

MAY 26, 1997

7:00 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
109 SOUTH KING STREET

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

ALSO: 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, 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 May 12, 1997 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the Public Hearings scheduled for June 9, 1997: (1) Zoning Change Request of Herndon Properties, LLC for property located off South Line Street for approximately 4.33 acres with a request to change from R-2 to C-2 zoning; (2) Annexation/New Zoning Request of Alan and Lisa Holcomb for property located at 2024 U. S. Highway 41, S. E. for R-1 zoning; (3) Zoning Change Request of Regents of the University System of Georgia as presented by William Thompson, Attorney, for property at One McDaniel Station Road formerly the Experiment Station Property to rezone from R-2 to Ind.-G; (4) Annexation/New Zoning Request of Paul Lusk for approximately 6.7 acres on Fire Tower Road for R-2 zoning; (5) Zoning Variance Request of Joe Stepp for property located on Highway 41, South across from Sonic Drive-In and north of the County Fire Station for a 12 ft. variance on the north side of the property.
 - b. Mayor Meadows reminded the Council and public of the 2nd Budget Hearing on June 9, 1997 at 7:00 P.M.
 - c. Mayor Meadows reminded the Council of the Budget Work Session with the City School Board on May 28, 1997 at 6:30 P.M. at the school office on West Line Street.
 - d. Mayor Meadows reminded the Council of the Budget Work Session following the City Council Meeting May 26, 1997.
 - e. Mayor Meadows reminded everyone that the Old Red Bud Road, east of College Street, which exits into Red Bud Road will be officially closed on June 9, 1997.
 - f. On behalf of the Council, Mayor Meadows expressed appreciation to Councilman McEntire for his many years of dedicated service to Calhoun and its citizens.
5. Public Hearings & Comments:
 - a. A 4th reading of the Sewer Use Ordinance was given. Director Cornwell stated the State EPD Office had recently written the City concerning the additional changes and the City had responded, but no affirmative response has been received since that time. He asked

that it be held until June 9, 1997. Mayor Pro-Tem Shelton asked that the matter be tabled until June 9, 1997.

6. Old Business:

- a. A 3rd reading of the Beer Package License Request of Dilip S. Patel for the Tobacco Outlet located in the Kroger Complex on West Belmont Drive was given. A public hearing was opened. Mayor Meadows stated he was opposed to the license request since it did not meet the intent of the ordinance. Mayor Meadows stated the Ordinance allowed accessory sales for a Beer Package Store, however, the majority of income should be from beer sales. He stated the result for the Beer Package Request would be the opposite since the main product of the store would be tobacco sales with beer as an accessory item. Councilman Palmer stated he agreed with the Mayor's Comments. Harrison stated she had written Mr. Patel, and had also spoken with him on the phone asking him to attend the Council Meeting with information regarding his projected sales. The public hearing was closed. Councilman Palmer made a motion to deny the request based on the verbal information of Mr. Patel, that the majority of his sales would be from tobacco products as opposed to beer products, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively to deny, motion carried.

7. New Business:

- a. A 1st reading of the Annexation/New Zoning Request of Mr. and Mrs. William Lawson Hopper for property located on Henderson Bend Road across from Gray's Landing for R-1 zoning was given. Councilman Woods made a motion to set the public hearing for July 14, 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. A 1st reading of the Annexation/New Zoning Request of Cindy G. Henderson for property located at 597 Henderson Bend Road for R-2 zoning was given. Councilman Woods made a motion to set the public hearing for July 14, 1997 at 7:00 P.M., 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.
- c. Harrison gave a report of the Depot Community Room rental for the first five months of 1997 and the cost to date for opening and closing of the room and for set up by city personnel. The revenue was \$750.00, while the expenses were \$3,426.56. Councilman McEntire stated the construction of additional stage area in the community room on the carpet and etc. was damaging walls and floor, and that he felt was not the original intent. He stated the stage had been made larger than was necessary which allowed sufficient use for the size of the room. He stated the additional stage construction reduced the seating capacity of the room dramatically. The Council stated they would review the agreement, and asked that more information regarding the use be provided prior to rental of the Depot Community Room in order that activities involving school children be properly supervised.
- d. Councilman Woods made a motion to adopt a resolution appointing Larry Vickery as the voting delegate for the MEAG Board Election at the June GMA Conference, and Cathy

Harrison, City Administrator as alternate, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- e. Councilman McEntire asked that the Council consider making the downtown area a historic district in order for property tax incentives to be allowed on the improved portion of buildings for a five to eight year period. Councilman Palmer stated the Downtown Development Authority and Business Association is considering that as one of many incentive programs by their groups. He stated the Main Street Director is meeting this week with the State Main Street Director, and has met with at least two downtown business who wish to make improvements to their offices. He stated there should be some recommendations forth coming from the Downtown Development Authority in the near future. Councilman McEntire stated he was unaware that the Downtown Development Authority was moving this quickly on this item.

8. Other Written Items Not on the Agenda: None

9. Director Cornwell's Work Report:

- a. Cornwell stated the MEAG Telecommunications Board which is a sub-committee to the full MEAG Board would be accepting nominations for the board at the June meeting. Following discussion, Councilman Palmer made a motion to adopt a resolution nominating Larry Vickery to the MEAG Telecommunications Board, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.
- b. Director Cornwell stated Attorney Bailey had drafted the liability release, and it had been forwarded to Tim Haney for his signature. Following discussion, Councilman McEntire made a motion which allowed the City to revert to its old policies for installing pipe if the property owner pays for the pipe due to the need to replace brick viaducts or drains established in the early 1900's, provided there is no liability for the City. Councilman McEntire stated it would be the responsibility of the property owner to repave driveways, and to allow the City to rehab any city sewer lines in the area during excavation. This motion being made subject to the City Attorney's approval of the action, 2nd by Councilman Woods with Councilman McEntire, Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. Cornwell stated the Sewer Plant construction continues ahead of schedule.
- d. Cornwell stated the paving extension linking Yarborough and Ola Streets had been completed on the prior year's CDBG Grant Project.
- e. Cornwell stated the City continues to negotiate regarding the water at Big Springs.
- f. Cornwell stated the City continues to procure right-of-ways for the Piedmont Street Project. Peterson stated the Hardy's and Cantrell's who will be impacted quite a bit by the development, had requested to meet with engineers to review plans. He stated the meeting had been set for May 27, 1997. Cornwell stated the State is presently reviewing the plans for the retaining walls.
- g. Cornwell stated it would be four to six weeks prior to start of the park development program.

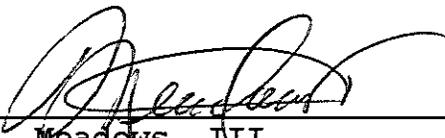
10. Councilman McEntire stated that he felt that he had done his

best for Calhoun and its citizens over the last few years, and that he was not leaving because he wanted to, but due to other circumstances, and that he understood the reason for the request. He stated that the decisions he had made over the years had been decisions for the City citizens as a whole, and not for any specific group. He stated that as McArthur had said, "old soldiers never die, they just fade away". He stated that he may not fade away.

11. Once again, Mayor Meadows expressed appreciation to Councilman McEntire on behalf of the entire Council for the years of dedicated service of Councilman McEntire.
12. 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:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator