

DECEMBER 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
JIMMY PALMER, COUNCILMAN

ABSENT: PAUL MCENTIRE

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

1. Mayor Meadows welcomed everyone to the meeting; 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 November 20, 1995 Regular City Council Meeting and December 6, 1995 Special Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows stated that Councilman McEntire was out due to illness.
 - b. Mayor Meadows stated the Mayor's Motorcade to Northwest Regional Hospital would be this Wednesday, December 13, 1995 at 10:00 A.M.
 - c. Mayor Meadows congratulated the Calhoun Yellow Jackets and Gordon Central Warrior Football Teams on their great efforts for this season.
 - d. Mayor Meadows announced a committee to review the City Pension Plan Amendment Proposals from four vendors. The Committee is Thomas Bond, John Shelton, Jimmy Palmer and Cathy Harrison.
 - e. Mayor Meadows stated the second meeting in December would be December 25, 1995 and asked the Council if they wished to move that meeting to December 18, 1995. Mayor Pro-Tem Bond made a motion to move the meeting to December 18, 1995 at 7:00 P.M., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
 - f. Councilman Palmer made a motion to extend the tax deadline to December 31, 1995, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond, and Councilman Shelton voting affirmatively, motion carried.
 - g. Mayor Meadows congratulated Ron Woods and welcomed him to the meeting, stating that he would be officially sworn in on January 8, 1996.
5. Council's Comments:
 - a. Mayor Pro-Tem Bond stated the Street Department continued to do curbing and street repairs. He stated the Sanitation Department continues brush, limb and leaf pickups, and their commercial pickups with BFI handling the residential pickups.
 - b. Councilman Shelton stated the Fire Department answered 56 calls during the month of November, 1995 with an estimated damage of \$5,000.00. The Fire Inspector made

33 inspections during the month of November, 1995. The Police Department made 201 arrests with 9 being DUI. They collected total fines of \$29,374.00. They responded to 215 incidents, 112 accidents, 93 burglar alarms and provided 93 escorts. Councilman Shelton stated that Kevin Sutton had received 80 hours of intensive training at North Central Training Center, and was now qualified to be a State instructor. He has been assigned training for the Calhoun unit which should provide a very effective method of training for all local officers.

- c. In Councilman McEntire's absence, Mayor Pro-Tem Bond reported that the Waste Treatment Plant treated a daily average of 10,767,000 gallons per day with the average BOD effluent being 17, average suspended effluent 26, and average COD effluent 134. The Water Treatment Plant pumped a daily average of 11.634 million gallons per day during the month of November. The Water/Sewer Construction Department made 58 water taps and four sewer taps. They installed 1,780 feet of two inch PVC water line and 620 feet of 8 inch PVC water line.
- d. Councilman Palmer stated the Building Inspector issued one new residential permit for a home, and two remodeling for residents. He issued three commercial additions and one industrial addition for total construction in the month of November of \$391,700.00. The Electric Department sold 28,465,058 KWH of electricity in November to a customer base of 3,855. They provided 34 inspections, issued 10 permits and set two meters. Councilman Palmer commended Franklin Coats of the Electric Department on the Christmas lights in the downtown area.

6. Public Hearings and Comments:

- a. Mayor Meadows gave a 2nd reading to the Calhoun Congregational Church of Jehovah Witness Annexation Request for .73 acres off Georgia Highway 53 West Belmont Drive which will change the City's boundaries. Mayor Meadows opened the public hearing, and asked for a report from the Zoning Advisory Board. Mayor Pro-Tem Bond stated the request had been reviewed under the new guidelines, and his committee recommended approval of the request. Mayor Meadows stated the property had been posted, advertising had been completed, and notification to the surrounding property owners by the petitioner had been made. There were no comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the annexation of the property, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
- b. A 2nd reading of the City of Calhoun Annexation Request for approximately 59 acres off C.L. Moss Parkway, also known as Water Works Road and Mauldin Road, was given. The request will change the City's boundaries. Mayor Meadows opened a public hearing, and Mayor Pro-Tem Bond stated the request had been reviewed by the Zoning Advisory Board, and they recommended approval. Mayor Meadows stated the request had been advertised, the property had been posted, and the surrounding property owners had been notified. There were no other comments and the hearing was closed. Councilman Palmer made a motion to approve the annexation request, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c.. A 2nd reading of the F B & F Holding Company LLC Annexation Request for approximately 4.61 acres on Georgia Highway 41 North which will change the City's

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boundaries was given. Mayor Meadows opened the public hearing, and Mayor Pro-Tem Bond stated the request had been reviewed, and the Board recommended approval of the Annexation Request. Mayor Meadows stated the advertising had been completed, and the surrounding property owners had been notified. There were no comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the annexation request, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

d. A 2nd reading of the Industrial Development Authority Zoning Variance Request to allow an on premise bill board in the industrial park adjacent to Union Grove Road and I-75 was given. The sign will advertise the park on one side and tourism on side two. A public hearing was opened, and Mayor Pro-Tem Bond stated the request had been reviewed by the Zoning Advisory Board, and they would recommend approval of the request since it would be of great benefit to the Calhoun, Gordon County area. Mayor Meadows noted the advertising, placement of signs and notifications of property owners had been completed. There were no comments and the hearing was closed. Councilman Shelton made a motion to approve the request, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.

e. A 2nd reading of the Randall Gene McEntire Annexation Request for Lots 435, 436, 437, 438, 439 and 440 off Short Street was given. The lots being 25 feet wide and 150 feet deep. A rental house is currently located on the property. A public hearing was opened and Mayor Pro-Tem Bond stated the Zoning Advisory Board had reviewed, and would recommend approval. Mayor Meadows stated the property had been posted, the surrounding property owners had been notified and the advertising had been completed. Stacy Jones, a nearby property owner stated he was in opposition to the request. Mayor Meadows noted the advertising, placement of signs and notification of property owners had been completed. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the annexation, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.

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f. A 2nd reading of the Robert W. (Bobby) Miller annexation request for approximately 21 acres off Curtis Parkway South of Idle Acres Subdivision was given. Mayor Meadows opened a public hearing with Mayor Pro-Tem Bond stating the Zoning Advisory Board had reviewed the request stating the request had been made by the current property owner, Robert W. Miller on the recommendation of his attorney. The reason being was to make sure the annexation request complied with all the new regulations of the City of Calhoun. Mayor Pro-Tem Bond stated the board recommended approval. Mayor Meadows stated the request had been advertised, property had been posted, and the surrounding property owners had been notified. George Odom from Idle Acres Subdivision stated he was opposed to the annexation. Mr. Odom also asked if the City Attorney had made any comments regarding the annexation request. In the attorney's absence, Harrison stated she had asked the City Attorney, and his comments had been that there was no problem reapplying in which the property owner felt would clarify the annexation as to the new regulations by the City of Calhoun. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the annexation request, 2nd by Councilman Palmer with Mayor

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Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.

- g. A 2nd reading of the Robert W. Miller Zoning Change Request for approximately six acres in a 200 ft. wide strip east of Curtis Parkway and south of Idle Acres Subdivision was given. The request being to change from C-2 to R-2 zoning. Mayor Meadows opened a public hearing, and asked that Mayor Pro-Tem Bond give a response from the Zoning Advisory Board. Mayor Pro-Tem Bond stated the Board felt that it would be appropriate if the request involving a smaller number of acres, approximately six, be held until the hearing for the zoning of the newly annexed area, the 21 acres previously mentioned. George Odom stated that he was in opposition to the rezoning request, as did Linda Thomas of the Idle Acres Subdivision, stating that she was opposed to the rezoning request. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to hold the request until January 8, 1996, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
- h. A 2nd reading of the Stanley Simpson/Bill Walraven Annexation Request for approximately 11.805 acres off Gee Road bound by the L & N Railroad on the West was given. The property is currently vacant, but the developer plans industrial development of the site. Mayor Meadows opened a public hearing, and Mayor Pro-Tem Bond stated the request had been reviewed by the Zoning Advisory Board, and that he had a question of the Fire Chief to determine if the property would be within the protective boundaries of the City fire system. Chief Nesbitt stated the area would be covered within the five mile radius. Mayor Pro-Tem Bond stated the Zoning Advisory Board would recommend approval of the request. Bill Walraven stated the property was to be purchased by the land owner directly in front of the property who has an industrial facility on the property, and plans to use that as expansion of his business at a later date. Mayor Meadows acknowledged the advertising, posting of a sign and notification of property owners had been completed. There were no other comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to approve the annexation, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
- i. A 2nd reading of the Haley Stephens Zoning Change Request for property known as 90, 92, 94, 96 and 98 Dan Cheri Drive was given. The request being to change from R-2 to C-N zoning. A public hearing was opened on the request. Mayor Pro-Tem Bond stated the Board was notified that the adjoining property owners had not been notified, and that the matter would be pending before the Zoning Advisory Board, or the Mayor and Council, and therefore, they recommended holding the request until such time as those property owners had been notified. Mr. Stephens stated that he had failed to notify those people, but would request the matter be continued. Mayor Pro-Tem Bond asked Mr. Stephens to be aware of the different fire code requirements for office use over residential. There were no other comments, and the hearing was closed. Councilman Shelton made a motion to extend the request until such time as those property owners had been notified of specific hearing dates for the Mayor and Council and Zoning Advisory Board, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- j. A 2nd reading of the Solid Waste Ordinance Amendment was

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given. A public hearing was opened, there were no comments, and the hearing was closed. Councilman Palmer made a motion to approve the Solid Waste Ordinance Amendment, and waive the 3rd and 4th readings, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- k. A 2nd reading of the Business License Tax Ordinance was given. Mayor Meadows opened the public hearing, there were no comments, and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive the 3rd and 4th readings and to approve the Business License Tax Ordinance, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.

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7. Old Business:

- a. Mayor Meadows gave a 2nd reading of the Beer, Wine and Liquor License Renewal Request for 1996:

1. ABC Package Store - Sarah King - Beer Package
2. Gondolier Pizza - Evangelos Pateritsas - Beer Pouring

Councilman Palmer made a motion to approve these requests for 1996 renewals, 2nd by Councilman Shelton with Councilman Palmer, Councilman Shelton and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- b. A 2nd reading of the Pawn License Renewal Requests for 1996:

1. This & That Pawn Shop - Roy McEntire

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

- c. A 2nd reading of the Amusement License Renewal Request for 1996:

1. Walmart, Inc.
2. This & That Pawn - Roy McEntire
3. Mr. Clean Car Wash

Mayor Pro-Tem Bond made a motion to approve the request for 1996 licenses, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

8. New Business:

- a. A 1st reading of a zoning request of newly annexed area of the Calhoun Congregational Church of Jehovah Witness for property on West Belmont Drive was given for zoning of C-2. Councilman Shelton made a motion to set the request for a public hearing on January 8, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- b. A 1st reading of a zoning request of newly annexed area of the City of Calhoun for approximately 59 acres off C.L. Moss Parkway for R-1 zoning was given. Councilman Shelton made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.

- c. A 1st reading of a zoning request of F B & F Holding

Company LLC for newly annexed area off U.S. Highway 41 North for C-2 zoning was given. Mayor Pro-Tem Bond made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

- d. A 1st reading of the zoning change request of Robert W. Miller for the newly annexed area 21 acres more or less off Curtis Parkway for R-2 zoning was given. Mayor Meadows stated/the request would also include the rezoning request of approximately six acres from C-2 zoning to R-2 zoning. Mayor Pro-Tem Bond made a motion to hold a public hearing on January 8, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
- e. A 1st reading of the zoning request of Stanley Simpson and Bill Walraven for approximately 11.805 acres of newly annexed property off Gee Road for I-H zoning was given. Mayor Pro-Tem Bond made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer, and Councilman Shelton voting affirmatively, motion carried.
- f. A request of Paul Lusk and Linda Whittenburg for the City of Calhoun to accept street right-of-ways for Caverns Drive, White Oak Way and Aspen Place was given. Attorney Bailey stated the requestor had submitted a deed and title opinion. Those have been reviewed and approved by him. Director Cornwell stated the streets were in proper condition. Councilman Shelton made a motion to accept the street right-of-ways, 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond and Councilman Palmer voting affirmatively, motion carried.
- g. Following discussion of the zoning map which includes annexations from January 1, 1995 through December 1, 1995. Councilman Shelton made a motion to approve the zoning map, stating that the map should be on hand, and should contain the notation that it is the City's official zoning map, 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond and Councilman Palmer voting affirmatively, motion carried.
- h. A 1st reading of the Randall McEntyre zoning request of newly annexed area off of Short Street, being a lot approximately 150' x 150' for R-2 zoning. Mayor Pro-Tem Bond made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

9. Other Written Items not on the Agenda:

- a. Mayor Pro-Tem Bond made a motion to approve the manager change for Wallace Shell. The manager would change from Beverly O'Bryan to Kim Sanders, with the polic report being approved, and the residence of the proposed manager being confirmed, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
- b. A 1st reading of the William and Deborah Theus Annexation Request for approximately 1.88 acres located behind two lots in Sunset Hills Subdivision was given. Councilman Palmer made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond and Councilman Shelton voting affirmatively, motion carried.
- c. A 1st reading for a temporary variance from Owassa Family Medicine was given, which would allow a mobile unit to be

moved on the office property which would allow temporary office space for the new doctor who is arriving in January, 1996. Councilman Palmer made a motion to set the public hearing for January 8, 1996 at 7:00 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond and Councilman Shelton voting affirmatively, motion carried.

- d. A 1st reading of a Beer Package Renewal for 1996 from Fast Petroleum, Inc. was given.
- e. A 1st reading for Beer and Wine Pouring Renewal License for the Atlanta Gate Restaurant for 1996 was given.
- f. A 1st reading for a manager change at the amusement license of CNN Grand Prix was given.
- g. A 1st reading of a Pawn renewal License Request of Pete's Music and Pawn Shop on Wall Street was given.

10. Director Cornwell's Work Report:

- a. Cornwell reported EPD had responded to the City's various requests pertaining to its sewer ordinance amendment, stating that most of the City's Request would be allowed in the amendment, however, there was work to be done regarding metals. Mr. Cornwell stated the EPD had stated since the City was working diligently to revise its sewer ordinance, that it would extend the time until January 30, 1996.
- b. Director Cornwell stated the sludge dryer has been in test, and has performed properly, however, this week the testing will include the use of sludge, and he will keep the Council informed.
- c. Cornwell stated the water tank on Kirby Road which had been repaired, and looked very good. He stated the tank should be back in service very shortly.
- d. Cornwell stated that at a recent water/sewer meeting attended by Eddie Peterson, he had an opportunity to talk with a Dr. Chris Nelson from Georgia Tech, and Dr. Nelson had expressed some interest in he and several of his graduate students working on the independent study for the sewer rates which the Council had requested earlier in the year. These rates could be performed by April, 1996. Mayor Pro-Tem Bond made a motion to authorize the hiring of Dr. Chris Nelson and his group to perform the independent studies, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.

11. Since there was no need for an Executive Session meeting, Mayor Pro-Tem Bond made a motion to Adjourn, 2nd by Councilman Shelton with Mayor pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator

