

SEPTEMBER 22, 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, MAYOR PRO-TEM
 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 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 September 8, 1997 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows issued an apology to Mr. Julian D. Fuller, stating that it had been quoted that he had not donated any right-of-way to the property located on Highway 53 West, Belmont Road, in reference to an earlier traffic light project. Mayor Meadows expressed his apology for the incorrect report.
 - b. Mayor Meadows expressed appreciation to those voters who took the time to vote on September 16, 1997 in the School Referendum. He stated there were approximately 15% of the registered voters voting in that election.
 - c. Mayor Meadows introduced Ross Wilburn, District Director of the Georgia Water & Pollution Control Association, who in turn introduced Mr. Paul Timmerman who is the Director of the Georgia Water and Pollution Control Association. Mr. Timmerman presented Estes Pass with a lifetime membership in the Georgia Water & Pollution Control Association because of his 30 years of valuable service and activity with the Association. Mayor Meadows read a resolution regarding the years of service and achievement of Estes Pass. The resolution was adopted on a motion by Councilman Palmer and a 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
 - d. Mayor Meadows read a resolution regarding Red Ribbon Week in October. A motion was made by Councilman Woods to adopt the resolution, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton and Councilman Palmer voting affirmatively, motion carried.
5. Public Hearings & Comments:
 - a. A public hearing was opened on the relocation of Fuller Cemetery located off Richardson Road. Attorney Jim Ledbetter stated the property owner had followed the State Requirements in requesting closure of an abandoned private cemetery located off Richardson Road on property which his client had purchased earlier. He stated the cemetery was referred to as Fuller Cemetery because there were three head stones for Fuller descendants located in the cemetery. He stated the graves dated back to the 1800's, and following a review of the site by Pat Garrow, an

archaeologist, it had been determined there were possibly 27 other unmarked grave spaces located on the property. Mr. Ledbetter reviewed the process stating the primary criteria would be for the property owner to protect the dignity of the graves during the removal and relocation process. He stated the property owner had secured 30 grave spaces at Fain Cemetery in order for the deceased to be relocated. Mr. Garrow reviewed the procedure for relocating, stating that it would be the recommendation that the removal and relocation be handled in the same manner in terms of the grave spaces lined up in the same format in order to protect family members being buried together even though most of the graves were unmarked. Following the presentation by Attorney Jim Ledbetter and Mr. Garrow, the members of the Fuller family asked questions regarding the process. The property owner stated he had not actually picked out the grave sites at Fain, but would allow the Fuller family to select the sites of their choice in order for the spaces to be located in one area to protect the original dignity of Fuller Cemetery. There was no further discussion, and the public hearing was closed. Councilman Woods made a motion to approve the permit application, and to allow proper relocation to spaces at Fain Cemetery. Said spaces to be under a perpetual care environment, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

6. Old Business:

- a. Harrison gave an election report stating the City General Election to be held on November 4, 1997 would include two candidates for the unexpired term of Paul McEntire for Post Two those being Ray Denmon and Henry Holland; City Council Post Three Jimmy Palmer; City Council Post four John D. Shelton, Jr.; School Board Post One Amy Atkinson and Debra Owens Guinter; School Board Post Two Judy Wilson; School Board Post Three Becky Bond Mathews. Harrison stated the absentee ballots and ballots for the machines had been ordered, and should be available within the next seven days. Harrison stated the staff at City Hall are presently reviewing the Voter's List and sending notations to the County Registrar regarding those residents listed who are deceased, who have moved and who are actually County residents.
- b. Mayor Pro-Tem Shelton (who completed the last part of the Council Session, due to Mayor Meadows being required to attend a separate meeting) determined there were no residents present from Possum Hollow Road regarding a water line extension request.

7. New Business:

- a. A 1st reading of the Amusement License Request for Joe's Variety Shop located at 613 North Wall Street was given, with a notation from Mayor Pro-Tem Shelton that the second reading would be held on October 13, 1997 at 7:00 P. M. with a Police Report to be available.
- b. Harrison presented a request from a local resident who wished to secure relief under the current Cemetery Ordinance to allow two urns to be buried in one grave space in Fain Cemetery. Harrison stated similar variances had been allowed in the past for urns. Following discussion, Councilman Palmer made a motion to approve the request, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

8. Other Written Items not on the Agenda:

Mayor Pro-Tem Shelton gave a 1st reading of the following Annexation/New Zoning Requests which were received after the agenda was prepared.

- a. A 1st reading of the Annexation/New Zoning Request of Ronald B. and Lorraine

Potts for approximately two acres off Erwin Street in Land Lot 266 in the 14th District and 3rd Section of Gordon County, Georgia for R-2 zoning was given.

- b. A 1st reading was given to the Annexation/New Zoning Request of Manham Patel for property located at 2261 Highway 41, North, presently containing a motel and restaurant for C-2 zoning.
- c. A first reading was given to the L. Diane Poole Annexation/New Zoning Request for approximately two acres south of the Coosa Tech Satellite off Harris-Beamer Road for R-2 zoning.

Mayor Pro-Tem Shelton stated the earliest date for a public hearing would be November 10, 1997 at 7:00 P.M. on each of the items. Councilman Woods made a motion to set the public hearing on each for November 10, 1997 at 7:00 P.M., 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- d. Following review of the DOT Force Account Agreement for \$72,054.54 in which DOT will pay the cost for the City of Calhoun to extend water to the rest area on I-75, Harrison stated the Agreement had been received late Monday afternoon, and requested the item be approved subject to review by Director Cornwell and Attorney Bailey with the Mayor being authorized to sign. Following discussion, Councilman Palmer made a motion to approve the Force Account Agreement for the project at the stated price of \$72,054.54 following a review by Director Cornwell and Attorney Bailey and to authorize Mayor Meadows to sign, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- e. Harrison reviewed a draft being prepared by Attorney Bailey in which the City's existing HOME Loan repayments which had been transferred from DCA to the City of Calhoun be further transferred to the Calhoun Affordable Housing Development, Inc. effective September 30, 1997. Following discussion, Councilman Woods made a motion to authorize the Mayor to sign the final draft as prepared by Attorney Bailey, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- f. Mr. Jimmy Gee presented a written report to the Councilmen and to Mayor Pro-Tem Shelton asking them to view his property located on South Wall Street, immediately past the Court House. He stated there were water drainage problems on his property due to the overhanging roof of the old Rooker Building. He stated the problem had existed and been brought to the attention of the previous property owner, to various city employees and to the Mayor. He asked that each view the site and see those problems and give him assistance during construction by the Arts Council, which will begin shortly.

9. Director Cornwell's Work Report:

- a. Director Cornwell stated that several months earlier, the City had applied and had received a \$50,000.00 grant for natural gas for vehicles, however, upon examination of the requirements associated with the grants, it had been determined that it would be more costly for the City to receive the grant and install a natural gas tank and purchase natural gas vehicles. He stated the State had called, and asked the City to reconsider before turning down the grant. Director Cornwell stated Asst. Director Peterson had reviewed the situation again, and still determined that it would actually cost the City approximately \$18,000.00 more within the first three years if the grant was accepted, and the City purchased additional vehicles for natural gas usage. Following discussion, the Mayor Pro-Tem and Council stated due to there being no change in the situation, they again declined the grant.
- b. Director Cornwell presented an agreement in which MEAG proposed a fee to be paid to the City of Calhoun for use of its stand by generators for the remainder of the fiscal year. Cornwell stated MEAG would be willing to pay the City of Calhoun

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approximately \$63,000.00 for the stand by generation. Following discussion, Councilman Palmer made a motion to approve the request, and to authorize the Mayor to sign, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

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

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator