

1. Call to order by Mayor Burdette and invocation by Joyce Wilson.
2. Minutes of the Sept. 27, 1976, regular meeting were read and approved with the exception of a motion and second excluded in error regarding the Mashburn sewer line extension. The Alderman making the motion and second to be included and read at the following meeting.
3. Mayor's Comments: (a) The Mayor reminded the Council of the Seventh District GMA meeting to be held in Marietta on Oct. 14, 1976 at 3:30 p.m.
(b) Mr. Burdette stated that Joyce Wilson has brought his attention to the fact that many areas in the City is being overrun with weeds. Mr. Burdette stated that now was the time to curb their growth and asked the citizens to participate in a clean up effort to make our city more attractive.
4. Alderman's Comments: None
5. Public Comments: Mrs. J. B. Wright of Forrest Avenue stated that she had granted a sewer easement to the City and that at the present time this area serves as a natural drain for street debris. She asked the City's assistance in correcting this problem on its easement. The Council stated that a search would be made to determine the bounds of the easement and a decision would be made at the 25th meeting.
6. Old Business: (a) Mayor Burdette stated that many references had been made of the City's efforts to purchase a 340 acre tract in the Oostanaula Community to be used for a City-County landfill. In order to clear up any misunderstandings on this project, Mr. Burdette has requested that Mr. Bill Bailey representing a portion of the heirs of the proposed site and the City Attorney, Tom Shanahan attend the meeting. Mr. Burdette read a letter from Mr. Bailey giving details of the proposed purchase, as per attached copy. Mr. Bailey commented that the proposed purchase had been coordinated with a Mr. Horace Richter, an attorney representing several other heirs of the estate. In answer to a comment from the audience, Mr. Bailey stated that the corporation mentioned in reference to the transaction had not officially been formed, but was merely a legal tool to allow the City to lease purchase the property. The corporation was not a product of the City government, but of the attorney's involved in order to legally permit the sale to the City and County and to protect the property owners taxable income as well. Mr. Shanahan stated that both the City and County would lose their borrowing ability for schools, and etc. if they had any outstanding debt beyond Dec. 31st of each year, except by lease purchase. The proposed sale was perfectly legal and was the only way that the purchase could be made since the City and County could not bear the total expense within a year's time. Mr. Bailey stated that since a group of private citizens had obtained an option blocking the City-County sale, he would try

to recover the City's \$1,300.00 expense for boring samples. He also stated that the City had not proceeded with the sampling until he had given his permission. Mayor Burdette stated that the entire matter had been handled properly. The necessity of a landfill site is paramount and will benefit every citizen of the City and County and it was certainly not intended to be an individual purchase. He stated that he felt that those blocking the sale had demonstrated poor citizenship. City Supt. Hobgood stated that since he was a resident of the area he had been accused of personal gain on the transaction. He stated that he had acted in the best interest of the City in trying to obtain the property at a fair and reasonable price.

(b) Mr. Don Watt of TLM Associates presented each Council member with the report on the water system analysis. Mayor Burdette asked if Mr. Watt could attend the 25th meeting in order to answer any questions and to allow the Council time to study the report.

(c) The Clerk gave a second reading to the O & I Zoning Amendment. Ald. Padgett made a motion to waive the third and fourth reading and to adopt the amendment, second by Ald. Harwell and approved.

(d) The Council proceeded to vote on the proposed city zoning map, first on the changes as proposed by the Calhoun-Gordon County Planning Commission.

(1) Ald. Lewis made a motion to accept the Commission's recommendation of O & I on the property on both sides of North Wall Street from East Line Street, excluding the Combs-Jenning Funeral Home and Monument building property on the east and the Downtown Diner property on the west, continuing northward until abutting the commercial zoned area near Chandler Street. 2nd by Ald. Cox and approved.

(2) Ald. Padgett made a motion to leave the area from Chandler on both sides of College Street, north to Nelson Street zoned at R-2 and not follow the Commission's recommendation of O & I. 2nd by Ald. Harwell and approved.

(3) Ald. Padgett made a motion to change the zoning for the area bounded by Oothcaloga, Court, Fair and South River Street, including a triangle bounded by Oothcaloga and Fair Streets to commercial - C-2, not following the Commission's recommendation of O & I, 2nd by Ald. Harwell and approved.

(4) Ald. Lewis made a motion to accept the Commission's recommendation of zoning the City's old landfill property on the Sugar Valley Road to R-2, 2nd by Ald. Cox and approved.

(5) Ald. Cox made a motion to accept the Commission's recommendation of the Mt. Vernon (Echota) Mill Village area to R-2, 2nd by Ald. Padgett and approved.

(6) Ald. Padgett made a motion to accept the map including these

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changes as the City's official zoning map as of Oct. 11, 1976, 2nd by Ald. Harwell and approved.

(e) City Supt. Hobgood reported that 90% of the curb and fill work on Second Ave. had been completed and the balance should be finished by Wednesday the 13th.

(f) Supt. Hobgood stated that the City had received word from the State that we could begin paving on the 2.180 miles approved. Hopefully the contractors, North Georgia Paving could begin work on the 14th.

(g) Supt. Hobgood reported that he had contacted John Wayne Hall, owner of the property located on the Red Bud Road north of the elementary school, and had gotten a price of \$90,000.00 for the approximate 8.5 acres. The Council asked the Clerk to send an invitation to the school board to discuss the matter at the 25th meeting.

(h) The Clerk reported that at the present time only Ald. Cox had qualified to succeed himself; school board members, Jim Silvers, Rodney Harbin and Ray Weddle to succeed themselves in the November City election. The Clerk announced that the two disclosure reports should be returned to the City Clerk in keeping with the change in the law.

(i) Supt. Hobgood stated that he had discussed the City's position with Commissioner DeFoor regarding the intended use of old landfill property on the Sugar Valley Road. The Council requested that the Clerk follow up with a letter for a matter of record.

7. New Business: (a) Estes Pass of the Water Filtration Plant explained the new Safe Drinking ^{water} Act which would be effective in June, 1977. He urged each Councilman to contact the representative elect, Ernest Ralston, Senator Beverly Langford, and Tom Shanahan concerning the necessity of appropriating state funds in order that the State could provide the metal tests and etc., rather than each City or County water system financing its own test. The cost to provide the lab could run as high as \$75,000.00 for each individual system. Ald. Lewis made a motion to adopt a resolution to that effect, and forward this to Mr. Ralston, Mr. Langford and Mr. Shanahan, 2nd by Ald. Padgett and approved.

(b) Electric Supt. Bell and the City Clerk presented an assessment from the Municipal Electric Authority to share additional legal, technical expense until the first bonds could be sold hopefully at the first of the year. After further discussion, Ald. Padgett made a motion to forward the assessment, 2nd by Ald. Cox, Ald. Lewis voted affirmative, Ald. Harwell voted negative. The motion was approved by majority vote.

(c) The Clerk read resolutions on the four projects applied for under the Public Works Act of 1976.

(1) Ald. Padgett made a motion to adopt the resolution on the

water transmission line, 2nd by Ald. Lewis and approved.

(2) Ald. Harwell made a motion to adopt the resolution on the maintenance building, 2nd by Ald. Lewis and approved.

(3) Ald. Harwell made a motion to adopt the resolution on the civic building, 2nd by Ald. Padgett and approved.

(4) Ald. Cox made a motion to adopt the resolution on the fire hall, 2nd by Ald. Padgett and approved.

(d) The Council set Oct. 30, Saturday night, as Trick or Treat for children as Halloween since it falls on Sunday this year. Those children in the fifth grade and under will be allowed to participate in the observance.

(e) City Administrator Edwards stated that the City was up to date on the questionnaires required for the certified cities application. He stated that we could expect an on-site inspection team any time.


(f) The City Clerk presented a proposal and recommendation from her to purchase recording equipment for the City Council meetings, City Court and Public Hearings at a price of \$500.00. After discussion, Ald. Padgett made a motion to accept the recommendation, 2nd by Ald. Lewis and approved.

(g) Police Chief Hughdon Davis stated that he had received several requests from Buddy Ray to reimburse him for a shotgun taken from his stepson when he was arrested. Mr. Davis stated that this incident occurred before he became chief but after checking on the situation, he had verified that there was a shotgun at the headquarters at one time. Mr. Davis recommended that the owner be reimbursed. Ald. Harwell made a motion to pay the owner \$20.00 for the gun, 2nd by Ald. Cox and approved.

(h) Bids were opened on new police cars. Supt. Hobgood stated his intention was to retire two old police cars for each new one purchased. The bid from Roy Davis Chevrolet was \$4850.00 and the bid from Prater Ford was \$5214.00. The Council asked that vehicles be compared item for item and stated a decision would be reached on Oct. 25, 1976.

8. Ald. Harwell made a motion to adjourn, 2nd by Ald. Padgett and approved.

Approved:


W. C. Burdette,
Mayor

Respectfully submitted:


(Mrs.) Cathy Harrison,
City Clerk