

JULY 8, 1996

7:00 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL 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
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 June 24, 1996 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows stated that over the weekend, approximately 100 monuments at Fain Cemetery had been damaged. He stated the Police Department was working on the case, and the City was very hopeful to have a resolution to the case quickly. Mayor Meadows read a statement from the Gordon County Historical Society, the Sons of Confederate Veterans and the United Daughters of the Confederacy. Mayor Meadows stated the City procured two bids, one from Wichman Monuments for \$12,550.00 and one from Rome Monument Company for approximately \$3,300.00. The bid included removing the old glue, replacing new adhesive, and resetting the monuments. It did not include cleaning the monuments, nor repair of any damage to the actual monument. This would need to be contracted by individual families for this service. Mayor Meadows stated that he felt a contract for this work would be much cheaper than individual families contracting with the monument company. He stated the City would be accepting donations for the work on the monuments to offset the cost. Following discussion, Councilman Palmer made a motion to accept the bid from Rome Monument Company for \$3,300.00, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
 - b. Mayor Meadows stated the GMA conference in Savannah on June 28 thru July 3, 1996 was very successful. He stated it was the end of his term as president of GMA, and that he felt it was a very good conference. He stated part of the program was dedicated to closer cooperation between cities and counties. He stated the program also included speeches by the Senatorial Candidates, both from the Republican and Democratic parties, and allowed the opportunity for questions from the conference attendees, some 2,600. Mayor Pro-Tem Shelton stated that his committee, Criminal Justice, was concerned with juvenile crime and with the telecommunications act of 1996. Councilman McEntire stated his committee, the Transportation Committee, stressed the need for increasing the motor fuel tax in order to provide

continual maintenance for Georgia's network of highways. Councilman Palmer stated his committee was the Community and Human Development Committee, and that his committee focused on the utilization of the down town. Councilman Palmer also took the opportunity to congratulate Kelly Cornwell on his reelection to the MEAG Board. Councilman Woods stated that he was a part of the Municipal Administration Committee, and they focused on zoning and annexation. Kelly Cornwell stated that he had attended several committee meetings, and was particularly interested in the sessions regarding other revenue streams for cities and counties. Harrison stated she attended the business meeting for the services which are provided by GMA such as the pension program, the Group Health Insurance Program, the Worker's Comp. Insurance Program and Buildings and Contents Insurance. She stated all funds were very sound financially, and had quite a number of members in each area of service. Mayor Pro-Tem Shelton took the opportunity to present a gift from the Council Members, Kelly Cornwell and Cathy Harrison stating they wished to commend Mayor Meadows for his services to GMA during the past year, and the excellent leadership he provided.

- c. Mayor Meadows reminded everyone of the election to be held on July 9, 1996, and urged everyone to vote.
- d. Following review of a proposed resolution for the Olympic Torch Relay, Councilman Palmer made a motion to approve the resolution, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

5. Council's Comments:

- a. Mayor Pro-Tem Shelton stated there was approximately 175 arrests during the month of June, 1996, with \$25,462.00 in fines collected. He stated there were 249 incidents and 100 traffic accidents. He stated there was 109 escorts provided and 100 burglar alarms responded to. Mayor Pro-Tem Shelton stated the addition to the Police Department had been completed, and invited everyone to come by and review the new addition. He stated during the month of June, the Fire Department answered 51 calls, with damages of approximately \$1,350.00. He stated the Fire Department had completed testing of flow at fire hydrants within the city.
- b. Councilman McEntire stated the Water/Sewer Construction Department made 68 water taps and six sewer taps during the month of June. They installed 2,560 ft. of two inch PVC water line, 4,320 ft. of four inch PVC water line and 300 ft. of six inch PVC water line. They installed 800 ft. of eight inch sewer line at the Coosa Valley Tech Institute and 300 ft. of eight inch sewer line at the Police Station. Councilman McEntire stated the Waste Treatment Plant treated an average flow of 9.02 million gallons per day with an average BOD effluent of 19, average suspended effluent of 22 and average COD effluent of 143. The Water Treatment Plant pumped an average of 13.483 million gallons of raw water per day.
- c. Councilman Palmer stated the Building Inspector's Office issued permits for two residential houses for remodeling and alterations for several homes for a total building cost for residential homes of \$666,638.00. There were three commercial alteration permits and two commercial remodeling permits for \$300,670.00. There was one industrial addition for a total of \$99,170.00. Councilman Palmer stated the soccer fields have been improved, but are not ready for play at this time.
- d. Councilman Woods stated the Street Department finished up

the streets for the LARP program. He stated they had done patching at various sites, cut right-of-ways, worked at the filter plant on the settling basins, and based the road for the well project off Campbell Road. He stated the Sanitation Department continued with their route work and maintenance of dumpsters. He stated Rabies Control housed 33 dogs and 41 cats during the month with no potentially dangerous dogs. Councilman Woods stated they issued 4 licenses and 11 first warnings. He stated the Cemetery Department opened and closed nine graves and continued with mowing. The Parks Department continued work on the cemetery house, mowing around city offices and around sidewalks in the downtown area.

6. Public Hearings & Comments:

- a. A 3rd reading of the Zoning Change Request of Ebbie Mac and Carol W. Carney for a lot at 251 West Belmont Drive to change from R-1 to C-2 zoning. A public hearing was opened with Harrison reporting the advertisement, placement of signs and notification of adjoining property owners was complete. Councilman Woods, Chairman of the Zoning Advisory Board, stated the Board had met on July 5, 1996 and following consideration, recommended approval of the request. There were no other comments, and the hearing was closed. Councilman Woods made a motion to grant the zoning change from R-1 to C-2, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. A 3rd reading of the Zoning Variance Request of Preston Dupree for property located at 100 Daisy Street to build a house on nonconforming property was given. A public hearing was opened. Harrison stated the advertisement, placement of signs and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had met and reviewed the request, and determined that a very small house could be built on the property which was 50 ft. in depth and 100 ft. in length, provided a 20 ft. variance was given from the front of Daisy Street, and a request that the property owner build no closer than five ft. from the back property line. Councilman Woods stated on review of the neighborhood and the lot in question, that the variance would not bring the house any closer to the street than other houses in the neighborhood. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the request for a 20 ft. variance from Daisy Street, and a request that the property owner build a minimum of five ft. off the back property line, 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 zoning variance request of Echota Properties, LLC for property located at Highway 41, North to change from C-2 to Ind.-G zoning was given. A public hearing was opened. Harrison stated the advertisement, placement of signs, and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had met and reviewed the request, and found the request to be reasonable and recommended approval by the Council. There were no other comments and the hearing was closed. Councilman Woods made a motion to approve the request to change from C-2 to Ind.-G zoning, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

- d. A 3rd reading of the zoning of newly annexed property of David L. Hiott for Polygon Associates of Tenn., LLC for a lot on Highway 53, East, West of Quality Inn for C-2 zoning was given. A public hearing was opened. Harrison stated that while the advertisement and placement of signs had been completed, the confirmation of notification to adjoining property owners which had been submitted by the owners had proven to be copies of the earlier notices mailed out to the adjoining property owners in reference to the original annexation and not the zoning, therefore, Mayor Meadows stated the item would be continued until the August meeting, and would not be voted on at the present time.
- e. A 2nd reading of the annexation request of Stanley Simpson for property located off Gee Road for approximately 1.7 acres was given. A public hearing was opened. Harrison stated the advertisement, placement of signs and notification of adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had reviewed the request, found it to be reasonable and recommended approval. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the annexation, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- f. A 2nd reading of the request for relocation of the Terry Ross Beer/Wine Package Store (53 Package) to 203 Richardson Road, Suite 110 was given. A public hearing was opened. Harrison stated that on a review of the location by the Building Inspector, it was determined that the back property line of a residence was located with the residential property line being within 10 ft. of the wall of the proposed package facility, and would not meet the Beer, Wine and Liquor Code which requires a 100 ft. limitation. This could be lowered to 25 ft. if a permanent hedge was in place, but the request did not meet the minimum requirement of the ordinance. Following discussion, Councilman McEntire made a motion to deny the request, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively to deny, motion carried.

Ord. No. 593

7. Old Business:

- a. Following review of the note and documents to borrow the additional funding for the sewer plant expansion as had been previously discussed, Councilman McEntire made a motion to approve the additional funding, bringing the total loan to \$10,597,021.00, and to authorize the Mayor and Adminsitrator/Clerk to sign all necessary documents, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.
- b. Following review of the Successor Trustee Indemnification Agreement with AmSouth Bank in the position of Trustee, Councilman Palmer made a motion to approve the Agreement, and to authorize the Mayor and Administrator/Clerk to sign all necessary documents, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

8. New Business:

- a. Following a review of a request by the Police Department, Mayor Pro-Tem Shelton made a motion to approve a Block

Grant for purchase of equipment for use in the prevention of crime in the amount of \$11,243.00, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods, Councilman Palmer and Councilman McEntire voting affirmatively, motion carried.

- b. Following discussion, Councilman McEntire made a motion to approve and to authorize the Mayor to sign a Local Assistance Grant for the Depot renovation, the grant being from the Department of Community Affairs, and being the result of efforts by Representative Tom Shanahan, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. Mayor Pro-Tem Shelton made a motion to approve the 1996-97 Nutrition Transportation Agreement with Coosa Valley Regional Development Center, and to authorize the Mayor to sign. The agreement would allow the City to provide a driver and maintenance of the van which will be used to transport meals to the elderly with the meals being provided by Coosa Valley Development Center, 2nd by Councilman Palmer with Mayor Pro-Tem Shelton, Councilman Palmer, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.
- d. A 1st reading of a rezoning request of In Home, Inc. for approximately 2.5 acres off Moss Memorial Parkway to be rezoned from R-2 to Ind-G. was given. Councilman Woods made a motion to set the public hearing for August 12, 1996 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

9. Other Written Items not on the Agenda.

- a. A 1st reading was given to an annexation request filed by Robert L. Collins, Jr. for Gail Milliamsen for property located at 536 West Belmont Drive, S.E. Councilman Woods made a motion to set the public hearing for August 12, 1996 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. A 1st reading was given to a rezoning request filed by Robert L. Collins, Jr. for the R.M. Meadows Estate for a house at 42 College Street presently zoned R-2 with a request to rezone to O&I. Councilman Woods made a motion set the public hearing for August 12, 1996 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. A request was presented by Steve Fox requesting assistance from the State and DOT to reconstruct Roberson Road which lies behind Indian Hills Shopping Center, and exits into Highway 41. He stated this would provide a route for part of the Highway 53 traffic to exit onto Highway 41, relieving part of the traffic congestion on Highway 53. The Council stated the City had worked on the project several years in the past, but had been unable to procure right-of-ways from Walmart, which would have aided the project to the level that was required by DOT. The City stated they would be glad to open negotiations with DOT once again to see if this project could be put on line.

10. Director Cornwell's Work Report:

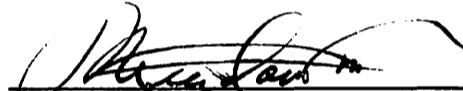
- a. Following review of a continued agreement with BIO GRO for sludge handling for the City at an estimated cost of

\$168,000.00 for the next fiscal year, with BIO GRO providing loading, Councilman McEntire made a motion to approve, subject to review by the City Attorney, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.


- b. Assistant Director Eddie Peterson reviewed a cross connection policy which is being mandated by the State. He reviewed the policy for a first reading, with a second reading to be scheduled for July 22, 1996.
- 11. Councilman Woods made a motion to move to Executive Session for legal matters, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- 12. Councilman Woods made a motion to move to General Session, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- 13. 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 Adminsitrator