

JANUARY 13, 1992

10:00 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR
THOMAS BOND, COUNCILMAN
H.A. OLDFIELD, JR., COUNCILMAN
JOHN D. SHELTON, COUNCILMAN
PAUL MCENTIRE, COUNCILMAN

ALSO: T. JOSEPH CAMPBELL, CITY ATTORNEY
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC WORKS
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Meadows called the meeting to order and City Chaplain, Dr. Bert Vaughan gave the invocation.
2. Mayor Meadows led the Group in the Pledge of Allegiance to the U.s. Flag.
3. Harrison swore in John D. Meadows, III as Mayor, his fourth term.
4. Mayor Meadows swore in Thomas Bond as City Councilman, Post 1.
5. Mayor Meadows swore in Paul McEntire as City Councilman Post 2.
6. Mayor Meadows swore in George Crowley, Post 5 and Richard Huie, Post 4 as Board Members of the City Board of Education.
7. Mayor Meadows gave his annual address as per the attached.
8. Minutes of the December 23, 1991 Regular City Council Meeting were approved.
9. Mayor Meadows made the following appointments for the year:
 - a. Thomas Bond - Street, Sanitation, Landfill, Rabies Control, Parks, Cemeteries.
 - b. Paul McEntire - Water/Sewer Construction, Water Plant, Sewer Plant.
 - c. H.A. Oldfield, Jr. - Electric, Airport, Recreation, Inspection.
 - d. John Shelton - Police, Fire, Special License.
10. Councilman McEntire made a motion to appoint Councilman Bond as Mayor Pro-Tem, 2nd by Councilman Shelton with Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
11. Mayor Pro-Tem Bond made a motion to appoint Dr. Bert Vaughan as City Chaplain, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
12. Mayor Pro-Tem Bond made a motion to appoint T. Joseph Campbell as City Attorney, City Prosecutor, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
13. Councilman Oldfield made a motion to appoint R.M. Dobbs & Company as City Auditors, 2nd by Councilman Shelton with Councilman Oldfield, Councilman shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
14. Councilman Oldfield made a motion to appoint the Calhoun First

National Bank as City Depository with investments being distributed as per the investment policy and to authorize withdrawals in the manner prescribed in Resolution, 2nd by Councilman McEntire with Councilman Oldfield, Councilman McEntire, and Councilman Shelton voting affirmatively, with Mayor Pro-Tem Bond abstaining, motion carried.

15. Mayor Pro-Tem Bond made a motion to appoint the following Department Heads:

- a. Director of Utilities/Public Works - Kelly Cornwell.
- b. City Administrator/Clerk/Treasurer - Cathy Harrison
- c. Police Chief - Willie Mitchell
- d. Fire Chief - Ferrell Grizzle
- e. Street Department Superintendent - Dean Harris
- f. Building Inspection - Wiley Moore
- g. Water Plant Superintendent - Estes Pass
- h. Sewer Plant Superintendent - Carlton Rogers
- i. Water Construction Department - Dan Shuler
- j. Electric Department - Larry Vickery

2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.

16. Mayor's Comments:

- a. Mayor Meadows reminded the Council of the annual Mayor's Day Legislative Meeting in Atlanta on January 25 and 26, 1992. Committee Meetings to begin at 10:30 A.M. Sunday morning.
- b. Mayor Meadows recognized the local industries (Torrington, OMC, Goodyear, Kobelco) which donated the funds for purchase of a recycling trailer to be purchased through the CARE Committee.
- c. Mayor Meadows stated the first annual Christmas Tree Drive was successful, with trees collected being used by local citizens for erosion control.

17. Council's Comments:

- a. Mayor Pro-Tem Bond stated the Street Department had been replacing signs, erecting new signs, patching, ditching and grading at the golf course.
- b. Councilman McEntire stated the Water Plant pumped 297,134,000 gallons in December, 1991 for a daily average of 9.58 million. The Waste Treatment Plant treated a daily average of 9.362 million, the BOD effluent waste 12; suspended solids 21; and COD effluent was 107. The Water/Sewer Construction Department installed 15 Water taps and 11 sewer taps in December, 1991, installed 230 feet o ductile iron pipe and 6.650 feet of two inch PVC water line.
- c. Councilman Oldfield stated the Electric Department sold 20,077,537 KWH of electricity to a customer base of 3,619 in December, 1991; issued two permits and made 35 inspections. The Building Inspector sold seven permits for \$250,000. for commercial construction and 3 permits for \$13,500. for residential construction.
- d. Councilman Shelton stated the Fire Department responded to 14 calls in December, 1991 with an estimated loss of \$8,000.00. They performed 22 fire inspections. The Police Department made 150 arrests with 19 being DUI's. They collected \$19,132.00 in fines, and 21 prisoners served 214 days in jail. They worked 103 incidents, 78 accidents, answered 82 burglar alarm calls and provided 72 escorts.

18. Public Hearings:

- a. A 2nd reading was given to the E.R. Brownlow Zoning Change Request for a lot at the corner of Highway 156 and Riverview Drive. The request being to re-zone from R--2 to C-2 or Industrial-G to allow a truck terminal operation. The Public Hearing was opened, and Mayor Pro-Tem Bond stated the ZAB recommended the lot be re-zoned to C-2, restrict truck terminal, no truck traffic from 6:00 P.M. to 8:00 A.M. Louise Rogers stated she was a resident of Riverview Drive and was opposed to a truck terminal being allowed. She stated Brownlow Trucking operated on the site for a short period earlier, truck rolled down the hill into their yard, causing damage. She stated the turn into the lot was not sufficient and trucks were constantly in her yard; blocked her drive. knocked down her mail box and were noisy during the night. Raymond Lee Bennett, a resident of Riverview Drive stated Children are on Riverview Drive and truck traffic would be hazardous. Dolly Williams a resident of the area stated large trucks are not needed in a residential area.
- George P. Dillard , Attorney for E.R. Brownlow stated residential zoning is not reasonable use of property. He submitted an appraisal by Raminger & Associates. He stated the government has the obligation to finding the most reasonable and best use of the property; he stated commercial with reasonable restrictions would be an alternate.
- T. Joseph Campbell stated a 1988 appraisal of the property indicated a value of \$45,000.00, while the 1991 appraisal was more than \$20,000.00 higher. Mr. Dillard stated he did not know of the earlier appraisal, but recent appraisal is based on comparable sales as is indicated in the material. Mayor Pro-Tem Bond asked about the recommendation of the ZAB. Mr. Dillard stated the recommendation was too restrictive for Mr. Brownlow's business.
- Attorney Campbell stated the purchase price of the property in 1985 was \$17,000.00. He stated the building was used for a cut rug operation in 1972; was used a short while by W.W. Waste, however, they did not have hysters on the property, Mr Campbell briefly reviewed a portion of an investigator's report report and asked that it be made a part of the record. Campbell stated if the Council could consider commercial zoning with restrictions, there should be safety measures based on the planner's report; more engineering might be needed; hours of use might be considered, night time use restricted; work for best use of Mr. Brownlow, but keeping the safety of the neighborhood in mind.
- Mr. J. Rogers a resident of Riverview Drive state there was no room for widening of the street. Pictures of the earlier truck accident on his property were reviewed. Councilman Shelton made a motion to continue the request for a 3rd reading on January 20, 1992, and a 4th reading on February 10, 1992 if needed, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- b. A 2nd request for a house and lot/on Moss Memorial Parkway for R-1 zoning was given. A Public Hearing was opened. Mayor Pro-Tem Bond stated the ZAB recommended approval. There were no other comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive 3rd & 4th readings and approve, 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Oldfield, and Councilman Shelton voting affirmatively, motion carried.
- c. A 2nd reading of the Richard & Sue Craig Annexation Ordinance Request for a house and lot on West May Street for R-1 zoning was given. A public hearing was

opened. Mayor Pro-Tem Bond stated the ZAB recommended approval, but at R-2 zoning which is compatible with the area. There were no other comments and the hearing was closed. Councilman Oldfield made a motion to waive 3rd & 4th readings and approve for R-2 zoning, 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried. Ord. #474

- d. A 2nd reading was given to the Fee Schedule Amendment for the Building Permit and Septic Tank Disposal Fee. The public hearing was opened. There were no comments and the hearing was closed. Mayor Pro-Tem Bond made a motion to waive 3rd & 4th readings and approve. 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Oldfield, and Councilman McEntire voting affirmatively, motion carried. Ord. #473

19. Old Business: None

20. New Business:

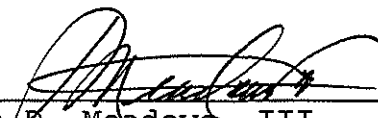
- a. A 1st reading was given to the Roye A. and Martha H. Curries Annexation Ordinance Request for Lot 25 of Amakanata Subdivision for R-1 zoning. Mayor Pro-Tem Bond made a motion to set the public hearing for February 10, 1992 at 7:30 P.M., 2nd by Councilman McEntire with Mayor Pro-Tem Bond, Councilman McEntire, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.
- b. A 1st reading was given to a Zoning Variance Request of Ray Duncan for replacement of four signs at a height of 65 feet on I-75 right-of-way 500 feet north of Red Bud Road. Councilman Oldfield made a motion to set the public hearing on February 10, 1992 at 7:30 P.M., 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- c. Mayor Pro-Tem Bond made a motion to approve a Parade Request Permit for the Recreation Department Drive for the March of Dimes, Walk America Parade on March 28, 1992, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton, Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
- d. Councilman Shelton made a motion to move the January 27, 1992 City Council Meeting to January 20, 1992 at 7:30 P.M. since the Council would be attending the Legislative Meeting in Atlanta on the 27th, 2nd by Mayor Pro-Tem Bond with Councilman Shelton, Mayor Pro-Tem Bond, Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
- e. Councilman Oldfield made a motion to adopt a Resolution on the 1991 loan funds from SRF, 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
- f. Councilman McEntire made a motion to adopt a resolution approving the filing of a \$2,000,000.00 GEFA Loan Application for improvements to the existing Water Treatment Plant, 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Oldfield and Councilman Shelton voting affirmatively, motion carried.
- g. Councilman Shelton made a motion to adopt a resolution authorizing the last portion of the Lease/ Purchase Agreement with Georgia Bank & Trust for \$83,656.42 as previously approved, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
- h. A 1st reading was given to the Zoning Variance Request of Dr. Kosmahl for a signa Lot 67 Devonwood Subdivision.

Councilman McEntire made a motion to set the public hearing for February 10, 1992 at 7:30 P.M., 2nd by Mayor Pro-Tem Bond with Councilman McEntire, Mayor Pro-Tem Bond, Councilman Shelton and Councilman Oldfield voting affirmatively, motion carried.

- i. A 1st reading was given to the Bill Walraven/ Charles Prater Annexation Ordinance Request for property off Jones Road for R-2 Zoning. Councilman Oldfield made a motion to set the public hearing for February 10, 1992 at 7:30 P.M., 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 - j. A 1st reading was given to Retho Carter's Annexation Ordinance Request for two one half acre lots with a single house located on each off Kenmoreland Circle for R-1 zoning. Councilman Oldfield made a motion to set the public hearing for February 10, 1992 at 7:30 P.M., 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
 - k. A 1st reading was given to the Paul Lusk Annexation Ordinance Request for a lot off Colonial Drive, abutting Lot 33 in Park Place for R-1 zoning. Councilman Oldfield made a motion to set the public hearing for February 10, 1992 at 7:30 P.M., 2nd by Councilman Shelton with Councilman Oldfield, Councilman Shelton, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
20. Director Cornwell stated there would be bids on the January 20, 1992 and February 10, 1992 for police cars and animal control truck. Mr. Cornwell stated the D.C. Payne Easement for the Salem Road water project had been obtained and was ready for recording.
 21. Councilman Oldfield made a motion to move to Executive Session for legal and real estate matters, 2nd by Mayor Pro-Tem Bond with Councilman Oldfield, Mayor Pro-Tem Bond, Councilman Shelton and Councilman McEntire voting affirmatively, motion carried.
 22. Councilman Shelton made a motion to move to General Session, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.
 23. Councilman Shelton made a motion to adjourn, 2nd by Councilman Oldfield with Councilman Shelton, Councilman Oldfield, Councilman McEntire and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:

Submitted:



John D. Meadows, III
Mayor



Cathy Harrison
City Administrator