

FEBRUARY 12, 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 in attendance, and gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Mayor Meadows stated that he was aware that several members of the audience had come to participate in the public hearings on the Georgia Power Annexation Request and the Brown/Camp Annexation Request. He stated to keep them advised of the current events on these two items, he read a letter from Georgia Power withdrawing their application effective immediately, and he read a letter from Brown/Camp's attorneys stating they wished to withdraw their request without prejudice.
4. Minutes of the January 29, 1996 Regular Council Meeting were approved as written.
5. Mayor's Comments:
 - a. Mayor Meadows stated he wished to express his appreciation to 95% of the citizens of Calhoun for their patience during the week of extreme weather. He stated he also wished to express appreciation to all city employees who battled the elements, and worked to assure safe traffic and continued electrical and water services.
 - b. Mayor Meadows reminded the Council of the Chamber of Commerce breakfast on February 23, 1996 in which the City and County have their annual addresses.
 - c. Mayor Meadows announced the Golf Advisory Commission would meet on February 26, 1996 at the golf course snack bar.
 - d. Mayor Meadows acknowledged the resignation of Electric Superintendent Larry Vickery, who served the city for four years, and who accepted a similar position with the City of Cartersville. Mayor Meadows, on behalf of the Council, wished Mr. Vickery well in his new endeavors.
 - e. Mayor Meadows stated that he was concerned about some of the calls that he had received during the extreme weather regarding citizens' concern of City vehicles on private property. Mayor Meadows stated that the City of Calhoun was not on private property. He stated there were no services inappropriately given to those on private property, however, those private property owners had hired individuals with equipment very similar to the City's, and this may have been what the citizens were viewing.
 - f. Mayor Meadows stated the County has closed its animal shelter, and as a result, many County residents are

bringing their animals into the City and dropping those off in secluded areas. Attorney Bailey stated the maximum fine for this would be \$1,000.00 with up to 30 days jail time. Mayor Meadows asked that the Police Department be very active in locating these individuals and prosecuting them to the full extent of the law.

- g. Mayor Meadows asked the Council to select a couple of dates when they would be able to meet with DOT Director Shackelford to review several items. The proposed dates were Tuesday February 20, Wednesday February 21, and March 13.

6. Council's Comments:

- a. Mayor Pro-Tem Shelton stated the Police Department made 170 arrests in January, 1996, of which five were DUI, and over \$24,000.00 was collected in fines. He stated the department worked 94 accidents, provided 103 escorts and answered 92 burglar alarms. In the report, Chief Mitchell had stated that private citizens had donated use of four wheel drive vehicles, and in addition there were two four wheel drive vehicles the department has, plus some of the private four wheel drive vehicles owned by members of the Police Department, no calls went unanswered. The Police Department assisted the elderly in picking up groceries, as well as, prescriptions, and making those deliveries when the elderly were no able to get out of their homes. Mayor Pro-Tem Shelton stated the Fire Inspection Department provided 71 inspections during the month, and assigned 22 addresses. The Fire Department answered 35 calls with damages totaling \$13,200.00.
- b. Councilman McEntire stated the Water/Sewer Construction Department made 23 water taps and six sewer taps during the month of January. The Waste Treatment Plant treated an average of 12.387 million gallons per day, with BOD effluent being 19, Suspended effluent being 26, and COD effluent being 120. The Water Treatment Plant treated an average of 11.672 million gallons of water per day, which was on target with the amount treated in January, 1995.
- c. Councilman Palmer stated the Building Inspector issued permits for four new residential houses for construction totaling \$455,000.00, one New Industrial Permit for \$250,000.00 of construction, and one permit for \$125,000.00 of construction for a new church. Total building permits sold, including alterations, was \$880,000.00 in construction during the month of January, 1996. Councilman Palmer stated the Electric Department sold 24,304,023 KWH of electricity to a customer base of 3,874. Councilman Palmer also commended Larry Vickery for his past service, and wished him well in his new endeavors.
- d. Councilman Woods stated the Street Department had worked feverishly to provide deicer and gravel on streets to assist in safe traffic during the recent ice storm. The Street Department had continued to haul fill dirt for new ball fields, and had received a new spreader which would be of use to the City in future snow and ice storms. He stated the Rabies Control Department had handled 46 dogs and 25 cats during the month. The Cemetery Department had four burials, and worked to provide a dryer area for their fill dirt at the cemetery. Councilman Woods stated that Charles Law and David Huff of the Cartersville DOT Office had been in Calhoun on February 8, 1996, and had reviewed the DOT programs which were available to local government. The Council had an opportunity to discuss all the projects currently on line with DOT for improvements in the City area. The City gave a

presentation for opening a one lane emergency route up Reeves Street.

7. Public Hearings & Comments:

- a. A 2nd reading of the Zoning Change Request of H.F. Barnette, Guardian of Shirley Marie Roach for property adjoining the Calhoun Times for a request from I-H to C-2 zoning was given. Mayor Meadows opened the hearing, and announced posting of signs, advertising and notification of the adjoining property owners had been accomplished. The Zoning Advisory Board stated the request had been reviewed on February 8, and the Board had recommended approval of the request. Mr. Chadwick, one of the proposed purchasers of the property, stated it was his and his partner's intent to build stores for lease on the property. 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 for C-2 zoning, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. A 2nd reading of the Zoning Variance Request of Iona Campbell for repair or rebuilding of a housing structure on a nonconforming lot which is currently zoned C-2 at 316 West Line Street was given. A public hearing was opened. Mayor Meadows announced the placement of the sign, advertising and notification of the adjoining property owners had been accomplished. The Zoning Advisory Board stated they had reviewed the request on February 8, 1996, and found the request to be reasonable. They recommended a variance for remodeling or rebuilding. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the variance request, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. A 2nd reading of the Zoning Variance request of Jack Dupree to allow construction on a lot 50' x 100' to build apartments or duplexes at 126 Riverview Drive was given. A public Hearing was opened. Mayor Meadows reported the placement of the sign, advertising and notification of the adjoining property owners had been accomplished. Councilman Woods stated the Zoning Advisory Board had met on February 8, had reviewed the request, and had heard the Building Inspector inform the group that the normal minimum space for this type of construction was 7,500 ft. The request would be for a 2,500 ft. variance, and although there are two other duplexes/apartments in the area, and the possibility of two acres being developed for multi-family housing, the Board had recommended denial of such a broad variance to the ordinance. There were no other comments, and the hearing was closed. Councilman Woods made a motion to decline the request, 2nd by Councilman McEntire with Councilman Woods, Councilman McEntire, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- d. A 2nd reading of the Zoning Request of the Estate of Dorothy Fuquea for property off Richardson Road for C-2 zoning was given. A public hearing was opened, and Mayor Meadows reported the placement of the sign, advertising and notification of adjoining property owners had been accomplished. Councilman Woods stated the Zoning Advisory Board had reviewed the request on February 8, and had recommended approval of C-2 zoning. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the zoning of newly annexed territory for C-2, 2nd by Councilman McEntire

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

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- e. A 2nd reading of the annexation request of Bob T. and Carol Nance for a lot at the corner of Barrett and Dews Pod Road was given. Mayor Meadows stated the placement of the sign, advertising, and notification of adjoining property owners had been accomplished. Councilman Woods stated the Zoning Advisory Board had reviewed the request on February 8, 1996 for the 1.04 acres, and had determined that it was the intent of Mr. and Mrs. Nance to build multi-family housing on the acreage. There were no other comments, and the hearing was closed. Councilman Woods made a motion to waive the 3rd & 4th readings and to annex the property, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- f. A 2nd reading of the Zoning Request William and Deborah Theus for 1.88 acres behind lots 52 and 53 of Sunset Hills Subdivision for R-1 zoning was given. Mayor Meadows opened the public hearing, and announced that the placement of the signs, advertising and notification of the adjoining property owners had been accomplished. Councilman Woods stated the Zoning advisory Board had reviewed the zoning request of newly annexed territory for R-1 zoning on February 8, and recommended approval. There were no other comments, and the hearing was closed. Councilman Woods made a motion to approve the request of R-1 zoning, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer, Councilman McEntire and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- g. Councilman McEntire made a motion to remove the Richard Dixon and Songa Holden Beer Package License Request from the table, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried. The public hearing on the beer package license was continued. Harrison stated in a conversation with Mrs. Holden, it had been determined that she had left a previous job, and would be the sole person responsible for the activity in running the Beer Package Store. A clear Police Report on Ms. Holden was also given. There were no other comments, and the hearing was closed. Councilman McEntire made a motion to approve the Beer Package License Request, 2nd by Mayor Pro-Tem Shelton with Councilman McEntire, Mayor Pro-Tem Shelton, Councilman Palmer and Councilman Woods voting affirmatively, motion carried.

8. Old Business:

- a. A 2nd reading of the VFW Amusement License Request for property located at 406 West Line Street, Lois Camp, Manager, was given. There were no comments, and Councilman Palmer made a motion to approve the request, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Woods voting affirmatively, motion carried.

9. New Business:

- a. A 1st reading of an annexation request of Patsy Gravitt for property in Land Lot 190 on Kirby Road which adjoins City property was given. Councilman McEntire made a motion to set a public hearing for March 11, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem

- Shelton voting affirmatively, motion carried.
- b. A 1st reading of the Raymond Bagwell Zoning Variance Request for the 2nd lot on Crest Drive, South of Talley Avenue intersection was given. Mayor Meadows stated the request was to allow replacement of a burned mobile home in a lot zoned R-3. Councilman Woods made a motion to set the public hearing for March 11, 1996 at 7:00 P.M. There was no second.
 - c. A 1st reading of the Debra Guinter Zoning Variance Request for Lot 9 in Timber Ridge Subdivision, which would allow a set back relief of 22 ft. at the cul-de-sac. Mayor Pro-Tem Shelton made a motion to set the public hearing for March 11, 1996 at 7:00 P.M., 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 the Zoning Change Request of the Estate of Sallie B. Legg for a lot at 415 West Belmont Drive from R-2 to C-2 was given. Councilman Palmer made a motion to set the public hearing for March 11, 1996 at 7:00 P.M., 2nd by Councilman McEntire with Councilman Palmer, Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
 - e. Following review of a proposed increase in SRF Loan No. 93-007 for the sewer interceptor, which would allow additional funds in the amount of \$8,171,000.00 plus closing fees to be added in order to provide complete funding for the sewer addition. Mayor Meadows stated in order for the transaction to be complete, the Council would need to authorize the signing of a new note and adoption of a new budget for the project. Following discussion, Councilman McEntire made a motion to approve the request and authorize the Mayor and Administrator/Clerk to sign the documents, 2nd by Councilman Palmer with Councilman McEntire, Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
 - f. A 1st reading of the Bob T. and Carol Nance newly annexed area zoning request for R-2 for a lot at the intersection of Dews Pond and Barrett Roads for R-2 zoning was given. Mayor Pro-Tem Shelton made a motion to set the public hearing on the zoning request for March 11, 1996 at 7:00 P.M., 2nd by Councilman Palmer with Mayor Pro-Tem Shelton, Councilman Palmer, Councilman Woods and Councilman McEntire voting affirmatively, motion carried.
9. Other Written Items Not on the Agenda: None
10. Director Cornwell's Work Report:
- a. Director Cornwell commended all the work crews for their great response during the snow and ice. He also joined the Mayor and Council in his best wishes for Larry Vickery in his new endeavors.
11. 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.
12. Councilman Woods made a motion to reopen the meeting, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried. The Variance Request of Raymond Bagwell to set a public hearing to consider the item was discussed. Ron Woods made a motion to set a public hearing for March 11, 1996 at 7:00 P.M. on the request, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem

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Shelton, Councilman McEntire and Councilman Palmer voting affirmatively, motion carried.

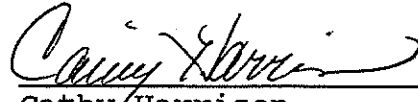
13. Councilman Palmer made a motion to adjourn, 2nd by Councilman McEntire with Councilman Palmer Councilman McEntire, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator