

JULY 11, 1988 - 7:30 P.M. REGULAR CITY COUNCIL MEETING AT CITY COURTROOM  
ON PIEDMONT STREET

Present: Mayor John D. Meadows, III  
Mayor Pro-Tem Herbert King  
Councilman Tom Bond  
Councilman H.A. Oldfield, Jr.  
Councilman Paul McEntire

Also Present: T. Joseph Campbell, City Attorney  
Jim Hobgood, City Superintendent  
Cathy Harrison, City Clerk - Treasurer

1. Mayor Meadows called the meeting to order 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 20, 1988 Regular Council meeting and July 1, 1988 Special Council meeting were approved.
4. Mayor Meadows reminded the Council of the Annual Coosa Valley meeting on July 21, 1988 in Rome at Berry College. He also announced a public hearing scheduled for July 25, 1988 on the Got-M, Inc. Liquor/Wine License application.
5. Council's Comments:
  - (a) Mayor Pro-Tem King stated the street department has been grading base on Curtis Parkway, patching various streets, and working on the base for fire station # 2. They have been mowing and cleaning right of ways. The City has asked Sweitzer and Peoples to rewrite the procedure at the industrial landfill.
  - (b) Councilman Bond stated the City's Building Inspector had issued 11 residential permits for \$284,900.00 of construction, 2 industrial permits for \$1,100,000.00 and 1 commercial at \$235,000.00.
  - (c) Councilman Oldfield stated the police department made 188 arrests, 15 DUI's; collected \$16,500.00 in fines and 20 prisoners served 66 days in jail. They worked 109 incidents, 78 accidents, answered 76 burglar alarms and provided 96 escorts during June, 1988.
  - (d) Councilman McEntire stated the water plant pumped 391,217,000 gallons of raw water in June. The waste treatment plant treated an average of 8,461,000 gallons per day, with BOD being 54 and Suspended Solids being 57. The water/sewer construction departments installed 87 water taps and 5 sewer taps. They installed 4700 ft. of 2" PVC line; 2500 ft. of 6 in. PVC line. The contractor installed 8000 ft. of PVC on Love Bridge Road and a sewer main on Belwood Road.
6. Public Hearings:
  - (a) A 2nd reading of the annexation ordinance request of Eastgate Baptist Church for Lot 7 of the Billy Lewis Subdivision on Curtis Parkway for R-2 zoning was given. The public hearing was opened. The Zoning Advisory Board recommended approval. There were no general comments and the hearing was closed. Councilman Oldfield made a motion to waive the 3rd and 4th readings and approve for R-2 zoning, 2nd by Councilman McEntire with Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried. (Ord. No. 381)
  - (b) A 2nd reading of the annexation ordinance request of Donald Evans for 12.47 acres off the Dews Pond Road across from Park Place for R-2 zoning was given. The public hearing was opened. The Zoning Advisory Board stated it recommended approval subject to plans which are compatible with present construction in the area. Jim Morris presented plans on the proposed town houses to be constructed, approximately 82. Mr. Morris stated the project is first class. there were no other comments and the hearing was closed. Mayor Pro-Tem King made a motion to approve at R-2 zoning, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried. (Ord. No. 382)

- (c) A public hearing was opened on the Susan Hampton beer license request for Cafe Calhoun on Highway 53, East. There were no comments and the hearing was closed. Councilman Oldfield made a motion to approve subject to a clear police report, 2nd by Councilman McEntire with Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried.
- (d) A public hearing was opened on the Marian King zoning change request for the lot west of Devonwood Drive and bound on the north by Red Bud Road. The request being to rezone from R-1 to C-N zoning. The Zoning Advisory Board stated following careful review, it recommended disapproval. Mrs. King stated Mrs. Green of Green's Florist wished to purchase the lot. She said a florist shop would not create as much traffic as other neighborhood commercial business, since a great deal of sales is handled by phone. Mrs. Green presented plans to indicate the type of structure. Enoch Overby of 107 Devonwood stated he opposed the zoning change. He stated he had purchased with the understanding the neighborhood was residential. Mrs. King stated the subdivision covenants called for Lots 1 and 3 being held for future development. Mr. and Mrs. Pat Thornton whose home joins the King lot on Devonwood stated they were very much opposed to the change request since it would devalue their property, and increased traffic. Bob Cannon of 133 Devonwood stated it is currently difficult to enter Red Bud Road and a business in the immediate area would only increase problems. Mr. Harvey King asked what the neighborhood would accept? The response, a home. In response to comments about the subdivision covenants, Councilman Bond stated that the use of lots must comply with both, covenants and zoning. There were no further comments, and the hearing was closed. Councilman Oldfield made a motion to deny, 2nd by Councilman Bond with Councilman McEntire and Mayor Pro-Tem King voting affirmatively to deny, motion carried.
- (e) A public hearing was opened on the zoning variance request of Hall Realty, Inc. for a sign to be placed on Barrett Road and Thomas Funderal Home to advertise Mr. Hall's condominiums on Mt. Vernon Drive. The Zoning Advisory Board recommended approval. There were no other comments and the hearing was closed. Councilman Oldfield made a motion to approve, 2nd by Mayor Pro-Tem King with Councilman Bond and Councilman McEntire voting affirmatively, motion carried.
- (f) A 2nd reading of the Frances Smawley annexation ordinance request for approximately 1.5 acres on U.S. 41 Highway, North, south of Old Dominion Freight Lines for C-2 zoning was given. The public hearing was opened. The Zoning Advisory Board recommended approval. There were not other comments and the hearing was closed. Councilman Bond made a motion to waive the 3rd and 4th readings and approve, 2nd by Mayor Pro-Tem King with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried. (Ord. No. 383)
- (g) A 2nd reading was given to the Paul Lusk annexation ordinance request for 2¼ acres, approximately, for R-1 zoning and ¼ acre, approximately, for A-1 zoning for property southeast of Park Place off the Dews Pond Road. The public hearing was opened. The Zoning Advisory Board recommended approval. There were no other comments and the hearing was closed. Councilman Oldfield made a motion to waive the 3rd and 4th readings and approve for R-1 and A-1 zoning as indicated on the plat, 2nd by Councilman McEntire with Councilman Bond and Mayor Pro-Tem King voting affirmatively, motion carried. (Ord. No. 384)
- (h) A public hearing was opened on the E.R. Brownlow zoning change request for the 1st lot on Riverview Drive off West Line Street. The request being to change from R-2 to Industrial. The Zoning Advisory Board recommends the request be denied. Kenny Rogers stated his family was opposed to the change. He stated while the area was previously used as a non conforming truck terminal, a large tractor trailer truck rolled down the lot and into their garage and vehicles, no one was injured. Douglas Dew, owner of the adjoining lot stated he was opposed due tot he devaluing of his property, noise and aggrivation at all hours of the night.

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Louise Rogers stated children could not play in the yards, and the neighbors of the lto could not get in and out of personal driveways on numerous occasions. Mr. R. Kay stated he was opposed due to noise and constant breaking of utility lines due to the height of trucks. There were no further comments and the hearing was closed. Mayor Pro-Tem King made a motion to deny, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively to deny, motion carried.

7. Old Business:

(a) A 2nd reading was given to the ordinance amendment to increase sewer rates by 25¢ and sprinkler rates for taps over 2 inches to \$50.00 monthly. Councilman McEntire made a motion to waive the 3rd and 4th readings and approve, 2nd by Councilman Bond with Councilman Oldfield and Mayor Pro-Tem King voting affirmatively, motion carried. (Ord. No. 385)

8. New Business:

(a) A 1st reading was given to the George M. Barnes beer-wine license application for Jack's Package Store on Highway 41, South. Councilman Oldfield made a motion to set a public hearing for July 25, 1988 at 7:30 P.M., 2nd by Councilman Bond with Councilman McEntire and Mayor Pro-Tem King voting affirmatively, motion carried.

(b) A 1st reading was given to the Jennifer Langston annexation ordinance request for Lots 43, 44, 45 of the Lang and Moore Subdivision for R-2 zoning. Councilman Bond made a motion to set a public hearing for August 8, 1988 at 7:30 P.M., 2nd by Mayor Pro-Tem King with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.

(c) A 1st reading of Ray G. Evans variance on Highway 53, East, next to Shepherd's Annex was given. The request for a 9' variance for a 60' x 19' sign and a 15' variance for a 14' x 48' sign to exceed 50' height limit. Councilman Oldfield made a motion to set the public hearing for August 8, 1988 at 7:30 P.M., 2nd by Councilman Bond with Councilman McEntire and Mayor Pro-Tem King voting affirmatively, motion carried.

(d) Bids were opened for a brush/trash grapple. Municipal Equipment Sales, Inc. bid \$18,000.00 with \$3,000.00 installation cost; Custom Hydraulics Mfg. Co. bid \$12,250.00 with installion and various alternates \$1,300.00. Mayor Pro-Tem King made a motion to table to allow Supt. Hobgood to review bids and make a recommendation later, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.

(e) The Council referred requests to purchase City property to Attorney Joseph Campbell.

(f) Bids on building and contents insurance for City buildings, excluding water/sewer plants were reviewed. They were: Hartford \$25,892.00; Fireman's Fund \$28,250.00; and Affiliated F.M. Ins. Co., \$20,729.00. Councilman Oldfield made a motion to approve the low bid of \$20,729.00 from Affiliated F.M., 2nd by Councilman Bodn with Councilman McEntire and Mayor Pro-Tem King voting affirmatively, motion carried.

(g) A 1st reading was given to the Larry Silvers trailer request as a temporary office at his repair shop on 101 Wilson Street. The request being signed by the adjoining property owner as having no objections. Inspector Moore recommended it be reviewed by the Zoning Advisory Board. 2nd reading to be held on August 8, 1988.

9. City Supt. Hobgood's Work Reports:

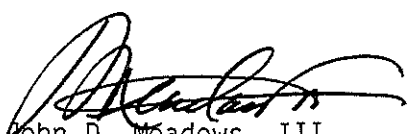
(a) Mr. Hobgood stated he had received a request to extend the water line on McDaniel Station Road for one mile with approximately 18 taps. He stated the line could be extended for only 1 mile provided a pump was installed ont he line due to the elevation. He stated the pressure would still be low. Residents of the area were in attendance, Robert Bennett, Mark Sullivan, Leeman Smith, Larry Thomas, Michael Hice and Kent Thomas. Each stated their wells were dry or they were sharing wells at this point. Mr.

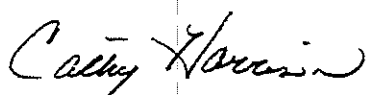
Hobgood stated the approximate material cost would be \$16,000.00 a discussion of the proposal continued. The Council asked the group to meet and come back with a definite proposal.

- (b) Mr. Bill Henson of Garner Foods requested the Council's opinion on the propsoed sewer extension at their expense for the truck stop project in the City of Resaca. Following discussion, the group was asked to work with Mr. Hobgood on the proposal for a sewer tap on Highway 41, North at I-75 with the company being responsible for getting easements and building to the tap. They would also be responsible for future maintenance up to the tap.
  - (c) Mr. Hobgood stated he, Mayor Meadows, Councilman McEntire and Clerk Harrison met with Charles Miller and two of this top plant personnel to review the current water/sewer circumstances several days ago. He stated several valid ideas came out of the meeting, such as possible metering of waste, and the use of mill water as opposed to potable water for industrial use. Mr. Hobgood asked the Council to allow him to secure engineering services to review the proposals. Mayor Pro-Tem King authorized Supt. Hobgood to contact Sweitzer and Peoples regarding the studies, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
  - (d) The Council discussed the use of scales at the landfill for dumping fees. Mr. Hobgood stated the approximate cost would be \$30,000.00. He stated the landfill had an approximate life of three years and he would suggest a joint City/County meeting to discuss plans for a future site. The Council asked Supt. Hobgood to set up a meeting.
  - (e) The Council set up a ground breaking for fire station # 2 on Monday, July 18, 1988 at 10:00 A.M. Mr. Hobgood also announced bids would be taken on July 21, 1988 at 2:00 P.M. on the Adairsville water line extension and connection at the City Courtroom.
10. Councilman Bond made a motion to authorize the City to pay one half of the sales tax assessment on the Recreation concession sales and admission fees as determined due by a state sales tax audit, provided the County pay one half, 2nd by Councilman Oldfield with Councilman McEntire and Mayor Pro-Tem King voting affirmatively, motion carried.
  11. Mayor Pro-Tem King made a motion to break for executive session, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.
  12. Councilman Bond made a motion to reconvene to regular session, 2nd by Councilman Oldfield with Councilman McEntire and Mayor Pro-Tem King voting affirmatively, motion carried.
  13. Resulting from executive session discussion, Councilman Oldfield made a motion to authorize the City staff to execute a check up to \$12,480.00 and authorize the Mayor to sign the proposed Rose Chemical buyout agreement prior to the deadline. (Said agreement resulting from an approved hazardous waste in Missouri to which the City sent surplus transformers for disposal. The site was abandoned, and the Federal Government is requiring all parties who used the site to be responsible for clean up. A steering committee was formed, attorneys hired and a proposed buy out agreement for clean up was presented to the approximately 700 users of the site.)
  14. Mayor Pro-Tem King made a motion to adjourn, 2nd by Councilman Bond with Councilman Oldfield and Councilman McEntire voting affirmatively, motion carried.

Approved:

Respectfully submitted:

  
 John D. Meadows, III,  
 Mayor

  
 (Mrs.) Cathy Harrison,  
 City Clerk - Treasurer

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