

APRIL 8, 1996

7:00 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR
JOHN D. SHELTON, MAYOR PRO-TEM
PAUL MCENTIRE, COUNCILMAN
JIMMY PALMER, COUNCILMAN
RON WOODS, 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 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 March 25, 1996 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the Budget Work Session scheduled for May 9, 1996 at 6:30 P.M.
 - b. Mayor Meadows reminded the Council of the 7th District GMA Meeting in Cedartown on April 18, 1996 and urged everyone to attend.
 - c. Mayor Meadows reminded the Council of the GMA Policy Meetings on May 7, 1996 in Macon, and urged the Council and staff to re-evaluate the committees on which they currently serve, and notify GMA of any changes they wish to make. He also urged the members to notify Cathy Harrison of their attendance.
 - d. Mayor Meadows presented a certification of award to Brenda Wilson for her excellent scores in gaining the certification as a "Public Buyer" through the National Institute of Governmental Purchasing. Mayor Meadows commended Ms. Wilson for her dedication in pursuing the additional training which benefits the new purchasing program established by the City of Calhoun.
5. Council's Comments:
 - a. Mayor Pro-Tem Shelton stated the Police Department made 191 arrests in March, 1996 with five being DUI, and collected \$24,930.00 in fines. He stated the Department issued 75 parking tickets, investigated 236 incidents, 112 accidents, provided 86 escorts and answered 90 burglar alarms. Mayor Pro-Tem Shelton expressed his best wishes for Chief Mitchell, who has been out of the office for several days because of a serious case of pneumonia. He stated he was able to return to work on a limited basis, and wished him well. Mayor Pro-Tem Shelton stated the Fire Department answered the following calls: one private dwelling, one industrial, five vehicle, four brush, two dumpster, seven rescue, two hazardous material, three arcing wires, 2 bomb threats, and ten false alarms. He stated the Fire Department had a total estimated damage of \$8,475.00.
 - b. Councilman McEntire stated the Water/Sewer Construction Department made 54 water taps and three sewer taps in

March, 1996. They installed 3,940 ft. of two inch PSI water line, and 4,520 ft. of six inch PSI water line. The Waste Treatment Plant treated an average daily flow of 12.295 million gallons per day, with BOD effluent being 22, suspended effluent 29 and average COD effluent 138. The Water Treatment Plant treated a daily average of 12.121 gallons of raw water. Councilman McEntire reviewed plans for the Depot renovation, including a display of a floor plan which indicated a large area which will seat approximately 150 people without tables and approximately 100 people with tables. He stated the Depot could be used by the business community and local organizations, and could be used as a City Council Chambers. The Depot would have several offices which could be utilized by City staff. He stated the plans are to complete the renovation by October, 1996. McEntire stated the present plans called for a cost of \$40.00 to \$45.00 per sq. ft., and he stated he anticipates the building to be insulated so that the train noise will not be disruptive at meetings.

- c. Councilman Woods stated the Street Department continued to work on the road going to the well site, and laid drainage pipe. They hauled chert to the well site; cleaned grates and storm drains; patched City streets; worked at the water plant basin; worked at the Depot and worked at the Police Department clearing area for a building addition. The Sanitation Department provided regular commercial pickups, and cleaned dumpsters. The Cemetery Department opened and closed 10 graves and began work on the old house which is being converted into office space. The Parks Department provided trash pickup on City streets, general maintenance of city departments, completed the break room at the Waste Treatment Plant and worked on the house at the Cemetery. The Rabies Control Department housed 31 dogs, 20 cats, handled one potentially dangerous dog, and issued 21 licenses.
- d. Councilman Palmer stated the Electric Department sold 24,310,037 KWH of electricity during March to a customer base of 3,820. They provided 39 inspections and issued 15 permits. Councilman Palmer stated Alton Cadenhead had presented a resignation to the Airport Authority Board. He stated as the liaison officer for the Airport Authority Board, he wished to express appreciation to Mr. Cadenhead for his excellent service since August, 1991. He stated Mr. Cadenhead had been a dedicated member of the Board, and had contributed greatly to the renovation plans currently underway for the airport.
- e. Mayor Meadows stated the well site which had been mentioned in Councilman Woods' report is the site off Campbell Road which has presently been capped, but has caused a problem due to heavy rain over the last few weeks which has washed away the City's sediment pond, as well as the silt fences, with beaver dams being built in the area which causes additional problems. He stated as the area dries out, the City will repair any damages as soon as possible.
- f. Mayor Meadows stated the City had also accepted bids which were opened on Friday, April 4, 1996 for the roof at the Civic Auditorium. He stated the only bid received was from Fox & Brindle for a total of \$114,500.00, however, he felt there was a possibility the price could be negotiated, however, he recommended any proposed changes be reviewed by the roofing and structural engineering firm which had been hired by the City to provide bid documents, and he asked any proposed changes be reviewed by the Mayor and Council prior to approval. following discussion, Councilman Palmer made a motion to accept the bid of \$114,500.00 subject to negotiated

changes approved by the Mayor and Council, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.

6. Public Hearings & Comments:

- a. A 2nd reading of the Zoning Variance Request of Calhoun Super Sports, Inc. to allow replacement of a dilapidated concession stand with a 14' x 50' portable commercial building was given. A public hearing was opened with a report of signs, advertising and notification of adjoining property owners being complete. Councilman Woods stated the Zoning Advisory Board met on April 4, and had reviewed the application. He stated based upon notice from the prior property owner that a one year lease was all that remained on the property, and the Zoning Advisory Board recommended approval. There were no further comments, and the hearing was closed. Councilman Woods made a motion to approve the variance request and allow a 14' x 50' portable commercial building to be installed on the property under the temporary guidelines, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. A 2nd reading of the Annexation Request of Gary Duke for Lot 31 located at 209 Shadowwood Drive was given. A Public Hearing was opened with a report that the signs, advertising and notification of surrounding property owners had been completed. The Zoning Advisory Board recommended approval of the Annexation Request. There were no further comments, and the hearing was closed. Councilman Woods made a motion to approve the annexation, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. A Public Hearing was re-opened on the Annexation Request of Patsy Gravitt for property off Kirby Road with a 50 ft. easement to the property, however, the property does not actually abut the public road. Mayor Meadows asked Attorney Bailey for his opinion prior to the recommendation of the Zoning Advisory Board. Attorney Bailey stated that he found the only abutment of the property to property currently within the City is the 50' easement, and this does not qualify as fee simple title, therefore, it would not be eligible for annexation. He also stated the easement did not qualify as a 25 ft. abutment on a public road. Councilman Woods stated based on the Attorney's opinion, the Zoning Advisory Board had recommended denial. There were no further comments, and the hearing was closed. Councilman Palmer made a motion to deny the request, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively to deny, motion carried.
- d. A 2nd reading of the Annexation Request of James W. Hobgood for Lot 68 and 67A off East Belmont Drive behind property presently occupied by Brad Ragan was given. A public hearing was opened, with a report that the signs, advertising and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had reviewed the request, and recommended annexation. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve for annexation, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively,

Ord. No. 589

Ord. No. 588

motion carried.

- e. A 2nd reading of the Ben Morrow Zoning Change Request for a lot known as 101 Richardson Road was given. A Public Hearing was opened with a report that the signs, advertising and notification of adjoining property owners had been completed, however one certified receipt had not been received from one of the parties notified, but the attempt of notification had been made. Councilman Woods stated the Zoning Advisory Board recommended the lot be changed from R-2 to C-2 zoning as requested in conformance with other property in the immediate area being zoned commercial. There was discussion regarding the actual location of the lot which is directly behind Huddle House off Richardson Road. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the zoning change request from R-2 to C-2, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
- f. A 2nd reading of the Zoning Variance Request of Tri-State Systems, Inc. for a variance from the Interstate Sign Ordinance of the City to reduce to the restrictions of Georgia State Law which would allow four to five additional commercial signs to be located on property on Curtis Parkway. A Public Hearing was opened, with a report that the signs, advertising and notification of adjoining property owners had been completed. Ms. Donna Parker stated that she had received the notification, and that she was opposed to the signs being placed on the property. She stated she felt there was enough signage in the area, and it was not necessary to contaminate the area further. The representative of Tri State Systems, Inc, Wayne Charles, reviewed the current ordinance in effect for the City of Calhoun regarding interstate signs, stating that the ordinance had been adopted by the City under pressure from DOT, and from merchants who were requesting the State to add logo signage at various exits on I-75. He stated there would be limited areas available for signs of this nature if a variance was granted, because the State only allows this type of signage on property which is zoned Commercial and Industrial and abutts I-75 right-of-way. Councilman Woods stated the Zoning Advisory Board had reviewed the request and had failed to make a recommendation because they felt the request was a major deviation from the present ordinance, and that such a deviation should be a decision made by the elected officials, however, he stated as a Councilman, he would recommend approval of the variance request which would approve four of the five sign locations as requested. He stated one would require an additional 10 ft. variance, and that he was opposed to that particular request. Harrison stated that if a variance is granted, she would recommend that it be subject to any future amendments to the sign ordinance which would require signs to be maintained and removed if not maintained. There was no further discussion, and the hearing was closed. Councilman Woods made a motion to table for further review of the Sign Ordinance by each Councilman prior to action being taken, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

7. Old Business:

- a. A 3rd reading of the Mandatory Drug and Alcohol Testing Policy for commercial drivers was given. The Council reviewed those areas which had been questioned earlier,

primarily who would provide the testing for controlled substance abuse and alcohol abuse, and who would be covered under the ordinance? Following discussion, Councilman McEntire made a motion to adopt the policy, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- b. The revised budget calendars were distributed and reviewed. There were no questions, and the calendar was approved.

8. New Business:

- a. A 1st reading of the annexation request of Raymond and Eva Bagwell for a lot in Land Lot 275 on Fuller Road was given. Councilman McEntire made a motion to set a public hearing for May 13, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. Harrison asked the Council to review a request for payment for a meal which had been associated with an evening meeting of the Commissioner of DOT regarding the Piedmont Street project. The meeting also had Representative Shanahan and Senator Ralston in attendance. She stated the present reimbursement policy did not allow payment of such items unless there was an overnight stay, however, she stated the meeting and expenses were directly connected to official City business which resulted in a 60% contract from the State on the road project which could be estimated at some \$600,000.00 in value. Following further discussion, Councilman McEntire made a motion to approve the payment of the item of \$192.72 and a \$4.00 parking charge, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. A 1st reading of the Gary Duke zoning request of newly annexed property known as Lot 31 of Thornwood Subdivision for R-1 zoning was given. Councilman Woods made a motion to set the public hearing for May 13, 1996 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- d. A 1st reading of the James W. Hobgood zoning request of newly annexed property known as Lots 68 and 67A off East Belmont Drive for C-2 zoning was given. Councilman McEntire made a motion to set the public hearing for May 13, 1996 at 7:00 P.M., 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.

9. Other Written Items Not on the Agenda:

- a. A reading of a parade request of the Shriners for June 29, 1996 at 11:00 A.M. for the normal parade route was given. Following discussion, Mayor Pro-Tem Shelton made a motion to approve the request subject to DOT approval, 2nd by Councilman McEntire with Mayor Pro-Tem Shelton, Councilman McEntire, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.
- b. A 1st reading of the annexation request of David L. Hiott for Polygon Associates of Tenn. LLC for property owned by Star Enterprises being the old Texaco Station site on Highway 53, East at I-75. Councilman Palmer made a motion to set the public hearing for May 13, 1996 at 7:00 P.M., 2nd by Councilman Woods with Councilman Palmer,

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Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

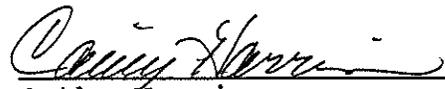
10. Director Cornwell stated that he had no report to make, however, he had one real estate item for Executive Session.
11. Councilman Woods made a motion to move to Executive Session for Real Estate matters, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
12. Councilman Palmer made a motion to move to General Session, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.
13. Councilman Woods made a motion to adjourn, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator