

JANUARY 20, 1997

7:00 P.M.

REGULAR CITY COUNCIL MEETING  
CALHOUN DEPOT  
109 SOUTH KING 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  
EDDIE PETERSON, ASST. DIRECTOR UTILITIES/  
PUBLIC WORKS  
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Meadows welcomed the visitors to the January 20, 1997 Regular City Council Meeting, and gave the Invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Mayor Meadows asked if there were any amendments to the January 13, 1997 Regular City Council Meeting, other than adding an "r" to Blaze on Item 20 (b) which should be Blazer. There were no other corrections and the minutes were approved.
4. Mayor's Comments:
  - a. Mayor Meadows reminded the Council of the public hearing scheduled for February 10, 1997: (1) Annexation/New Zoning Request of J. Russell McBrayer for approximately seven acres located on the north side of Devonwood Subdivision for R-2 zoning; (2) Annexation/New Zoning Request of Marvin Taylor for approximately five acres on the east side of Highway 41 and north of Union Grove Road for C-2 and Ind.-H zoning; (3) Annexation/New Zoning Request of Stanley Simpson for approximately 1/2 acre on Henderson bend Road, adjoining the Dyetron Plant property for Ind.-H zoning.
  - b. Mayor Meadows reminded everyone of the GMA Legislative Mayor's Day Meeting in Atlanta on January 26-27, 1997, therefore, he announced the regular meeting for January 27 had been moved to January 20.
  - c. Mayor Meadows announced city staff will hold an informational meeting scheduled for the Don Sanders Subdivision off Dews Pond Road on February 4, 1997 at the Depot at 6:30 P.M. concerning annexation and sewer line extension and connection cost.
  - d. Mayor Meadows introduced Kevin McEntire who is the Director for the City's Risk Management Committee and also introduced several employees in attendance who are members of the Safety Committee. Those being Ben Hall, Craig McCarty, Eric Stewart, Kevin Sutton, Telisa Chapman, Dorothy Bagwell, Bill Ickes, Larry hogan, Lee Crump and Roger Smith. Kevin McEntire proceeded to inform the Council of the formation of the Safety Committee its current procedures and its goals.
  - e. Mayor Meadows commended the Fire Department and other City personnel such as the Police Department and Waste Treatment Facility employees who had responded to a major fire at Echota Cushions last week. He stated Calhoun personnel had been commended by EPD for their efforts in

working with EPD to make sure that all contaminants were removed from the area.

5. Public Hearings & Comments:

- a. A public hearing was opened on the proposed road closing of Old Red Bud Road. Mayor Meadows read a recent letter from DOT which stated that traffic counts on Red Bud Road were not sufficient to allow either a new red light to be constructed at the intersection of Springdale Drive and Red Bud Road with new alignment from the Sequoyah Village entrance to coordinate with Springdale Drive or a new red light at the intersection of College Street and Red Bud Road. DOT had stated in the letter that they would consider red lights at both intersections if the City was willing to close the Old Red Bud Road entrance into Red Bud Road. Mayor Meadows stated that he wished to hear from all the residents who were in attendance, as well as, obtaining the information from those who had called in. He asked each one to please state their name and address prior to giving their opinion, however, he asked staff to make comments first. Kelly Cornwell stated that he would like to also remind everyone that should the road be closed that the City would be applying for both red lights which should help traffic. Eddie Peterson stated the City had met with several residents and reviewed their concerns first hand, and that he felt the City could work with DOT on this proposal. Harrison stated she had reviewed old deeds from the Echota Mill Village, in which she had learned that the City did indeed own a graveled road which was referred to as Old Red Bud Road, and that this road had been deeded to the City in the 1960's. Mayor Meadows stated the proposal would be that the City would close Old Red Bud Road for through traffic at the north side of Water Works Road. The graveled road would be blocked parallel with the north side of the fence at the first house on the graveled road. The other two houses would use the entrance which is presently available for the city's pump station off Red Bud Road. Archie Gaddis stated he and his sisters owned property on the east side of Old Red Bud Road near the entrance at Red Bud Road, and that they approved the closing of Old Red Bud Road. David Robinson, who also lives on Old Red Bud Road stated he approved the closing. Lindsey Jackson of Old Red Bud Road stated he owned two houses on the street, and that he also approved closing. Mr. & Mrs. H. Black stated they live on Old Red Bud Road and were in favor of the closing. Larry Lucas of Old Red Bud Road stated he also approved. Rembert Shope, Max Brannon, May Black and John and June Robertson, who were not able to attend, but had called, all stated they were in favor of the closing. Ms. Frances Smith, who resides at 47 College Street stated she was opposed to the closing, and her primary reason was that she noted emergency vehicles such as ambulance, and fire trucks use that road occasionally, and that it might save a few seconds, and therefore might be helpful. Mr. Donald Lee, Pastor of Echota Baptist Church stated that while the church did not own property on Old Red Bud Road, that they would be in favor of closing, however, they had other property at the church and wanted to know if any future development would be harmed by the closing of the road. Mayor Meadows stated there would be no problem. However, he stated that all development would need to comply with zoning and building codes. There were no other comments, and the hearing was closed. Councilman Woods made a motion to coordinate the effort and to close the Old Red Bud Road, however, he

asked that no division of the road to adjoining property owners be made for at least one year to make sure that there are no problems with the closing in the near future, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

- b. An informational public hearing was opened on the Piedmont Street road work. Mayor Meadows stated the City had indeed been fortunate to secure a 60/40% construction contract with DOT for the work, with the City paying the full engineering cost. Kelly Cornwell introduced the engineers from Piedmont Olsen Hensley, and asked Mr. Anthony Kamburis, who is from the design division of Piedmont Olsen Hensley. Mr. Kamburis stated the project would be approximately 1/2 mile of paving and safety considerations which would begin north of Cove Street and would continue to north of Court Street. He stated the project would include curb and gutter in order to control storm water and provide sidewalks except for two short spans. He stated there would be one section of the street which would be lowered about four and 1/2 feet in order to allow the retaining walls behind the parts store and Carden Building Supply to be shorter spans. He stated the project would require construction easements which would be temporary, and would revert back to the property owner when construction was completed, and it would require less than a mile of permanent rights-of way for the project. The Council reviewed the list, noting that the longest portion of right-of-way would be from Angela Walraven behind the parts store, would also include property procurement from Elizabeth and Charlie Baker, as well as, several others on both the east and west side of Piedmont. Eddie Peterson stated the City will meet with each property owner individually to discuss construction rights-of-way and permanent rights-of-way, discuss rerouting of services, and work with them in preventing any long term utility outages. There were no other comments, and the hearing was closed. Councilman Woods made a motion to proceed with work on Piedmont Street at the earliest date possible, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

6. Old Business:

- a. Mayor Meadows stated that he, along with John Sweitzer of Sweitzer Engineering, Ruth Powell Director of the HOME Program and Cathy Harrison had met with Susan McGhee and Walter Brown of the Department of Community Affairs on January 15, 1997, and at that time had been informed the City's CDBG Grant had moved from two below the funding level to one below the funding level. Ms. McGhee stated that she was working with two other communities which had been informed to move forward with projects or return their funds, and that she hoped to hear from those communities within 30 days. She stated that it would be possible within that time for the City to receive funding if either community returned funding approval. Mayor Meadows stated the City had been informed on Friday Afternoon, January 17, 1997 that funding was now available for Calhoun, with Calhoun to receive \$500,000.00 for the water and sewer infrastructure work for one section of the Echota Mill Village. He stated no HOME Funds had been returned, therefore, we still remain unfunded on the HOME Program. Mayor Meadows stated that information regarding the possibility of continuing the

program with other funds was available for each Councilman to review. He asked them to review and to discuss the continuation of the program again on February 10, 1997.

7. New Business:

- a. A first reading of the Beer/Wine Package Licnese Request of Terry Ross for relocation from Highway 53 Package Store on Highway 53 East to the ABC Package Store located at 767 1/2 Highway 53 East, S.E. was given. Councilman Palmer made a motion to set the public hearing for February 10, 1997 at 7:00 P.M., 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.
- b. Harrison reviewed the proposed budget amendments for mid year for the Fiscal Year 1996-97 for the City of Calhoun, for both its General and Water/Power/Sewer Funds. She also reviewed the budget to actual expense for the first six months of the fiscal year with copies of both reports being attached. Following discussion, Councilman Woods made a motion to approve the proposed budget amendments, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

8. Other Written Items not on the Agenda:

- a. Mayor Meadows stated that 12 downtown merchants had requested the City consider a third level of garbage pickup for the downtown area. This request was for one pickup per week at a cost of \$7.50 with the two pickups which had been approved earlier being for two pickups per week and five pickups per week. Harrison reported the request had been reviewed with BFI officials, and a manner to designate cans for different levels of pickup had been arranged, and would provide no problems for the contractor. Following discussion, Councilman Palmer made a motion to set a public hearing and second reading of the proposal for February 10, 1997, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. Harrison stated the Southeastern Power Association had once again sent proposed contracts to the City of Calhoun for its share of SEPA power at a much lower rate then the City can buy from other wholesale power suppliers, and the contracts had been extended from the earlier proposal to a ten year time period. Following review, Councilman McEntire made a motion to approve the contracts, and to authorize Mayor Meadows to sign, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Woods and Councilman Palmer voting affirmatively, motion carried.
- c. Mayor Meadows stated that he had received some inquiries regarding the library books not being returned, and the alternates that would be available to the Library Board. Mayor Meadows stated the City had obtained information from the Regional Library in Dalton, and he reviewed the manner in which they handle late library books. He also reviewed the state code which allows communities to treat tardy books as misdemeanors, with fines and jail time. Mayor Meadows stated the information would be forwarded to the Library Board for their consideration.

9. Director Cornwell's Work Report:

- a. Director Cornwell stated Mydrin Industries located on

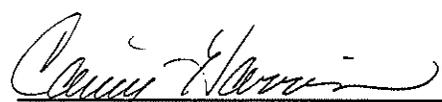
Highway 41, North had applied for a sewer tap from the City of Calhoun earlier, however, they were not able to annex, and a tap had not been approved. Cornwell stated that while reviewing the State's mandate for enlargement or improvements to the Resaca Water Tank, the City's water engineers had found a way to handle the City's water problem of low pressure in that area, by adding a pumping station, and transferring those water needs to another section of the City's water system. He stated an ideal location for the pumping station would be on property on Highway 41 owned by Mydrin. He asked the Council to consider approving a sewer tap for Mydrin without a cost for the connection fee, however, Mydrin would pay for any line extension necessary to make this connection in exchange for property on which the pump station would be located. Following review of the request, Mayor Meadows asked that the matter be tabled until February 10, 1997 to allow sufficient time for the Council to review the proposal.

- b. Cornwell introduced Wynn Grubbs and Bill Musso of Piedmont Olsen Hensley who reviewed the Waste Water treatment Contract which exceeds 9.4 million dollars with contractor Ruby-Collins, Inc. Mr. Grubbs stated that several items had come up during construction which made it necessary for the contractor to obtain a change order. He reviewed the plus and minus items necessary on the change order for a net increase to the contract of \$2,691.88. Following review, Councilman McEntire made a motion to approve the Change Order, and to authorize the Mayor to sign, 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 move to Executive Session for legal and real estate matters, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- 11. 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.
- 12. Councilman Palmer made a motion to adjourn, 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
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Cathy Harrison  
City Administrator

