

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
FEBRUARY 14, 2000**

**MINUTES**

**PRESENT: James F. Palmer, Mayor  
Ronald H. Woods, Mayor Pro Tem  
John D. Shelton, Jr., Councilman  
Ray M. Denmon, Councilman  
Lorene Potts, Councilwoman**

**ALSO: William P. Bailey, City Attorney  
Eddie Peterson, Assistant Director of Utilities and Public Works  
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Mayor Palmer gave the Invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the January 31, 2000 regular City Council meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Palmer congratulated the Calhoun boys' and girls' varsity basketball teams for their recent games in which they became regional champions. He stated their next round of play would begin this Friday, February 18, 2000.
5. Council Comments:
  - a. Mayor Pro Tem Woods stated the Electric Department had kilowatt sales of 25,352,108 for the month of January 2000, to a customer base of 4,112.
  - b. Councilman Shelton stated:
    - 1) The Police Department made 202 arrests during the month of January, with 10 UI's. They collected over \$35,000.00 in fines and issued 344 parking tickets.
    - 2) The Fire Department responded to 43 fire calls, with a total damage of \$5,000.00. Of the 43 calls, 21 were to accidents, with 15 injuries including 3 fatalities. There were 40 fire inspections during the month. The fire training stressed for the month was proper operations, as well as risk management being handled with Ross Wilburn.
  - c. Councilman Denmon stated:
    - 1) The Water and Sewer Construction Department completed 33 water taps and 3 sewer taps during the month. They installed 600 feet of 6-inch water line to the new County Records Room. They installed 850 feet of 2-inch water line to serve Sloan Road and started work on a 6-inch water line relocation on Belwood Road and continued work on the 8-inch water line relocation on Cash Road.
    - 2) The Waste Treatment Plant treated a daily average of 7.837 MGD, with BOD effluent being 11, suspended effluent 19, and COD effluent 122.
    - 3) The Water Treatment Plant pumped a daily average of 9.849 MGD, while well number 3 pumped an average of 1.538 MGD.
    - 4) The Building Inspection Department issued a total of 30 permits during the month for total construction costs of \$1,666,000.00. This included one residential apartment with four units and the Building Inspector provided a total of 112 inspections.
  - d. Councilwoman Potts stated:
    - 1) The Main Street Program increased the amount of the façade grant from \$500 to \$750, and they approved a grant to Wall Street Trading for new lights. The Downtown Development Authority and Main Street are hosting a golf tournament at Fields Ferry Golf Course on April 12, 2000, with proceeds to benefit downtown. The Main Street Partnership also announced that their "Sunny Beach Street" program would be held on June 16 and another event in August. The pre-bid meeting for construction of the Crow's Nest Restaurant will be held March 1, 2000 at

1:00 P.M. at the Depot. Bids will be advertised and construction will start in the near future.

- 2) The Street Department ran their storm water maintenance plan on January 10, 2000. They continued to work on Curtis Parkway, filling in chert along the shoulders of the road. They also worked in the area behind the Street Department, clearing and hauling off debris. They formed and poured 9 new dumpster pads and poured 100 feet of sidewalk with handicap ramps for the Housing Authority. They also worked on Victory Drive, patching damaged areas. They unloaded 163 trees that will be used for landscaping at the electrical substation on C. L. Moss Parkway. They also put down salt and cut trees from the roadways during the ice storm on January 22, 2000 and continued cleanup of storm debris through the 31<sup>st</sup>.
- 3) The shop worked 47 shop orders.
- 4) Animal Control housed 17 dogs and 8 cats, issued 2 first warnings and 1 fourth warning. They answered 29 inquiry calls and disposed of 2 deer.

6. Public Hearings:

a. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials needed to file a disclosure statement regarding ownership or special interest in any of the agenda items. The response was negative.

1) Mayor Palmer gave a second reading of a new zoning of R-1 and annexation request by Mattie Evelyn Bohannon (Walker) for a house on approximately 1 acre at 260 Meadowbrook Road.

- a) A public hearing was opened.
- b) Harrison reported that notices had been sent to the adjoining property owners, notices had been published in the legal organ and signs had been posted on the property.

c) Councilwoman Potts stated the Zoning Advisory Board had heard the matter on February 10, and based their findings upon information provided by the Zoning Review Committee as follows:

aa. Harrison stated the request for R-1 zoning is compatible with the surrounding area and is compliant with the long range plans of the City.

bb. Mark Williamson stated Mr. and Mrs. Walker had contacted him regarding a sewer tap for their property and after reviewing the site, he explained that a tap could be made. However, the extension to the tap would be approximately 200 feet over private property and would be the responsibility of the homeowner. He stated he was not sure if the easement for ingress and egress to the property allowed the installation of a utility line across the easement. If that were not available, then a new easement would need to be procured by the property owner for their line from the house to the sewer tap. Mr. Williamson also explained that presently, the property is served by a two- inch water line. However, a six inch water line is near the property and would be available for tap should they need additional pressure.

cc. Kevin McEntire from the Street Department stated the property has storm water drainage problems, which need piping and regrading of the property in order to solve the problem. He stated these problems are on private property and will not be the responsibility of the City. He also stated the road on which the property is located is known as Old Meadowbrook Road and it is a county road. However, he has assisted with patching over the past few years.

dd. The Electrical Inspector stated the City does not currently have service to the property. However, the Electric Department would provide any inspections, should there be any renovations to the property.

- ee The Police Department stated there would be no impact on their department, since the area is currently within the City's patrol area.
  - ff The Fire Department stated fire hydrants are located at the apartments near the property and could serve the property.
  - gg. The Building Inspector's report indicated there was no problem with the request as it is currently stated. However, the R-1 zoning will not allow a fifty foot undisturbed buffer, since the adjoining R-2 property had been previously developed.
  - hh. It was the general consensus of the committee, based upon the information available, that they recommend R-1 zoning and annexation.
- d) It was the recommendation of the Zoning Advisory Board to recommend zoning of R-1 and annexation.
  - e) Mr. Walker stated it was his and his wife's desire to annex into the City, since the surrounding area was in the City.
  - f) There were no other comments and the public hearing was closed.
  - g) Councilwoman Potts made a motion to waive the third and fourth readings, zone the property R-1 and annex. The motion was seconded by Mayor Pro Tem Woods, with Councilwoman Potts, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- 2) Mayor Palmer gave a second reading of a new zoning of R-1 and annexation request by Henry B. and Lisa L. Brzozoski for a house and lot at 216 Three Oaks Drive.
- a) A public hearing was opened.
  - b) Harrison reported that notices had been sent to the adjoining property owners, notices had been published in the legal organ and signs had been posted on the property.
  - c) Councilwoman Potts stated the Zoning Advisory Board had heard the matter on February 10, 2000. It was a straightforward request for annexation of a house and lot in an R-1 residential area. The house is constructed at this time and there are no planned additions. There were no negative reports regarding any services.
  - d) There were no comments and the hearing was closed.
  - e) Councilwoman Potts made a motion to waive the third and fourth readings and to zone the property R-1 and annex, second by Mayor Pro Tem Woods, with Councilwoman Potts, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- 3) Mayor Palmer gave a second reading of the zoning variance request by Wilma Jean Erwin and John Wayne Hall for property at 200 Boling Industrial Way (Prestige Mills.) The request is for two additional buildings to be constructed on the site. This will require three setback variances for construction: a 7.5 foot variance on the first building, and 7.5 foot and 22.5 foot variances on the second building, in the cul-de-sac area.
- a) A public hearing was opened.
  - b) Harrison reported that notices had been sent to the adjoining property owners, notices had been published in the legal organ and signs had been posted on the property.
  - c) Councilwoman Potts stated the Zoning Advisory Board had heard the matter on February 10, 2000, and based upon the report of the Zoning Review Committee, it was determined there were no safety or esthetic problems with the request and it met the preponderance of the conditions to be considered for a request, and it was therefore the recommendation of the Zoning Advisory Board to grant the variances.
  - d) Mrs. Erwin stated the owners understood that should more than one tenant occupy the three buildings, it would be necessary to provide fire walls and the buildings would be sprinkled.
  - e) There were no further comments and the hearing was closed.
  - f) Councilwoman Potts made a motion to waive the third and fourth readings and to grant the variances as per the request. The motion was seconded by Mayor Pro Tem Woods, with Councilwoman

- Potts, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- 4) Mayor Palmer gave a third reading of the request for zoning of C-2 and annexation of Hometowne Lodge, Inc. for approximately 4 acres off Golden Circle Drive.
- a) A public hearing was opened.
  - b) Harrison reported that the original request had met all the requirements and that an additional notice had been published in the legal organ to notify everyone of the continued hearing.
  - c) Councilwoman Potts stated the Zoning Advisory Board had heard the matter on February 10, 2000. She stated Attorney Jones had made a statement providing detailed information on the existing two facilities owned and operated by Hometowne Lodge. They had provided information regarding the safety records at those centers, as well as the location and type of structure. Councilwoman Potts stated there were three individuals who spoke opposed to the matter, stating safety, decrease in property values and concern for safety of the elderly located in the nearby complex, as well as traffic added to an overstressed area. She stated that based upon the factors considered and upon a determination that the City should have more positives than negatives on any annexation that it considers, and based upon the information provided, it was the consensus of the Zoning Advisory Board that this was not the case and it was recommended that the annexation be denied.
  - d. Mayor Palmer stated at this time the applicant would have an opportunity to address the Mayor and Council. Howard Jones, attorney for Hometowne Lodge, stated the area in question is surrounded by the City. It is in a commercial area. He exhibited aerial photos of the Acworth Complex. He stated the Calhoun site would be similar, it would be a brick structure, located on two acres of the property and would contain 30,000 to 35,000 square feet. The weekly rental would be \$149.00. A resident manager would be on site. He stated the other extended-stay facilities in the area are not comparable. The Hometowne Lodge would not have the same types of problems that are in the area. Although the Villager, which is located in the proposed area is also an extended stay facility, their weekly rentals are \$169.00 and they attract a higher level clientele. He stated that he finds the comments regarding traffic surprising, since the manager of the Acworth facility, which is also in a high traffic area, had determined that there are only 250 cars for 90 units in a 24 hour period. Based upon the 1997 traffic of the immediate area, Highway 53 has a 37,000 vehicle count and the Hometowne Lodge would provide less than 1% of the proposed traffic. He stated there were also two possible exits for the complex. It would also provide extended stay for some of the industries such as Mannington and Kobelco, which have found it necessary to rent condominiums, because there were no nice facilities in the area. He stated the complex would have no impact on the school, they would provide over \$12,000.00 in taxes per year and it would eliminate an island. He stated the Housing Authority had attempted to buy the property on more than one occasion and their motives should be examined. They should not be allowed to misuse their influence. He also stated there was really no traffic concern for the complex and Hometowne Lodge is being unfairly labeled. He stated the Calhoun Lodge with which it is being compared, is in an isolated area. The Hometowne Lodge will be in an open area with proper security at a higher price. He also stated the owners are not buy-and-sell individuals. They have owned their present facilities for over four years. He feels that the construction would also be of benefit to the community and he would request the Council consider the annexation application. Mrs. Taylor, the property owner, has been a life-long resident of the area and has worked consistently with the City for development.

- e) There were no other comments and the hearing was closed.
  - f) Councilwoman Potts stated that based upon the information provided, and based upon all factors considered, it would be her recommendation that the request be denied. The motion was seconded by Mayor Pro Tem Woods, with Councilwoman Potts, Mayor Pro Tem Woods, Councilman Shelton voting affirmatively and Councilman Denmon voting to approve the request, motion carried.
- b. Other Hearings:
- 1) A second reading was given of the Revolving Loan Fund application of Rampy, Inc. for a \$45,000.00 loan for seven years, with three jobs being retained and two new jobs being created over the next two-year period.
    - a) A public hearing was opened.
    - b) Mayor Pro Tem Woods stated the Loan Advisory Commission had met on the matter on February 11, 2000 and had reviewed the application thoroughly, and based upon their consideration, they would recommend the loan be approved.
    - c) Following discussion by the Mayor and Council, Mayor Pro Tem Woods made a motion to approve the request, second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
  - 2) Mayor Pro Tem Woods stated the Revolving Loan Fund, which meets only when applications are pending, also reviewed the upcoming term expirations on June 30, 2000 of two of their members, David Lance and Henry Holland. He stated the matter was discussed by the Loan Advisory Commission members and it was their recommendation that these two members be approved for additional terms. Following discussion by the Mayor and Council, Mayor Pro Tem Woods made a motion to approve renewal of the terms of David Lance and Henry Holland, second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
7. Old Business: **none.**
8. New Business:
- a. A first reading was given of a zoning variance request of William and Diane Twilley to allow a mobile unit to be placed on Lot 385 at Lot 109 Adair Street. (Disabled mother desiring son to be located near her to assist with younger brother.) Mayor Pro Tem Woods made a motion to set the public hearing for March 13, 2000 at 7:00 P.M., second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
  - b. A traditional parade permit request by Calhoun High School was read for October 13, 2000 at 3:30 P.M. on the normal parade route for their homecoming. Following discussion, Mayor Pro Tem Woods made a motion to approve the request, subject to DOT approval, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
9. Other Items Not On the Agenda:
- a. Mayor Palmer asked Administrator Harrison to review the activity regarding the Pension Plan. Harrison stated she, the Human Resources Director Linda Brookshire, along with former Councilman Holland, had met with AmSouth officials regarding AmSouth's announcement that the Regional Equity Fund, which is one of the funds currently in the employee plan, is being merged with the Equity Fund, with the name being changed to Value Fund. This will be effective on March 12. Based upon this activity, in order for a minimum of seven funds to be available for selection by employees by March when the conversion to daily accounting takes place, it would be the recommendation that the Council add an additional fund, preferably a foreign fund that would allow employees the option of more aggressive investments, and also with the understanding that additional funds may be reviewed and recommended at the end of the fiscal year. Following

discussion of the recommendation, Councilman Denmon made a motion to approve the addition of the American Century International Growth Fund for the employee's investment options at the time the new conversion is complete. The motion was seconded by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Councilwoman Potts and Mayor Pro Tem Woods voting affirmatively, motion carried.

- b. Mayor Palmer stated the City has reviewed a proposal by Governmental Solutions in which it would review city services, which have been reviewed by city staff here-to-date, at a proposed cost of \$34,500.00. Mayor Palmer stated he felt this would be a move to validate the City's current pricing and level of city services. Following discussion, Mayor Pro Tem Woods made a motion to approve the contract with Governmental Solutions for an amount not to exceed \$34,500.00. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
10. Mayor Palmer stated Kelly Cornwell was out of town on city business and was unable to attend and no reports were pending.
11. Mayor Palmer inquired if there was a need to move to executive session. The response was negative.
12. Councilman Denmon made a motion to adjourn, second by Mayor Pro Tem Woods, with Councilman Denmon, Mayor Pro Tem Woods, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.

Approved:

Submitted:

  
James F. Palmer, Mayor

  
Cathy Harrison, City Administrator