

JANUARY 13, 1996<sup>7</sup>

7  
7:00 P.M.

REGULAR CITY COUNCIL MEETING  
CALHOUN DEPOT  
109 SOUTH KING STREET

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

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

1. Mayor Meadows called the meeting to order, and welcomed everyone in attendance. Dr. Bert Vaughn gave the Invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Mayor's Annual Address as per the attached.
4. Minutes of the December 23, 1996 Regular City Council Meeting were approved as written.
5. Mayor Meadows appointed the annual committees of Council as follows:
  - a. Mayor Pro-Tem Shelton - Police, Fire and Fire Inspections
  - b. Councilman McEntire - Water Plant, Sewer Plant, Water/Sewer Construction & Depot
  - c. Councilman Palmer - Recreation, Electric, Building Inspection, Airport & Downtown Development
  - d. Councilman Woods - Street, Sanitation, Rabies Control, Parks, Cemeteries & Zoning Advisory Board
6. Councilman Ron Woods made a motion to appoint John D. Shelton as Mayor Pro-Tem for 1997, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer & Councilman McEntire voting affirmatively, motion carried.
7. Councilman Woods made a motion to appoint Dr. Bert Vaughn as City Chaplain for 1997, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.
8. Councilman McEntire made a motion to appoint William P. Bailey as City Attorney for 1997, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.
9. Councilman McEntire made a motion to appoint Suzanne Hutchinson as Municipal Court Judge, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
10. Councilman Woods made a motion to appoint R.M. Dobbs & Co. as City Auditor, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

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11. Councilman Palmer made a motion to appoint Calhoun First National Bank as City Depository for checking accounts, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
12. Mayor Pro-Tem Shelton made a motion to adopt the Banking Resolution, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
13. Councilman McEntire made a motion to appoint the following Department Heads for 1997, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried:
  - a. Kelly Cornwell - Director Utilities/Public Works
  - b. Cathy Harrison - City Adminsitrator, Clerk, Finance Officer
  - c. Willie Mitchell - Police Chief
  - d. Lenny Nesbitt - Fire Chief
  - e. Dean Harris - Street, Sanitation, Cemetery, Rabies Control & Parks Superintendent
  - f. Eddie Peterson - Asst. Director Utilities/Public Works
  - g. Estes Pass - Water Plant Superintendent
  - h. Carlton Rogers - Waste Water Treatment Plant Superintendent
  - i. Dan Shuler - Water/Sewer Construction Superintendent
  - j. Larry Vickery - Electric Superintendent
  - k. Robby Cole - Golf Professional
  - l. Harold Franklin - Golf Maintenance Superintendent
14. Mayor's Comments:
  - a. Mayor Meadows reminded everyone that the City Council Meeting scheduled for January 27 had been moved to January 20, 1997 at 7:00 P.M. at the Depot.
  - b. Mayor Meadows reminded everyone of the GMA Legislative Mayor's Day Meeting in Atlanta on January 26-27, 1997, and urged everyone to attend.
  - c. Mayor Meadows announced the City had received official notice of the ARC Grant Award for \$300,000.00 for the well development project as of January 10, 1997.
15. Council's Comments:
  - a. Mayor Pro-Tem Shelton stated the Fire Department responded to 33 calls in December, 1996, and had an estimated fire loss of \$15,900.00. He stated the Police Department made 185 cases in December, 1996 with nine DUI's and collected \$21,753.00 in fines. They issued 92 warnings and 80 parking tickets. They investigated 200 incidents, 115 accidents, provided 70 escorts and 88 burglar alarms were responded to.
  - b. Councilman McEntire stated the Water/Sewer Construction Department completed 27 water taps and three sewer taps in the month of December. The sewer infiltration crews removed 14 beaver dams, smoke tested 19 manholes and installed 6,000 ft. of sewer line. They reconstructed four rings and covers, rehabilitated five manholes off Belwood Road and cleared 1800 ft. of right-of-way. He stated the Waste Treatment Plant pumped an average daily flow of 8.63 million gallons of raw water for the month of December. He stated the Waste Treatment Facility treated an average of 11.964 million gallons.
  - c. Councilman Palmer stated the electric Department sold 1,607,587 KWH of electricity in the month of December, 1996 to a customer base of 3,881. He stated they

inspected 40 installations and set 12 meters. He stated the Building Inspector reported permits issued for \$799,800.00 of residential construction, \$190,000.00 of commercial construction and \$23,000.00 of industrial construction for the month of December, 1996.

- d. Councilman Woods stated the Street Department placed a guard rail on Garden Hill Drive, and continued to haul fill dirt to the substation site. He stated they continued patching and hauling of leaves and poured curb on Buena Vista and Meadow Lane at the corner. He stated the Sanitation Department provided regular commercial garbage pickup and coordinated residential calls with BFI. He stated the Rabies Control Department housed 30 dogs and 13 cats during the month of December and issued two first warnings. The Cemetery Department provided assistance with opening and closing ten graves, and provided general maintenance. He stated the Parks Department continued with general maintenance for both house and grounds of the City.

16. Public Hearings & Comments:

Mayor Meadows stated at this time zoning hearings would be held. He stated they would be presented in alphabetical order with reports by the Zoning Advisory Board. He stated public hearings would have Pro and Con comments with a ten minute minimum time limit each. He stated each person speaking was required to have filed a financial disclosure statement five days prior to the hearing, and each person speaking must give their name and address. The Mayor asked if any Council member needed to file a disclosure statement for any of the items to be considered on January 13, 1997, and the response was none.

- a. A 3rd reading of the J. Russell McBrayer Annexation/New Zoning Request for approximately seven acres located on the north side of Dews Pond Road, South of Devonwood Subdivision was given. Councilman Woods stated the Zoning Advisory Board had met on January 9, 1997 and had requested the item be tabled. Councilman Woods made a motion to table the item until February 10, 1997, and it was approved.
- b. A 2nd reading of the Stanley Simpson/Bill Walraven Annexation/New Zoning Request for three, four acre lots off Gee Road for Ind.-G zoning was given. A public hearing was opened with a report that advertisement, placement of signs and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had met on January 9, 1997, and had considered the item. The primary point of review by the Preliminary Review Committee had been to notify the Zoning Advisory Board that water service for the higher tract would have a problem with water pressure because of the elevation. The property owner had attended the Zoning Advisory Board Meeting, and concurred that he was aware of the situation and so was the potential buyer. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the annexation for Ind.-G 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 Charles and Candi Talley Annexation/New Zoning Request for a lot located at 213 West Drive for R-2 zoning was given. A public hearing was opened with a report that advertising, placement of signs and notification of adjoining property owners had been completed. Harrison stated the property owners had submitted signed affidavits of all adjoining property

owners, indicating that they were aware of the public hearing, and signed indicating that they had no objections to the annexation at the requested zoning. Councilman Woods stated the Zoning Advisory Board had reviewed the application on January 9, 1997, and the only finding of the Preliminary Zoning Review Committee had been to note that the request was for R-2 zoning for a single family house located on the property which was consistent with other lots of similar size in that area requesting R-2 zoning. There were no other comments and the hearing was closed. Councilman Woods made a motion to waive the 3rd and 4th readings and to approve for annexation at R-2 zoning, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

- d. A third reading of the Marvin Taylor Annexation/New Zoning Request for approximately five acres on the east side of Highway 41 and north of Union Grove Road for C-2 and Ind.-H zoning was given. A public hearing was opened with Councilman Woods stating the Zoning Advisory Board had heard the reading on this particular request twice, and the matter had been tabled one time awaiting completion of a driveway prior to annexation. Councilman Woods stated that he was not able to contact Mr. Taylor to see if all work was completed prior to approval of the request, therefore, he would recommend the matter be tabled. Councilman Woods then made a motion to table and the motion was approved. The matter was tabled until February 10, 1997.

17. Old Business:

- a. Harrison stated the CDBG and HOME grant applications had not been funded for 1997, however, the CDBG application was the second one below the funding level, and that should any community fail to meet the standards or their projects, require less funding than anticipated, funds might be available to fund part or all of that program. Harrison stated the normal procedure on this type of situation is for City personnel to visit DCA as soon as possible, and to review the numbers to determine if future funding might be a possibility. She stated an appointment had been made with DCA for Wednesday January 15, 1997, and she would make a report on January 20 regarding the matter.

18. New Business:

- a. A 1st reading of the Annexation/New Zoning Request of Stanley Simpson for approximately 1/2 acre on Henderson Bend Road adjoining the Dyetron Plant for Ind.-H zoning was given. Harrison stated the application was in order, and that the property owner had requested Ind.-H zoning for the tract, since it was an area currently housing a trailer which was used for security for his plant at this time. Councilman Woods made a motion to set the public hearing for February 10, 1997 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. Mayor Meadows reviewed a request for a street dedication of John Wayne Hall and Jon Erwin for 2.27 miles of 60 ft. width street known as Boling Industrial Way, west of Russ Drive in the south industrial park. Attorney Bailey confirmed there were no defects or acceptions listed on the title, therefore, title could be passed to the City of Calhoun. Assistant Director Peterson stated he and

Dean Harris had reviewed the street, had found that it met all the criteria with the exception of curb and gutter. He stated the adjoining streets in that area had no curb and gutter, and there was no existing drainage system for any curb to connect to. Following discussion, Councilman Palmer made a motion to accept the street as proposed, 2nd by Councilman McEntire with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

19. Other Written Items Not on the Agenda: None

20. Director Cornwell's Work Report:

- a. Director Cornwell stated the City of Calhoun must make a decision by Wednesday January 15, 1997 regarding the question of the City signing a telecommunications contract, and becoming a part of the MEAG Telecommunications Project. Doug Lego gave a 15 minute presentation which included a review of the number of cities which are currently in the program, and the proposed funding level for the City of Calhoun which would be 3.33% at a guarantee of bonding up to 1.2 million dollars. During the discussion, Mr. Lego reviewed the proposed accounting for the telecommunications project which would provide separate operating expense breakdowns and revenue breakdowns from MEAG, however, the project would be under the direction of the MEAG Board. Attorney Bailey briefed the Council regarding the 1.2 million obligation being based on the full faith and credit of the City of Calhoun. Following a 45 minute review of the project and questions and answers by the Council and staff, Councilman Palmer made a motion to approve the contract and authorize the Mayor to sign, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried. In accordance with the contract, a resolution was adopted following a motion by Councilman Palmer and 2nd by Councilman Woods which authorized 3.33% obligation for the City of Calhoun. The motion was approved with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively.
- b. Cornwell stated the City's current budget had deleted a vehicle for his department which would have allowed him to pass down his current vehicle to the Assistant Director of Utilities. He stated the bids had been reduced to three bids, one from Jasper Jeep which is a state contract price of \$18,500.00 for a 1997 Jeep Cherokee Country; \$22,367.00 for a Ford Explorer from Prater Ford; and \$23,938.00 for a 1996 Chevrolet Blazer. Following review of the bids, Councilman Woods made a motion to accept the low bid from the state contract price from Jasper Jeep for \$18,500.00, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

21. Councilman McEntire made a motion to Executive Session for a real estate matter, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

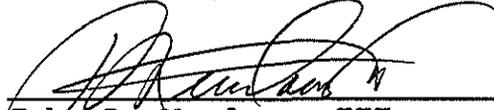
22. Councilman McEntire made a motion to move to General Session, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

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23. Mayor Pro-Tem Shelton made a motion to adjourn, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:

  
John D. Meadows, III  
Mayor

  
Cathy Harrison  
City Adminsitrator