

AUGUST 12, 1996

7:00 P.M.

REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
226 SOUTH WALL STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR  
JOHN SHELTON, MAYOR PRO-TEM  
PAUL MCENTIRE, COUNCILMAN  
JIMMY PALMER, COUNCILMAN  
RON WOODS, COUNCILMAN

ALSO: KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC WORKS  
EDDIE PETERSON, ASST. DIRECTOR UTILITIES/  
PUBLIC WORKS  
WILLIAM P. BAILEY, CITY ATTORNEY  
CATHY HARRISON, CITY ADMINSTRATOR

1. Mayor Meadows called the meeting to order; welcomed everyone in attendance; and gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the July 22, 1996 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Meadows reminded the Council of the Public Hearing scheduled for August 26, 1996 for the Liquor Pouring License Request of Saleh Rashid for Atlanta Gate Restaurant located at 273 Highway 53 East, S.W.
  - b. Mayor Meadows expressed his appreciation to those voters who returned to vote in the Run Off Election on August 6, 1996, and extended congratulations to those candidates who were successful in the Run Off.
  - c. Mayor Meadows announced that Calhoun had been selected as one of six cities and counties to make a presentation at the Green Carpet Tour of Georgia on September 26 and 27, 1996.
  - d. Mayor Meadows reminded everyone that school will be beginning in a few days, and asked everyone to remember school traffic, particularly the school bus traffic.
  - e. Mayor Meadows expressed appreciation to the Olympic Committees and Olympic Torch Bearers for their participation in the Olympic event for the State of Georgia.
  - f. Mayor Meadows acknowledged a sizable donation by a benefactor to the River Park Amphitheater Project. Mayor Meadows stated that with this donation, work can begin on the amphitheater, with the park beginning to take shape.
5. Council's Comments:
  - a. Mayor Pro-Tem Shelton stated the Police Department made 177 arrests, 11 being DUI. They collected \$24,225.50 in fines. They issued 139 warning tickets and 84 parking tickets. He stated officers investigated 231 incidents, worked 86 accidents with 46 injuries, provided 106 escorts and answered 91 burglar alarms. The Fire Department answered 48 calls, with estimated damages of \$10,550.00, and provided 66 inspections during the month of July. Mayor Pro-Tem Shelton stated that he would appreciate any input from the Council and the staff regarding services which would be most beneficial from the Coosa Valley Regional Development Center. He stated

these would be on the agenda for review and consideration at the August 15 meeting.

- b. Councilman McEntire stated the Water Treatment Plant pumped a daily average of 13.458 MGD of raw water. He stated the Waste Treatment Facility treated an average flow of 8.40 MGD with BOD effluent being 18, average suspended effluent being 18, and the average COD effluent being 124. He stated the Water/Sewer Construction Department made 52 water taps and six sewer taps during the month, installed 1,980 ft. two inch PVC water line and 2,000 ft of six inch PVC water line. Councilman McEntire stated he would have a more in depth report on the depot on August 26, 1996, however, construction is going well at this time with suppliers and contractors working well with the City on their cost of supplies and their contracts.
- c. Councilman Palmer stated the Electric Department sold 31,171,453 KWH of electricity, did 50 inspections and set 12 meters during the month of July. He stated the Building Inspection Department issued eight new residential permits for \$550,000.00, one industrial addition for \$737,000.00 including remodeling and alteration permits totaling \$1,296,000.00 for construction.
- d. Councilman Woods stated the Street Department continued work at the Water Plant on the basins, continued working at the Substation No. 4 sight, continued work at the old landfill on Sugar Valley Road for two baseball fields, continued cutting right-of-ways and patching city streets. He stated the Street Department was preparing a list of LARP streets in order for the City to request paving from DOT within the next few days. He stated the Sanitation Department continued to paint and clean dumpsters, and to provide commercial garbage pickup. He stated Rabies Control housed 41 dogs and 30 cats during the month, issued two licenses and six first warnings for persons failing to abide by the leash law. He stated the Cemetery Department opened and closed nine graves, and continued on maintenance under the new format established for the Cemetery Department. The Parks Department continued mowing of right-of-ways and public properties. They also worked on the downtown annex, bringing the public bathrooms in compliance with ADA requirements.

6. Public Hearings & Comments:

- a. Mayor Meadows opened the public hearing on the City's proposal for a multi purpose block grant through the Department of Community Affairs for a possible one million dollars. Mayor Meadows asked Ruth Powell to provide the basic information regarding the grant application. Mrs. Powell stated that in addition to applying for \$800,000.00 for infrastructure and some home improvements to the individual structures in the project area, the grant application would also include \$200,000.00 for the HOME Program, which has been moved from Georgia Housing and Finance Authority to the Department of Community Affairs. For the first time, all these projects will be available under one grant application. John Sweitzer, an engineer associated with the City of Calhoun stated the purpose of the hearing was not only to review the possibility of applying for this type of project, but also to ask for input from the General Public as to any other projects they might find suitable for an application. He also stressed that the area at the Mill village was extremely large, and that it would be necessary to break the project into at least two segments, one being those housing units located on the

north side of Highway 156, and those units located on the South side of 156. He stated that in the immediate review of the project area, which initially would be the north side of Highway 156, that no displacement would be needed. Lloyd Frazier of Coosa Valley Regional Development Center, who will be assisting the City with the application which must be filed by September 16, 1996 stated the input of the general public was necessary to show need for this proposed project or any other project that the public felt was of importance. He also stated that a requirement would be that the block grant serve persons who are considered low to moderate income by family size. As an example, he stated that for a family of three persons, the income level would be \$26,300.00. Grover Dinsmore, a resident of the Mill Village area, stated that he had served as an electrician and plumber for over 35 years, and that during that time he had worked specifically in that area. He stated that most of the houses in the area had 60 amp switch boxes, and that with new air conditioning units and frost free refrigeration, that many of the houses were overloaded. He stated the water lines and sewer lines were very old, and many were faulty. He stated it was a very worthwhile project, and he would support any effort for improvement in the area. Bobby McFry, an owner of property in the area, stated that he had several sewer backups in several of his houses on more than one occasion, and that he could attest to the faulty plumbing in the area. He also stated many of the houses were built very close to the road frontage, and that he would request the City consider guard rails during the project in order to provide safety. Engineer Sweitzer stated the City had reviewed the area in terms of safety, and one of those requirements would be to change the radius of some of the streets in order for fire trucks to be able to access the full area, and he would also consider adding larger water lines, and providing more fire hydrants for fire safety. Mr. McFry stated that his ownership was that of rental property, and asked if any funds would be available for those rental houses. Harrison stated if the grant was successful, that those monies that could be used for water line replacement inside the homes, and possibly wiring replacement inside the homes would be available not only to the home owner, but to the rental property owners under specified conditions. However, the HOME program would be available for those home owners who wished to apply, and the home funds would be in the form of an interest free loan. Councilman Shelton stated that as a former resident of the area, he certainly supported the efforts to save the area and upgrade it. There were no other comments, and the hearing was closed.

- b. A 4th reading of the zoning request of the newly annexed property of David L. Hiott for Polygon Associates of Tenn, LLC for a lot located on Highway 53 East, West of Quality Inn was given. A public hearing was opened, with Harrison stating the advertisement, placement of signs and notification of adjoining property owners had been completed. Zoning Advisory Board Chairman Ron Woods stated they had reviewed the application and considered the zoning request and would recommend C-2 zoning. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the request for C-2 zoning, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. A 2nd reading of the zoning request of In-Home, Inc., for approximately 2.5 acres off Moss Memorial Parkway to be rezoned from R-2 to Ind.-G. was given. A public hearing

was opened, with Harrison stating the advertisement, placement of signs and notification of adjoining property owners had been completed. The Zoning Advisory Board stated they had reviewed the area, and found it to be within the guidelines of the zoning code, and would recommend the rezoning from R-2 to Ind.-G. There were no other comments, and the hearing was closed. Councilman Woods made a motion to recommend rezoning from R-2 to Ind.-G, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- d. A 2nd reading of the rezoning request of Robert L. Collins, Jr. for the R.M. Meadows Estate for property located at 42 College Street to rezone from R-2 to O&I was given. Harrison stated the advertisement, placement of signs and notification of adjoining property owners had been completed. Mayor Meadows opened the hearing with the Zoning Advisory Board stating they had reviewed the area and found the house to be located next to the parking lot of a church in the area, and across from an area which has limited retail sales. He stated it was the understanding of the Advisory Board that the unit would be used for office purposes only, and not as a shelter, that the new owners would improve the facility, and make it an asset to the community. He stated the Zoning Advisory Board recommended rezoning from R-2 to O&I. Harrison stated that she had received one telephone call from a lady located within the area, who stated she would prefer that the entire area remain R-2 zoning. There were no other comments, and Mayor Meadows closed the hearing. Councilman Woods made a motion to recommend rezoning of the lot from R-2 to O&I, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- e. A 2nd reading of the annexation request of Randy and Marie Elaine Miller for property located at 119 Kent Drive was given. Harrison stated the advertisement, placement of signs, and notification of adjoining property owners had been completed. A public hearing was opened with the Zoning Advisory Board stating they had reviewed the area, and found it to be within Devonwood Subdivision, and would be suitable for annexation. There were no other comments, and the hearing was closed. Councilman Woods made a motion to annex the property at 119 Kent Drive, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- f. A 2nd reading of the zoning request of newly annexed property of Stanley Simpson for approximately 2 acres off Gee Road for Ind.-G zoning was given. Harrison stated the advertisement, placement of signs and notification of the adjoining property owners had been completed. A public hearing was opened, and the Zoning Advisory Board stated they had reviewed the application for the property to be located in an area that was primarily Ind.-G Zoning, and recommended approval. There were no other comments, and the hearing was closed. Councilman Woods made a motion to zone the newly annexed property as Ind.-G zoning, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- g. A 2nd reading of the Annexation Request of Gail Williamsen, filed by Robert L. Collins, Jr. for property located at 536 West Belmont Drive, S.E. was given. Harrison stated the advertisement, placement of signs and notification of adjoining property owners had been

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completed. A public hearing was opened, with the Zoning Advisory Board stating the property was reviewed, is vacant at this time, but is located near the bakery on West Belmont Drive. He stated the property was eligible for annexation, and was recommended for annexation. There were no other comments, and the hearing was closed. Councilman Woods made a motion to annex the property, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- h. A 2nd reading of the Amusement License Request of Betty's Flea Market located at 1000 Highway 41, North was given. A public hearing was opened. Mayor Meadows stated the request was in order, with a clear police report, and that the request was for four amusement machines to be located at the flea market. There were no other comments, and the hearing was closed. Councilman Palmer made a motion to approve the Amusement License Request, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- i. A 2nd reading of the ordinance amendment to the zoning code adopting new state requirements was given. A public hearing was opened, and Mayor Meadows stated that the State would now allow cities to do a one step process for annexation and zoning of newly annexed property, provided the County has been notified previously of the pending application. The ordinance changes would also include a 10 minute minimum limitation for discussion on pro or con issues of any request. There were no comments and the hearing was closed. Mayor Meadows stated a second public hearing would be held on the zoning changes on August 26, 1996 at 7:00 P.M.
- j. A 2nd reading of an ordinance disallowing self inspection by contractors on water and sewer installations inside the City of Calhoun was given. Mayor Meadows opened a public hearing, there were no 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 Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Woods and Councilman Palmer voting affirmatively, motion carried.
- k. Mr. Frederico Abreu, President of the Latin American Alliance expressed his appreciation to the Mayor and Council for their proclamation which had been signed earlier. He stated his alliance would be working with the school systems and would be working with Spanish speaking residents in the area, to encourage work on their English in order for them to be more productive citizens in the community.

7. Old Business:

- a. Harrison presented the 1996-97 printed copies of the budget to the Mayor and Council, stating the budget would be placed on file at the Library, and would be available for public inspection both at the Library and at City Hall during normal business hours.
- b. Harrison gave a review of the budget to actual summary for the year ended June 30, 1996 as per the attached.
- c. Harrison stated the roof for the auditorium was one half complete at this time, and that she would be meeting with School Superintendent Harmon, the roofing contractor and Crawford Greeson to review the possibility of contracting improvements for the interior of the building, primarily caused by leaks to the roof.

8. New Business:

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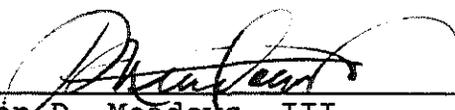
- a. A 1st reading to the zoning request of newly annexed property of Randy and Marie Elaine Miller located at 119 Kent Drive for R-1 zoning was given. Following review, Councilman Woods made a motion to set the public hearing for September 9, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
  - b. A 1st reading of the zoning request of newly annexed property of Gail A. Williamsen for property located at 536 West Belmont Drive for C-2 zoning was given. Following review, Councilman Woods made a motion to set the public hearing for September 9, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
  - c. A 1st reading of the Zoning Change Request of Haley Stephens for Nos. 90, 92, 94, 96 and 98 Dan Cheri Drive for rezoning from C-N to R-2 was given. Following review, Councilman Woods made a motion to set the public hearing for the request for September 9, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
  - d. Harrison asked the Council to do a preliminary review of John Wayne Hall's request for the streets at Mt. Vernon Condominiums to be reviewed for possible dedication as public roads to the city. Harrison stated that Street Superintendent Dean Harris had reviewed the area, and stated the curbs and streets were to city specifications, however, some of the street areas were in the middle of parking areas, and that it is not the City's policy to accept parking areas because of the liability associated with those areas. Following review, the Council asked the Street Superintendent to re-review the area, and to make those main arteries which are streets only, and to review the area with Mr. Hall as possible areas of dedication.
9. Other Written Items not on the Agenda:
- a. Harrison reviewed a proposed contract to provide jurisdictional coding services from GMA to the City of Calhoun regarding review of its franchise accounts which could assist the City in collecting appropriate revenue from its franchise agreement. Following discussion, Councilman Woods made a motion to approve an initial contract with GMA for the services at an estimated cost of \$1,500.00 for the City's Gas Franchise Agreement, and then to review others at a later date provided the contract was reviewed for Item 11 which was not acceptable by our City Attorney, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
  - b. In association with the City's Telecommunication Project, a joint use pole agreement between the City of Calhoun and NGEMC was reviewed. Following review, Councilman McEntire made a motion to recommend approval of the agreement, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
10. Director Cornwell's Work Report:
- a. Director Cornwell stated the City had placed in its budget for the prior year and for the current year SCADA for its water system. Bids have been received from four

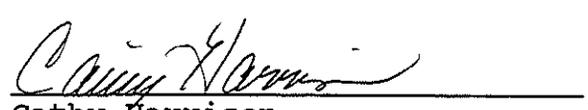
vendors: Universal Controls, Inc. for a base bid of \$150,000.00; Dexter Fortson Assoc., Inc. \$102,680.00; Autocon Industries, Inc. \$159,890.00; and from Southern Champion Const., Inc. for \$178,200.00. Director Cornwell stated the low bid was a company that was unfamiliar to the engineer, John Sweitzer, and that as a result of that low bid, Mr. Sweitzer, and the City's on staff Engineer, Ross Wilburn had reviewed similar projects in Alabama, and had gotten very favorable recommendations for the company. Based on this information, the engineer had recommended award of the contract. Following further discussion, Councilman McEntire made a motion to award the low bid to Dexter Fortson Assoc., Inc. for \$102,680.00, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- b. Cornwell stated construction had started on the Waste Treatment Plant Expansion, and that it was progressing very well.
  
- 11. Councilman Woods made a motion to move to Executive Session for legal matters, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
  
- 12. Councilman Woods made a motion to move to General Session, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
  
- 13. Mayor Pro-Tem Shelton made a motion to uphold the findings of the hearing officer in the Walter Harrell dismissal from the City Police Department, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
  
- 14. Councilman Woods made a motion to adjourn, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
\_\_\_\_\_  
Cathy Harrison  
City Adminsitrator

