

SEPTEMBER 11, 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 called the meeting to order; welcomed everyone, 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 28, 1995 Regular City Council Meeting, and the August 29, 1995 Special Called Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the public hearings scheduled for October 9, 1995: (1) Beer and Liquor Pouring License Request of the former O.P.M. & Trust, Inc, d/b/a Brangus Cattle Company, Curt Lucas, Managing Partner to be changed to the name of S.G.P., Inc. d/b/a Brangus Cattle Company, Curt Lucas, Managing Partner; (2) Public hearing on the Zoning Amendments to the Ordinance and policy adoption.
 - b. Mayor Meadows reminded the Council of the Special Called Council Meeting to be held on September 12, 1995 at 9:30 A.M. regarding telecommunications research and recommendations of Robert Agee.
 - c. Mayor Meadows reminded the Council of the Special Council Meeting set for September 18, 1995 at 9:00 A.M. to set the 1995 Tax Millage for the City and City School Board.
 - d. Mayor Meadows reminded the Council of the dedication on September 19, 1995 at 10:30 A.M. for the state marker to be dedicated in the memory of Roland Hayes at the Civic Auditorium.
 - e. Mayor Meadows reminded the Council of the joint meeting of the Downtown Development Authority and the Council and interested merchants regarding the Main Street Program on September 14, 1995 at 7:00 P.M.
 - f. Gene Kostreba requested the Mayor and Council grant permission for a block party to be held in Thornwood Subdivision, which would partially block the street in front of three homes, but which would allow residents of approximately 40 homes to have a community block party which would involve adults and children, with no alcohol, but games and discussion of their subdivision. The street, part of Shadowood, would be blocked from 6:30 P.M. until 10:00 P.M. Mayor Pro-Tem Bond made a motion to approve the block party for September 16, 1995, with partial blocking of Shadowood, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

5. Council's Comments:

- a. Mayor Pro-Tem Bond stated the Street Department had been doing work at the new soccer field; excavation work at the water plant; preparing the site for a number four substation; and patching city streets.
- b. Councilman Shelton stated in August, 1995 the Police Department made 262 arrests of which 15 were DUI. They collected \$17,833.00 in fines, issued 281 parking tickets, and 191 warning tickets. They worked 102 accidents, provided 106 escorts, and answered 137 burglar alarms. He stated the Fire Inspection Department had 50 inspections during the month of August, 1995.
- c. Councilman McEntire stated the Water/Sewer Construction Department made 81 water taps and 11 sewer taps in the month of August. He stated they installed 500 ft. of two inch PVC water line; 2,449 ft. of four inch PVC water line; and 430 ft. of eight inch sewer line. He stated the Water Treatment Plant pumped a daily average of 13.057 million gallons during the month. He stated the Waste Water Treatment Plant treated a daily flow of 10.089 million gallons per day, with the BOD effluent being 15; average suspended effluent 24; and average COD effluent 124.
- d. Councilman Palmer stated during the month of August, 1995 the Electric Department sold 28,485,837 KWH of electricity to a customer base of 3,833. He stated they installed 101 meters and gave 41 permits. He stated the Building Inspector issued building permits for six new residential houses at a building cost of \$635,000.00; one new commercial industry for \$30,000.00; and one industrial addition for \$620,500.00.

6. Public Hearings & Comments: None

7. Old Business:

- a. Mayor Meadows reviewed, once again, a request from the Rural Water Commission for a one time donation of \$500.00 to be used to pay for the office building for the Rural Water Commission. Mayor Meadows referred the Council to a state statute which stated the cities could not make this type of donation without legislative action by the State. The Mayor asked that the Rural Water Commission be contacted in regard to this matter with our response.
- b. The Mayor and Council discussed a recent notice from the State Main Street Director, Mary Thomas, regarding the City's obligation to hire a Main Street Director within the first year of being named a Main Street City. Mayor Meadows stated the City would be named a Main Street City one year effective October, 1995. Councilman McEntire stated that he is disappointed that there has not been sufficient support from the downtown business owners and merchants to assist with the cost of employing a Main Street Director which will be dedicated primarily to the downtown area. Councilman Palmer stated that he felt a Main Street Director would bring organization to the downtown, and would get people involved in the program. Mayor Pro-Tem Bond and Councilman Shelton stated that it would be difficult to get a program going if there was not support from the downtown area. Following further discussion, Councilman McEntire made a motion to hire a part time Main Street Director, in order to preserve the Main Street designation, with the understanding that efforts will be made to fund a full time director with the aid of funding from the downtown merchants and business owners, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor

Pro-Tem Bond voting affirmatively. The Mayor asked that his vote be recorded for the action. The motion was approved.

- c. Harrison stated the City of Calhoun currently has six firms of doctors or individual doctors listed on its worker's comp. list, however, of those, one has retired, two are retiring, and two have moved from this area. Following discussion, Harrison stated she would recommend that Dr. Gerald King, Dr. Will Theus; and Dr. Ed. Rojas be named in addition to Owassa Family Medicine and the Bishop Firm as City worker's comp. doctors. Following discussion, Mayor Pro-Tem Bond made a motion to approve the recommendation and to list these doctors as the City's worker's comp. doctors (Owassa Family Medicine, Bishop Firm, Dr. Will Theus, Dr. Gerald King and Dr. Ed Rojas), 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- d. A 2nd reading of the ordinance amendment to amend the pay schedules for elected officials, effective January 1, 1996 was given. The Mayor asked for comments, and there were none. Councilman Palmer made a motion to waive the 3rd and 4th readings and to approve, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman Shelton, and Councilman McEntire voting affirmatively, motion carried.
- e. Director Cornwell and Eddie Peterson presented a study of some thirteen North Georgia water systems regarding connection fees, water and sewer cost, and development cost. Director Cornwell asked that each elected official review and discuss the study further at the next Council Meeting in order to develop the rates and fees for the City's development and connection cost.
- f. Mayor Meadows re-opened the discussion on the Bill Roberson request to extend the development contract in which Bill Roberson is asking for an extension of an original agreement involving \$125,000.00 paid by Bill Roberson with a refundable portion of \$80,000.00 over a ten year period from 1985 until November 1, 1995. At the present time the balance of the refundable portion is \$31,250.00. Attorney Bailey stated that he had reviewed the matter from a legal standpoint, and finds the matter to be a discretionary act by the Mayor and Council. Bill Roberson stated that his original request was to renew the agreement for 10 years, however, he would be willing to drop the request to a three year period. Following review of the situation, Mayor Pro-Tem Bond stated that the funds paid by Mr. Roberson for the extension 10 years ago had been beneficial both for Mr. Roberson and for the City of Calhoun, and that he would be in favor of the extension request. Councilman Palmer stated that he too understood the situation, however, he would like to see a maximum of no more than three years for any situation in the future in which this might be used as a precedent for extensions. Mayor Meadows stated that he felt the development cost which are currently being studied and reviewed by the City could include any language regarding maximum extensions or no extensions at all. There was no further discussion, and Mayor Pro-Tem Bond made a motion to extend the agreement for three years, with a maturity of November 1, 1998, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

Ord. No. 573

8. New Business:

- a. A first reading of the Pawn License Application for PCI Capital Corp., d/b/a Pawn Mart to be located at 121

Highway 53, East was given. It was determined the property was the former West Chrysler Building on Highway 53, East. Jerry Sapp, with the Police Department stated the Police Department is currently getting requests for police checks on individuals who would be working in the Pawn Mart, and if approved this would be a very large operation by a corporation from Texas. Mayor Meadows set the 2nd reading for September 25, 1995, however, the September 25 meeting was changed to September 18, 1995 at 9:00 A.M., City Council Chambers.

- b. A request was made by the City Police Department to purchase \$1,850.00 of investigative equipment which is not presently in the Police Department budget. The request is proposed to be funded through the Special Police Fund No. One, which is derived from funds awarded by the Court, and which must be used for capital expenditures only. Following further discussion, Councilman Shelton made a motion to authorize the purchase, and to fund from the Special Police Fund No. One, 2nd by Councilman Palmer, with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. A request from TVA for the City to consider dedication of a strip 45 ft. wide and 335 ft. long off Belwood Road near the Southwood Apartments. The strip would be deeded from the owners, Bill Mathews and Marvin Taylor, with TVA having an easement, however, the City would be able to use the strip for water, sewer, electric and telecommunications extensions on the property. Following discussion by the City Attorney, Kelly Cornwell, Harrison and the Council asked TVA to be notified to present a Deed of Dedication to be considered at a later meeting.
- d. Attorney Bailey gave a first reading to the Zoning Ordinance Amendments and Policies. Mr. Bailey reviewed the proposed changes in the ordinance as it relates to zoning and policies on conducting meetings, as well as, review of the City's current standards which are used to determine zoning choices. George Odom from Idle Acres Subdivision stated those things outlined in the proposed changes are some of the items that he and other members from the Idle Acres Community had asked for. Ms. Schaeffer, also of the Idle Acres Subdivision, asked if there would be any weight assigned to the individual standards which would be used by the City. Attorney Bailey stated there would not, since circumstances would be different based on location and other factors. In response to another question by Ms. Schaeffer, Attorney Bailey stated that former rules of evidence will not apply in matters brought by citizens in order to make it easier for individual citizens to make their thoughts and wishes known regarding various zoning choices. Attorney Bailey stated that in order for the ordinance amendments to be fully explored, and for the best decisions to be made, that he would recommend at least four readings in order to get full input from the community. Following further discussion, Councilman McEntire made a motion to hold a public hearing on October 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.

9. Other Written Items Not on the Agenda:

- a. Mayor Meadows stated that a voting delegate for the business session on October 6, 1995 would need to be appointed for the GMA Fall Legislative Meeting. He stated he would be leading the program, and it would be necessary for another Council member to be made the

voting delegate for Calhoun. Following discussion, Councilman Shelton was appointed.

- b. Following discussion as to the inability of the Mayor and Mayor Pro-Tem to attend the September 25, 1995 Council Meeting, Mayor Pro-Tem Bond made a motion to reschedule the September 25, 1995 regular Council Meeting until September 18, 1995 at 9:00 A.M., in which the millage would be set in addition to other items for the Council Agenda, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
10. Director Cornwell's Work Report:
- a. Kelly Cornwell distributed a summary of a study provided by Piedmont Olsen Hensley regarding the possible directions the City could move in terms of the proposed plant expansion, which would cost approximately \$9,000,000.00 including engineering cost. Following discussion of the process to finalize the decision, Mayor Meadows stated that he felt it would be necessary to meet once again with industry to let them know the review and consideration that had been given this question by the elected officials, and that he would ask that a decision of this magnitude be made at the October 9, 1995 meeting. Harrison was asked to work with the state officials in reference to holding proposed funding through an SRF loan until October 10, 1995.
11. Mayor Pro-Tem Bond made a motion to move to Executive Session for personnel and legal matters, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
12. A motion was made by Councilman Palmer 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 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

