

SEPTEMBER 8, 1997      7:00 P.M.      REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET

PRESENT:    JOHN D. MEADOWS, III, MAYOR  
              JOHN D. SHELTON, JR., MAYOR PRO-TEM  
              JIMMY PALMER, COUNCILMAN  
              RONALD H. 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 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 August 25, 1997 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Meadows announced Candidate Qualification for the City's General Election which will be held on November 4, 1997; the Qualifying Period being September 8, 1997 through September 12, 1997 at 4:30 P.M.
  - b. Mayor Meadows reminded the Council of the public hearing regarding the Fuller Cemetery relocation on September 22, 1997 at 7:00 P.M.
  - c. Mayor Meadows reminded the Council of the National League of Cities Annual Meeting to be held later in the year, and asked that any elected official who wishes to attend to notify the City Administrator.
  - d. Mayor Meadows reminded everyone of the School Referendum to be held on September 16, 1997, and urged everyone to vote.
5. Council's Comments:
  - a. Mayor Meadows stated the Water Treatment Plant pumped 396,114,000 of raw water during the month of August for a daily average of 12.77 million. The Waste Treatment Plant treated a daily average of 8.316 MGD with BOD effluent being 26, suspendid effluent being 27 and COD effluent being 144. The Water/Sewer Construction Department made 41 water taps and one sewer tap during the month of August. They installed 1,080 ft. of two inch line and 1250 ft. of four inch line. The Sewer Infiltration Crew cleared 3,900 ft. of right-of-way and rehabed three manholes.
  - b. Mayor Pro-Tem Shelton stated the Police Department made 442 arrests in August with 12 being DUI. They collected \$34,933.00 in fines, issued 142 warning tickets, 132 parking tickets, investigated 108 accidents of which 39 had injuries. They provided 85 escorts and answered 131 burglar alarms. The Fire Inspection Department inspected 42 structures and held fire extinguisher classes at Carriage Industries. The Fire Department answered 51 calls in August for an estimate of damages of \$6,100.00.
  - c. Councilman Palmer stated during the month of August, the Building Inspector's Department issued Building Permits for five residential construction of which three were apartments for a total of \$530,000.00. He stated there were three new

commercial permits for \$144,000.00 and one new industrial for \$150,000.00. Including rehabs and pools and sign permits, the total construction permits issued was for \$965,500.00 of new construction. Councilman Palmer stated the Downtown Mainstreet Program had elected a new chair person for their new partnership group, the Chairman being Mr. John Burk.

- d. Councilman Woods stated the street paving crews had worked on preparing roads for paving on the LARP list. He stated they had installed 165 tons of asphalt to level Dogwood Drive, Forest Heights, Ivy Lane and Jackson Street. These roads are now paved, and Wildwood Circle continues to be on the LARP List and will be paved as soon as utility construction is complete. The Street Department has contracted with N. W. Georgia Paving to pave Jones Avenue from Barrett Road to Dorsey Street. Sections of College Street and Northside Drive have been paved. N. W. Georgia installed 133 tons of asphalt for additional leveling of Dogwood Drive. Street Department crews took out sections of Pine Street and Line Street and patched the roads using 70.34 tons of asphalt. Patching will continue in the following weeks on Line Street, Peters Street, and College Street. The Street Department also cleared right-of-way for the Electric Department on new line installation on Forest Avenue and C. L. Moss Parkway. They graveled the soccer field parking lot and installed a three piece catch basin for storm drainage on Curtis Parkway. They also installed 187 feet of guard rail at the First Methodist Church Day Care Center. They worked on pushing up trees and stumps for disposal off Curtis Parkway from sewer right-of-way and ran brush truck route, bushhogged rights-of-way and hauled gravel to stock pile. The Sanitation Department continued to run its commercial route, gaining two eight yard and one six yard commercial accounts. The Cemetery Department supervised seven grave openings during the month and sold a total of 61 new grave spaces during August. The Parks Department built a fence around the air conditioning unit at the old Line Street School, started new construction on the new Parks Department Building, and maintained all city buildings and rights-of-way. The Rabies Control Department housed 32 dogs and 27 cats during the month. They issued two first warnings and one third warning. As an additional report, Mr. Woods stated the Piedmont Street Project engineering is 90% complete. He stated the plans for the retaining walls have been approved by DOT, and tentative agreements are in place with almost all property owners for 22 parcels. The City Attorney is drafting rights-of-way and researching title and preparing deeds. A bid package should be ready by the second or third week in October. The project should be let in November and construction should begin in December, 1997.

6. Public Hearings & Comments:

Mayor Meadows stated at this time, public hearings regarding zoning matters would be held. He stated they would be presented in alphabetical order with reports by the Zoning Advisory Board. He stated public hearings will have pro and con comments with a ten minute maximum time limit on each, and each person speaking is required to have filed a financial disclosure statement five days prior to the meeting and they must give their name and address. Mayor Meadows asked if any member of the Council needed to file a disclosure statement on any of the items to be considered. The response was negative.

- a. Mayor Meadows gave a second reading of the Zoning variance Request of Mr. and Mrs. Hollis Cronon for a home built in Meadowbrook Place off Curtis Parkway, said home being built 15 inches closer to the adjoining property than is authorized by the Zoning Code. A public hearing was opened, with Harrison reporting that notices had been mailed to the adjoining property owners, signs had been posted on the property and newspaper ads had been posted in the legal organ. The Zoning Advisory Board stated that a hearing by the Board had been held on September 4, 1997 at 4:30 P.M., with a report from the Zoning Committee stating they had determined the house had been built closer to the east property line than called for in the zoning code, but that it was not an intentional matter. The infraction was not discovered until the property

was in the process of being financed and the loan closed. The builder stated that at the time they started construction, they had been unable to locate the back property line, and due to the irregular shape of the lot, the house had been turned slightly, and this turn had thrown the east property line off by approximately 15 inches. The Zoning Advisory Board also heard the property owners address the zoning variance request as per the four items in the code, and based upon the response by the petitioners, the Zoning Advisory Board felt the zoning variance should be granted. 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 the variance request of approximately 15 inches, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- b. A 2nd reading of the Annexation/New Zoning Request of Juanita Muse for a six acre parcel of land off Sugar Valley Road for R-1 zoning was given. A public hearing was opened, with a report that the advertisement, placement of signs and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had met on the matter, and based upon a report by the Zoning Committee in which the Committee reported that no sewer was available in the area, and there were no plans within a five year period for sewer to be extended. They reported that the property was secured by a fence and gate, and that it would be necessary for the Police Department to be given keys or combinations in order for the departments to provide proper police and fire protection. The Street Department stated that in order for the Sanitation Department to provide garbage pickup, the owner would need to set the trash can outside the gate on Highway 136 on each pickup date in order for the petitioner to have service. Councilman Woods stated that based upon the information provided, and based upon the zoning in the immediate area, the Zoning Advisory Board recommended annexation for R-1 zoning. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the annexation for R-1 zoning, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton and Councilman Palmer voting affirmatively, motion carried.

Other Hearings:

- c. A 2nd reading of a proposal to declare the road bed approximately 750 ft. in length and 60 ft. in width off South Richardson Road as surplus property and ready for abandonment was given. A public hearing was opened. Mayor Meadows read the proposed resolution. There were no other comments, and the hearing was closed. Councilman Woods made a motion to adopt the resolution abandoning the property for use by the immediate property owners, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
7. Old Business:
- a. In an election report, Meadows stated for City Council Post Two for the unexpired terms of Paul McEntire, Henry Holland had qualified; for Post Three Councilman Palmer had qualified; and for Post Four Councilman Shelton had qualified. City School Board Post One, Amy Atkinson and Debra Guintier qualified; and School Board Post Two Judy Wilson had qualified.
8. New Business:
- a. A 1st reading of the Zoning Variance Request of Ronnie Holbrook for property located at 518 Oothcalooga Street for a 20 ft. Variance on the back property line in order to maximize the number of parking spaces available on the front portion of the triangular shaped lot was given. Councilman Woods made a motion to set the public hearing for October 13, 1997 at 7:00 P.M., 2nd by Councilman Palmer with

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

- b. A 1st reading of the Manager Change Request of Makibe Corporation, also known as Howard Johnson of Calhoun, was given. The request being to change managers from Betty Gilbert to Maxmillian Kim, who presently resides at 1220 Red Bud Road. A clear Police Report was given, as well as, a report regarding citizenship and residence for the past two years. There were no comments by the Mayor and Council. Councilman Palmer made a motion to approve the Manager Change to Mr. Maxmillian Kim, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. Harrison presented a request for the joint or single application from the City and County or the City respectively, to file a grant application with DCA for their Local Development Fund Program to assist with the Arts Council in their purchase and renovation of the Rooker Hotel Property. Harrison stated that any contributions by the City would be in kind rather than cash, and would allow the renovation of a vacant building of many years in the downtown area. Following discussion, Councilman Palmer stated that he would certainly encourage the project. Based upon his statement, he made a motion to authorize the City to pursue either a joint or single application with DCA for the project as outlined, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

9. Other Written Items not on the Agenda:

- a. Harrison reviewed the City's 1997-98 Budget for the dollars needed by the City and tax revenue for City M&O Taxes, for the school M&O Taxes and the School Debt. She stated based on the tax evaluation values and based upon the anticipated level of appeals, she had submitted a conservative request for millage to be set at 16.75 mills for the 1997 tax year. Following discussion by the Mayor and Council, Councilman Woods made a motion to approve the millage as recommended by the City Administrator for 16.75 mills which would be an increase of .30 mills or slightly over one quarter of a mill. This would include the increase to the school budget and the landfill fees for residential garbage which had not been added to garbage fees, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. Harrison reviewed the Winner's Club Social Contract and the Calhoun/Gordon County Child Development Council Contract. The Winner's Club Contract would be for \$5,000.00 and would include recreational programs for disadvantaged youth which have been identified as at risk students by the local law enforcement and educational personnel. It would also include supervising persons ordered to perform community service by the Municipal Court. The Child Care Contract would be for \$25,000.00, and would provide that the Development Council provide quality child care services to families of all income levels at the non profit day care center. Harrison reported that during the current fiscal year, the County has provided \$5,000.00 in funds from a budget of \$20,000.00. The remaining portion of funds had not been paid due to the inability of the Child Care Development Center to provide timely financial information due to a heart attack of their accountant. The financial information had been provided and a letter of request for the remaining funds had been filed by their Director, Jennifer Massey. They have also filed a request for \$20,000.00 of funding from the County's current fiscal year. However, they have not been notified of any funding approval. Based upon this information, Councilman Palmer made a motion to approve the Winner's Club Contract, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried. Councilman Woods made a motion to approve only a six months contract with the Child Development Council, and asked that the item be reviewed at the end of the calendar year to determine what level of funding the County would provide, 2nd by Councilman Palmer with Councilman Woods,

- c. Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried. Cornwell stated the National Guard Armory had once again presented a joint agreement to be signed by the City, the National Guard Armory and Gordon County. The agreement indicated the City would provide the property for a computer operation to be set up which could be utilized by the National Guard Armory, City of Calhoun Police Personnel and the Sheriff's Department Personnel. The City would also be required to provide the monthly electricity for the project, as well as, technical assistance with electrical needs and with building needs. The County would provide labor for the building alterations, and the National Guard Armory would provide the funds. The Council was concerned that the actual provision for air conditioning and heating units had not been addressed, and asked that City personnel make sure that the City was not required to provide these funds for the unit. The matter to be reviewed again at a later date.
  - d. Harrison stated the Main Street Director had requested closing a portion of King Street on October 9, 1997 from 6:00 P.M. until 8:00 P.M. for a joint pep rally of Calhoun High School and Gordon Central High School. The closure would be for the portion of King Street immediately in front of the Depot, however, the closure would be south of the driveway entrances and exits of Hardees Restaurant. Following discussion, Mayor Pro-Tem Shelton made a motion to approve the closure, 2nd by Councilman Palmer with Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.
  - e. Harrison stated the Main Street Director had also been pursuing renovation of the downtown parking lot which the City purchased from the State approximately two years ago. The renovation would include a center area of plantings, as well as, plantings on the east side of the parking area. The work would require the loss of eleven parking spaces. Harrison stated that in a survey of the utilization of the parking lot, it showed a top percentage of 59%. Based on review of the proposed drawings and the report, the Council approved the project to move forward under the guidelines as presented.
10. Director Cornwell's Work Report:
- a. Robin Maddox and several members of families residing on Possum Hollow Road in the Fairmount area, requested the Council review their situation as to their needs for a water line to be extended since five of the wells in that area have been tested and are not useable as drinking water. Some of the families have drilled as many as three wells in the last five years, and still are not able to use the water from either of the wells. The Mayor and Council reviewed the City's current policy regarding line extension, and based upon the footage for extension in this particular area, the cost of a two inch water line would be \$10,163.00, however, the City would install a four or six inch line with the residents being required to pay only the cost of the two inch line, in addition to the water tap cost. The discussion continued as to how the cost could be paid. Mayor Meadows stated that based upon the possible health hazards in the area that he felt the Council would be willing to accept a 12 to 18 month monthly payment for the line extension cost if the tap fees were paid up front from the families who desperately need good drinking water. The families stated that some were not present, and that they would take the information provided by the Mayor and Council, and report back to the Council on September 22, 1997.
  - b. Director Cornwell stated the City had received a traffic signal approval for South Industrial Boulevard as it intersects with West Belmont Drive several years ago, however, the City was unable to acquire the right-of-way on South Industrial Boulevard for the turning lane which was required for the project. The City was also unable to acquire right-of-way for the traffic control for the traffic signal, and the project died. Mr. Cornwell stated he had inquired at the DOT level if the project was still on future plans, and it was not. However, he asked if the Council would be interested in the pursuit with DOT to reactivate the project. The cost would be approximately \$23,000.00 for the City if he was able to acquire the right-of-way for

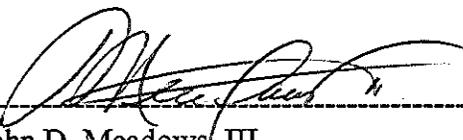
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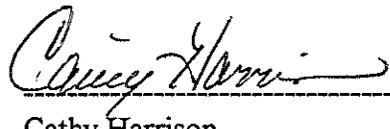
the turning lane and the control box from the property owner in exchange for water and sewer taps. Based on the information, the Council stated that even though funds were not available in the immediate budget, that they would be interested in pursuing a project of this nature since it would add to the traffic safety in the area. Since it might take as long as seven or eight months for the project to be approved and entered into DOT's budget which would allow it to be funded in the City's 1998-99 Fiscal Year.

11. Councilman Palmer made a motion to move to Executive Session for real estate matters, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
12. Councilman Palmer made a motion to move to General Session, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
13. Mayor Pro-Tem Shelton made a motion to adjourn, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods and Councilman Palmer voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
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Cathy Harrison  
City Administrator