maintain that designation. The Council discussed the matter stating it was important to have some input and direction from the downtown merchants and property owners, and from the Downtown Development Authority Board. The Council asked that a special called meeting of the Downtown Development Authority be set, and this matter reviewed in depth, not only by the Downtown Development Authority Board Members, but also the downtown merchants.
 - c. Mayor Meadows congratulated members of the United Way for their unity walk on August 24, 1995, which was a great success.
 - d. Mayor Meadows reminded the Council of the Special Called Council Meeting on August 29, 1995 at 9:30 A. M. regarding an executive session with its Attorney's.
 - e. Mayor Meadows congratulated Larry Harmon on being selected as the new City School Superintendent.
 - f. In a report from the Golf Advisory Commission, Harrison noted the first month of the new Fiscal Year produced above budget revenue figures and expenses being under those budgeted, with a positive cash flow exceeding the budget. Harrison also reported the Advisory Commission had recommended an ad for the snack bar operations to be posted in the legal organ during the month of September for the 1996 snack bar operations.
 - g. In a request for Mayor Meadows as to an updating on the current activity on updated the zoning ordinance and zoning policies, Attorney Bailey stated that he and Adminsitrator Harrison had been exchanging information,

and were working to develop a short process and a combined a process if possible. He stated he anticipated having the draft formats ready for the Mayor and Council to review a short time prior to September 11.

5. Public Hearings & Comments:

- a. A 2nd reading of the loan application of Donna's Hallmark, Inc on W.C. Bryant Parkway for \$260,000.00 for approximately eight jobs, excluding the Blimpies operation was given. A 2nd reading on the loan application of Blimpies of Calhoun, Inc. on W. C. Bryant Parkway for \$100,000.00 for eight jobs to be created was given. Public Hearings on both applications were opened with the Loan Advisory Commission recommending that in keeping with the number of jobs associated with the amount of funds to be loaned, that they would recommend a total loan of \$200,000.00 to one or both of the corporations combined, with the loan of \$200,000.00 not to exceed five years, if secured by personal endorsement, but with the possibility of being extended to ten years if it is secured by a first mortgage on the real estate and a personal guaranty if in a corporate name. Harrison stated she had reviewed the recommendations of the Loan Advisory Commission with Mr. Larry Thomason, and his preference would be to borrow the full \$200,000.00 in the name of Donna's Hallmark Shop, Inc. for a ten year period secured by a first mortgage on the real estate, and with a personal guaranty from himself. Mayor Pro-Tem Bond made the statement that the financial statements submitted would back up the application request. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve a \$200,000.00 loan to Donna's Hallmark Shop, Inc. for a ten year period to be secured by first mortgage on the real estate and a personal guaranty of Larry Thomason, with the estimated sixteen plus jobs to be created through the loan process, 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 rubbish and collection ordinance amendment was given, and a public hearing was opened. The Council discussed the process of bagging leaves. Harrison stated the current ordinance contained that language, however, the City's street cleaning machine presently has the capability of vacuuming leaves, and is used in many areas. Following further discussion, the Council left that option available for collection by either method. However, the Council did ask that tree limbs be amended to include those not over six inches in diameter or longer than five ft. in length in order for those to be fed into the grinding machine. 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 the ordinance amendment, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. Ms. Theo Wick of 702 North Wall Street stated that she wished to address the Council about a mosquito problem at her home. She stated that she has been plagued with the problem for the past three years, and that she is certain the type of mosquito is the Asian Tiger Mosquito which remains within 1,500 ft. of its breeding habitat. She stated that she is convinced the breeding habitat for the mosquitos is the tire store located close to her property. She stated she asked the owner approximately three years ago to remove the tires to eliminate the

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problem, and it was not done at that time. She stated she had been working with Mr. Wiley Moore of the City for the past few weeks, and he had obtained a promise from the tire store owner that he would remove the tires, but to this date only a few had been removed. She recommended to the Mayor and Council that they attempt to obtain services from the entomologist from the University of Georgia to review the area, and to determine exactly the type, and where the mosquitos are breeding. Harrison stated she had attempted to contact Mr. Steve Mortacus, however, they have played telephone tag for the past couple of days, and have not been able to make contact. She stated that she would contact Mr. Mortacus regarding the possibility of obtaining services through the University of Georgia at no cost. Ms. Wick stated she had also requested assistance from the County Health Department, and hopefully Mr. Causby will review the area, and give her some response within the next few days. Mayor Meadows asked that Ms. Wick ask Mr. Causby to make that information available to the City, and they would use that as a basis for determining if they have sufficient grounds for a nuisance complaint regarding the tire situation.

6. Old Business:

- a. Mayor Meadows asked the Council to continue discussion on the aspect of public vs. private garage ^{garbage} service for residential services in the City. The spokesman George Paturalski for BFI stated the company would add a cap of 4% to the CPI, which would be used annually on the pickup price per customer. The Mayor and Council and staff asked questions regarding the proposed contract and services. These questions regarding service, contract wording, replacement of cans, existing recycling collections and etc. Mr. Paturalski stated existing recycling services would not be affected. Following those questions and answers, Mayor Pro-Tem Bond made a motion to move forward with a private garbage service collection for residential customers from BFI at the proposed rates for a five year contract subject to final approval of the contract to be reviewed by the City Attorney, City Administrator, and Director Utilities/Public Works, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- b. 2nd readings of the Amusement License Requests were given:

- 1. Larry Clark - Triangle Grocery - 101 Newtown Road for four amusement machines.

Following the reading, Councilman McEntire made a motion to approve, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- 2. Sidney Abernathy - Dairy Queen - 288 Highway 53, East for three amusement machines.

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

- c. Harrison stated the city general election would be held on November 7, 1995 at the Calhoun voting precinct, with the first day of qualifying being September 11, 1995 at 8:30 A.M. and the last day of qualifying being September

15, 1995 at 4:30 P.M.

7. New Business:

a. Harrison stated the Police Department currently has three vehicles which it recommends be declared surplus property, and made available for a quick sale. One other vehicle is also proposed for declaration of surplus property and for quick sale, this being the former police vehicle which has been used for the past year by Eddie Peterson. The four vehicles being listed as:

1. 1989 Ford Crown Victoria four door - 133,726 miles - VIN No. 2FABP72GOKX196667.
2. 1991 Chevrolet Caprice four door - 134,529 miles - VIN No. 1G1BL5475LA137091.
3. 1988 Ford Crown Victoria four door - 140,108 miles - VIN no. 2FABP72G2JX174992.
4. 1989 Ford Crown Victoria four door - 150,250 miles - VIN No. 2FABP72GOKX196668.

Following discussion, Councilman Shelton made a motion to declare all four vehicles as surplus property, and to authorize for quick sale, 2nd by Councilman palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

b. The Council reviewed a request by Bill Roberson to extend the sewer line extension contract for the area on Highway 53, East for an additional ten year period until November 1, 2005. The original contract which provided for cash payment of Bill Roberson in the amount \$125,000.00 with \$45,000.00 for Shepherd's connection fee with \$80,000.00 eligible for reimbursement at a rate of 75% of connection fees paid from other sources. Harrison stated to date, two payments have been made to Bill Roberson, one being from Fitzgerald or Texaco, and one being from Gosain Enterprises, with the contract having a current balance outstanding of \$31,250.00. The Council discussed special contracts of this nature. The Council asked the matter be held until September 11, 1995 at which time, a review of how other governments within our area handle development rates and policies should be available for the Mayor and Council prior to that date.

c. Following review of a proposed ordinance honoring Roland Hayes and recognizing an erection of a historical state marker which will be placed at the Civic Auditorium in honor of Roland Hayes, on September 19, 1995, Councilman McEntire made a motion to adopt a resolution regarding this matter, 2nd by Councilman Palmer, with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

d. Heilig-Myers made a request to set up a tent on approximately 16 parking spaces in the public parking area north of the library and across from their store. The use of said parking spaces would be for a special sale to be held on September 22 and 23. Harrison stated the City currently has an ordinance which states that peddlers and solicitors may use one parking space of a public parking lot, but it does not refer to the use of this many spaces by any one vendor. Following discussion as to the precedent this request would set, Mayor Pro-Tem Bond made a motion to deny the request, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively to deny, motion carried.

e. A first reading of a Beer/Liquor Pouring License Request of the former OMP & Trust, Inc., d/b/a The Brangus Cattle

Company, Curt Lucas, Managing Partner on Highway 53, East to be changed to the name of S.G.P., Inc., d/b/a Brangus Cattle Company, Curt Lucas Managing Partner, the request being made to change the name since the State registration could not grant the original name because of duplication. Councilman Palmer made a motion to set the public hearing at the earliest possible date within the guidelines of the ordinance for October 9, 1995 at 7:00 P.M., 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

8. Other Written Items Not on the Agenda:

- a. In reference to a request for a \$500.00 one time donation to be made to the Rural Water Commission to aid in the purchase of their office facility, the Council asked for input by Water Plant Superintendent Estes Pass, and asked that the matter be held until September 11, 1995.
- b. Harrison stated with aid of two of the local industries, a preapplication could be filed with ARC for \$300,000.00 coordinated with a GEFA loan of \$700,000.00 at 5.3% through the Georgia Environmental Facilities Authority to be used in the City's efforts to secure additional water supply for the City's water system. Harrison stated that if the preapplication was successful, a full application could be completed at a later date. She stated the process would take approximately one year, and if circumstances change, and the project wasn't needed, the City would be under no obligations to accept. Following review, Councilman McEntire made a motion to adopt a resolution approving the ARC Grant Application and the GEFA \$700,000.00 loan application, and authorizing Mayor Meadows to sign each, 2nd by Councilman Shelton with Councilman McEntire, Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. Director Cornwell stated the well which has been drilled on the property purchased off Campbell Road had cleared up, and the City was ready to proceed with a second well on the second site which had been purchased. He stated the contract with Miller Drilling Company included this well, and he asked that it be authorized and a Notice to Proceed be issued. Following discussion, Councilman Shelton made a motion to approve and authorize the Mayor to sign the Notice to Proceed, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- d. Councilman Palmer made a motion for a first reading to amend the Mayor's salary to the current level of \$1,200.00 per month which presently includes Court Recorder and Mayor's salaries, which would in effect be no increase. The pay for Councilman would be increased from \$300.00 to \$400.00 per month, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.

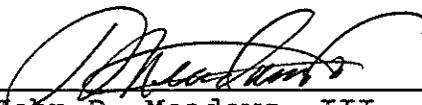
9. Director Cornwell's Work Report:

- a. Director Cornwell stated the development rates and policies which would be a study of the surrounding areas and their current rates and policies should be available prior to the next Council Meeting.
- b. Cornwell stated the grassing was almost complete at the soccer complex, as was irrigation.

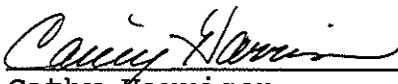
- c. Cornwell stated the City continues to work on the substation site, however, a reference by DOT of the Highway 41 North Road Project remaining to be listed under the one way pair project. This could be a problem regarding the proposed sale of the site to MEAG. Mayor Meadows stated that DOT Board member, J.B. Langford, had asked Mayor Meadows to set up a meeting in Atlanta for he and the Council to meet with Mr. Shackelford, and to review the City's plan of action over the next few years. Mayor Meadows stated that in addition to its discussion on Piedmont and its repaving request, the MEAG substation site should be discussed with Mr. Shackelford and other board members.
 - d. Director Cornwell stated Bob Agee had requested a telecommunications briefing to be set up on September 12, 1995 at 9:00 A.M. at the conference room on West Line Street. This would be for the Mayor and Council and for the staff. The Council concurred for the information meeting.
 - e. Director Cornwell discussed the proposed letter of agreement for the gas company, and asked the Mayor and Council to review the approved service agreement which could be presented to proposed industrial customers when the staff will be meeting with over the next few weeks. Mayor Meadows stated that he had met with members of the Atlanta Gas Light Company on Friday of last week, and had met on August 28 with Charles Bass, a Vice President of Atlanta Gas Light Company. He stated he wished for the Council to be aware of all the pitfalls of entering into the gas service business. Following further discussion, Councilman McEntire made a motion to approve the service agreement subject to the City Attorney's approval, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
10. Mayor Pro-Tem Bond made a motion to move to Executive Session for legal and real estate matters, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
11. 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.
12. Councilman McEntire made a motion to adjourn, 2nd by Mayor Pro-Tem Bond, with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator