

OCTOBER 9, 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 ADMINISTRATOR

1. Mayor Meadows called the meeting to order, welcomed the group and gave the Invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the September 18, 1995 Regular/Special Council Meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Meadows expressed appreciation to the citizens of Calhoun for their cooperation and patience in restoring utilities and order following the winds and rains of "Opal".
  - b. Mayor Meadows announced that the City will continue to pick up debris, brush, limbs and trees from "Opal" over the next two weeks, and asked that residents place the debris behind the curb, at the street. He stated there would be no charge and no limit. Mayor Meadows also took the opportunity to express appreciation to the County Officials for waving the brush and limb and debris landfilling charges through the latter part of the month.
  - c. Mayor Meadows stated that in keeping with the Municipal Election Codes, the City will have a voting machine placed at City Hall to demonstrate the use of the machine between now and the November 7, 1995 Election.
  - d. Mayor Meadows stated that a review had been made of the complaints regarding the large garbage cans for the downtown area, and these complaints and problems have been reviewed, and possible suggestions and alternatives made for those retailers. Mayor Meadows asked for comments from George Paturalski of BFI. George stated that he had visited each retailer in the downtown area with Kevin McEntire of the City's Sanitation Department. He stated the options which were available seemed to be palatable to most of the retailers, and at least one of the options seemed to be suitable to most of the downtown merchants. He said that he felt the options, those being for the merchants to use bags; to use a smaller can, which would go through interior doors; or to use a dumpster which would be provided with charge. Also the fact that the City was willing for two additional units to be placed in the alleys in addition to the ones in the parking lot for boxes to be stored for later pickup, seemed to address most of the problems of trash in the downtown area.
  - e. Mayor Meadows stated that he and Councilman Shelton had attended the GMA Pre-Legislative Meeting in Jekyll Island, last Wednesday, Thursday and Friday. He stated there were changes in the process of the meetings, and it seemed to work quite well. He stated there was legislation which would be very important to Cities and

Counties in the upcoming term of the legislature. He stated one of the priorities would be an additional two cents per gallon on gasoline, which would come to cities and counties for upgrading roads. He stated that cities and counties would oppose local option sales tax for schools, unless there would be an equal opportunity for use of funds by all parties. He stated also, that he had a chance to meet with Rusty Paul and John Blackmon, representatives of the Republican and Democratic parties.

- f. Mayor Meadows stated that United Way had asked for permission to block Court Street to Park Avenue on October 30, 1995 from 7:00 P.M. until 9:00 P.M. for their United Way "Ho Down". Following these remarks, Councilman McEntire made a motion to approve the closing for that date, October 30, 1995 from 7:00 P.M. until 9:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

5. Council's Comments:

- a. Mayor Pro-Tem Bond stated the Street Department continued to work on the soccer fields, Sub-Station Four, mowing and clean-up at the airport. He also expressed appreciation to the Street Department and Sanitation Departments for their work during the immediate aftermath of "Opal", and their continued efforts to pick up the brush, limbs and leaves.
- b. Councilman Shelton stated the Police Department made a total of 326 arrests in September, 1995 with 16 being DUI, and collected \$24,563.00 in fines. They worked a total of 164 incidents, provided 77 escorts, and answered 123 burglar alarms. He stated there were 55 fire inspections during the month of September, and the Fire Department answered 35 calls. Councilman Shelton stated that he agreed with Mayor Meadows that the meeting was a good meeting at Jekyll, that the format worked well, and that one of the primary interests expressed in his group meeting was that of opposition for the Police Bill of Rights in the Justice Committee.
- c. Councilman McEntire stated the Water/Sewer Construction Department made a total of 31 water taps and three sewer taps in September, they installed 5,980 ft. of two inch PVC water line and installed 610 ft. of six inch PVC water line. He stated the Waste Treatment Plant treated an average daily flow of 9.31 million gallons per day with the BOD effluent being 16, average suspended effluent being 28, and the average COD effluent being 147. He stated the Water Treatment Plant pumped a daily average of 12.785 million gallons of raw water. Councilman McEntire also made a report on the Depot, stating that Mr. Michael Wroble had reported to the City Administrator that he was currently having a delay because the restaurant operations which were to be handled by the current manager of the Dalton Depot Restaurant, had health problems which might delay or make it impossible for him to follow through on his request. Councilman McEntire stated that it is imperative that some preservation work be done on the building, in order for it to be secure from weather during the winter. He stated those items being to pour the floor and install the windows and doors. He stated the City had approximately \$70,000.00 in their immediate budget, and he would recommend that this work begin in order for the building to be secure for the winter months. Mayor Meadows expressed his appreciation to Councilman McEntire for being willing to take on the project. Councilman McEntire stated that he would recommend that any member

of the General Public who might have an interest in leasing the facility for either a restaurant or retail activity to contact the City Administrator, or other City Officials regarding their interest.

- d. Councilman Palmer stated the Electric Department sold 33,169,305 KWH of electricity in September to a customer base of 3,782. They provided 92 inspections, issued 20 permits and set six meters. Councilman Palmer also thanked the Electric Department for their dedicated efforts in restoring power as promptly as possible during the aftermath of "Opal". Councilman Palmer also stated the Downtown Development Authority had received a total of 24 timely applications for the part time Main Street Director, that six had been initially selected for interviews, and those would be held at the latter part of October. Councilman Palmer stated the following regarding Building Inspection permits issued during the month of September: Four New Residential in the amount of \$385,000.00; and Five New Commercial in the amount of \$495,600.00. Councilman Palmer also stated the Airport Authority had met recently, and had the results of bid proposals, which had been forwarded to all four of the local banks, asking for their proposals regarding borrowing of \$218,000.00 for 14 T-Hangars to be built on airport property, with an approximate pay back period of 18 years. Said payback to be a result of rent for the T-Hangars. Councilman Palmer asked the Airport Authority Chairman to address this matter. Butch Layson stated the Airport Authority Board is presently completing the parallel taxiway, and as a part of that parallel taxiway, it was necessary for the existing T-Hangars at the airport to be torn down and moved. He stated those hangars were in excess of 25 years of age, and it was not possible for them to be relocated, making it necessary for new T-hangars to be built. He stated the Airport Authority had taken proposals, and would be accepting an offer very shortly, however, it would be necessary for the City and County to endorse the borrowing, since the Airport Authority has a very minimum cash flow, and a very small financial statement. He stated this would be one method that the Airport could possibly have revenue in the future, since the life of the T-Hangars is estimated at 30 years, and the life of the debt service would be approximately 18 years, therefore, there would be some years of possible revenue for the Airport Authority in which they could use to support an Airport Manager. Following the discussion, the Council stated that they felt that at the appropriate time, they would have no problem supporting their efforts, however, it would need to be worked through the City/County Attorneys, and they would like to see the County involved in the project as well.

6. Public Hearings and Comments:

- a. A complete 2nd reading of the proposed changes to the City of Calhoun zoning regulations was given. A public hearing was opened. A part of the review consisted of the standards which would be adopted for the Zoning Ordinance, with the Council selecting one of those proposed by the City Attorney and City Administrator as Option B (Guhl). Following review, Mayor Meadows stated the hearing and discussion would be continued on October 23, 1995 at 7:00 P.M.
- b. A 2nd reading of the Liquor and Beer Pouring License Application of S.G.P., Inc. d/b/a Brangus Cattle Company, Kurt Lucas, Managing Partner was given. A public hearing was opened with a clear police report, and with a notice

from the Administrator that the sign indicating the public hearing had been posted. There were no other comments, and the hearing was closed. Councilman McEntire made a motion to approve the request, 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. Mayor Meadows asked Engineer Wynne Grubbs of Piedmont Olsen Hensley to review the options at the Sewer Plant. Engineer Grubbs stated the plant is biologically loaded at this time. He stated the firm had reviewed the possibility of an equalization pond, which must be very large in order to accommodate the volume that is generated primarily by industry during the peak days of Tuesday, Wednesday, Thursday and Friday. He stated the cost was in excess of \$5,000,000.00, however, based on the reporting requirements of the State, the City is equalizing at this time, since its peak days are offset by the low flow days of the weekends. He stated this was not a cost effective option.
- b. He reviewed the cost of inflow infiltration work, however, the City at this time has budgeted a crew to work constantly in this regard, and that this will provide some reduction in the in flow infiltration, however, he stated that if the City were to take this as an option to issue debt to work in an effort to reduce its BOD's and forestall a plant expansion, that it would not be cost effective, and would not have the desired results needed. Charles Miller of Multitex asked what the City is currently in violation of. Engineer Grubbs stated the City is currently in violation of daily flows and organic loading. Mr. Miller stated that he would like for it to be recognized that all BOD's do not create sludge, with Engineer Grubbs agreeing on that point. Kelly Cornwell stated the City currently has an average of 41,000 pounds average over a seven day period, and on a five day average, it is over 47,000 pounds. He stated that if the City is in violation two consecutive months for any violation of its permits, then it is subject to fines or other action. He stated this has happened recently. Engineer Grubbs stated the pre-treatment by industry would be approximately \$2.00 per gallon plus operating cost, full treatment is over \$3.00 per gallon. He stated one option open for the City to look at in terms of delaying plant expansion, would be to ask industry to pretreat. Charles Miller stated that his company is in compliance with the City's existing sewer ordinance, and that he did not feel it was fair for his company to be charged a higher industrial rate as did Dale Bently of Bently Dye. He stated in his estimation, there were three areas that the City should address: one being to stop inflow; to build a ten acre holding pond with a clay liner which would hold 20 million gallons for 48 hours, which would lower the BOD's; or phase in expansion to some level. Mayor Pro-Tem Bond stated that he as a Councilman was concerned about the additional debt. Members of Mydrin stated that their pre-treatment that they are presently doing at their plant, cost them approximately \$125,000.00 per year. Dale Bently stated that in a recent meeting with Carriage, that they expressed to him that they are presently pre-treating, and are still not in compliance with the City's existing sewer ordinance. Mr. Bently stated that through chemicals and other methods, that he is currently in compliance, and he also feels that it is unfair for him

to be assessed a price increase, when he is in compliance. Dave Milton of Fafnir stated that he and other members of his company had discussed solid waste management with state officials at their plant, and following those discussions, had spent approximately one million dollars to pre-treat prior to discharge to the City's sewer plant. He stated from what he understood, the state would continue to encourage industry to pre-treat prior to discharging into the City's sewer treatment facility. Joe Yarborough of Mohawk stated that his company had reviewed the situation, and that based on all the factors, that they would support the plant expansion as a viable option for the City to follow. Dale Bently asked that if expansion is needed, would bonds be more appropriate since they could be assessed over the County. Mayor Meadows stated that although the City has its water systems throughout the County, its sewer system is within the City, and that it would be necessary for the debt to be paid only by those customers being provided that service. He stated the current funds available for the City to use are SRF funds with a four percent rate, and this rate would be lower than those of a revenue bond issue, which are still tied to the service, with debt service being paid from revenues from the sewer plant only. Mayor Meadows stated that it would be necessary for the City to make a decision by the 23rd, however, he did not feel the Council had enough information at this time to make their decision, and it would be held until that date.

b. Harrison gave an update on the City General Election to be held on November 7, 1995 reviewing candidates for the various posts, those being:

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| 1. Mayor                       | John D. Meadows, III                            |
| 2. Council Post 1              | Ray Mitchell Denmon<br>George Odom<br>Ron Woods |
| 3. Council Post 2              | Kenny Herron<br>Paul McEntire                   |
| 4. City School Board<br>Post 4 | Al Edwards                                      |
| 5. City School Board<br>Post 5 | George Crowley                                  |

She stated a voting machine would be available for individual citizens to review, and learn more about the operation of the machine. She also stated the machine that would be posted at City Hall would be used for training purposes for poll workers for the November 7, 1995 Election. Harrison also stated that since October 9, 1995 was a holiday, that voter registration had been extended through October 10, 1995.

8. New Business:

- a. Mayor Meadows reviewed the Deed of Dedication Request for Timber Ridge Subdivision, and for Wexford Subdivision. He stated the paper work had been reviewed and approved by the City Attorney, and Director Cornwell approved the construction. Following further discussion, Councilman Shelton made a motion to approve the Deed of Dedication and to record for transfer of title for street ownership in the Timber Ridge Subdivision, and also in the Wexford Subdivision, 2nd by Mayor Pro-Tem Bond with Councilman

- Shelton, Mayor Pro-Tem Bond, Councilman McEntire, and Councilman Palmer voting affirmatively, motion carried.
- b. Harrison reviewed the City map, which had been color coded by the City Fire Department, and which includes all the zoning changes and all annexations up through December 31, 1994. Following review, Councilman McEntire made a motion to approve city map as the city's official zoning and annexation map, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
  - c. With unanimous consent of the Mayor and Council, the first reading of the Soil and Sedimentation Ordinance Amendment was dispensed with, however, Mayor Meadows read the title of the proposed ordinance amendment, and asked that for the second reading, the ordinance draft be color coded to indicate those items which were new or changed, and those items would be the ones which would be read. Councilman Shelton made a motion to set the public hearing for October 23, 1995 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
  - d. A first reading of the ordinance amendment regarding the City's building codes and etc. was given by Mayor Meadows. Following the reading, Councilman Palmer made a motion to set the public hearing for October 23, 1995 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, Councilman McEntire and Councilman Shelton voting affirmatively, motion carried.
  - e. In reference to a request by the Tour of Homes Group to allow banners to be hung across city streets, and in review of our current policy which disallowed this because of possible accidents, Mayor Pro-Tem Bond made a motion to deny the request, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman McEntire, and Councilman Palmer voting affirmatively, motion carried.
  - f. Harrison provided a horseshoe with a type of skid proof application called barium, which is used in many areas as an alternate to, rubber shoes which are more expensive. She stated several of the horse enthusiasts in the area asked that the City make this consideration which would be more cost effective for those people who wished to participate in parades, and with this information, and with the review of Larry Phillips of the product in question, she asked that the Council consider amending its parade policy to allow this change. Following discussion, Councilman McEntire made a motion to amend the parade policy, 2nd by Councilman Shelton with Councilman McEntire, Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried. Mayor Meadows recognized Sam Thomas in the audience, who was the originator of the Farm City Week and Farm City Parade.
9. Other Written Items not on the Agenda:
- a. Mayor Meadows stated that December 13, 1995 would be the date for the Mayor's Motorcade to Northwest Regional Hospital, and he encouraged the news media to advertise this date, and to encourage local citizens to give generously for those hospitalized at Northwest Regional Hospital. He stated the City would be a collection point for those gifts.
  - b. Mayor Meadows read a proposed resolution regarding the cable company of Scripps Howard. Following review, Councilman McEntire made a motion to adopt the

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

- c. Mayor Meadows gave a first reading to a proposed ordinance which deletes the old retirement plan as listed in the 1918 charter for the City of Calhoun, since all those employees who selected to remain under that plan in 1981, have gained their 30 years, and are fully qualified for that plan at this time. Councilman Palmer made a motion to set a public hearing on the ordinance amendment for October 23, 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.

10. Report of Director Cornwell:

- a. Director Cornwell stated in his estimation, the work crews of the City Street Department, Fire Department, Police Department, Electric Department, and Water/Sewer Construction Department had all responded quite well to the "Opal" aftermath, and he commended each one.
- b. Director Cornwell stated the City's efforts to begin an industrial gas system had not been successful primarily due to the fact that all of the City's proposed plans were reviewed in public, giving the competitors the opportunity to lower their prices, and to contact all the industry for new contracts, also the fact that it would be approximately an eighteen month construction period before the gas would be available for customers who did sign, that the City had an insufficient number of signers to make it cost effective, however, he reported that there had been substantial savings, approximately, \$1,000,000.00 or more over a three year period for industry, due to the fact that the City had made this effort to enter into the gas system, therefore, it was not a wasted effort.
- c. Cornwell gave an update on the sludge pit which is presently being constructed with City workers at a savings of approximately \$15,000.00.
- d. Cornwell stated the City continues to work on the soccer fields, stating these should be ready shortly, at a cost of approximately \$37,000.00 over two budget years.
- e. Director Cornwell stated the County had discussed initially bringing its lechate to the City's waste water system for disposal, and that the City had discussed a rate of two and a half cents per gallon. He stated there was quite a bit of lechate associated with the heavy rains from "Opal", and that he would ask the elected officials to follow the county's lead, and to suspend charges for that lechate which is attributed to the "Opal" aftermath. Following discussion, Mayor Pro-Tem Bond made a motion to agree to accept the county's lechate on an initial basis at a rate of two and one half cents per gallon, provided the county does the required testing, and provides those test results to the City of Calhoun, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried. Councilman McEntire made a motion to suspend the charges for the lechate attributed to the heavy rains from "Opal", 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

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

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Councilman Palmer voting affirmatively, motion carried.

- 12. Councilman McEntire made a motion to move to General Session, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- 13. Mayor Meadows stated that the actions of the Mayor and Council in Executive Session for personnel matters resulted in the promotion of Lenny Nesbitt from Fire Inspector to Fire Chief, with the City Adminsitrator and Director of Utilities/Public Works to review and make a recommendation for the beginning salary for that position.
- 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:

  
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 John B. Meadows, III  
 Mayor

  
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 Cathy Harrison  
 City Adminsitrator