

AUGUST 25, 1997

7:00 P.M.

REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR  
JOHN D. SHELTON, MAYOR PRO-TEM  
JIMMY PALMER, COUNCILMAN  
RONALD H. WOODS, COUNCILMAN

ALSO: WILLIAM P. BAILEY, CITY ATTORNEY  
KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC  
WORKS  
EDDIE PETERSON, ASST. DIRECTOR UTILITIES/  
PUBLIC WORKS  
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Meadows called the meeting to order, welcomed everyone and gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the August 11, 1997 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Meadows reminded everyone of the School's Special Purpose Local Option Sales Tax Referendum to be held on September 16, 1997, and urged the public to vote.
  - b. Mayor Meadows reminded the Council of the Public Hearings scheduled for September 8, 1997: (1) Zoning Variance Request of Hollis Cronon for a home built in Meadowbrook Place off Curtis Parkway, said home being built 15 inches closer to the adjoining property than is authorized by the Zoning Code; (2) Annexation/New Zoning Request of Juanita Muse for a five acre parcel of land off Sugar Valley Road for R-1 zoning.
  - c. Mayor Meadows reminded the Council of a public hearing scheduled for September 22, 1997 regarding relocation of Fuller Cemetery.
  - d. Mayor Meadows asked the Council to notify the Administrator if they were planning to attend the GMA Fall Pre-Legislative Conference. Following discussion, Councilman Palmer made a motion to authorize Cathy Harrison to be the voting delegate for the October 17, 1997 Business Meeting, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
5. Public Hearings & Comments:
  - a. Following review of the information provided by South Comm Publishing Co., who is handling the economic development publication for the Chamber of Commerce, Councilman Palmer made a motion to authorize a similar ad as the previous publication which involved one third of a page, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton and Councilman Woods voting affirmatively, motion carried.
6. Old Business:
  - a. Mayor Meadows reviewed the City's current Nepotism Policy, stating the policy was very broad, and it had

been the intention of the Council to strengthen that section of the policy. He stated Attorney Bailey had provided alternates for the Council to review to expand the City's current policy, and Mayor Meadows reviewed each of the three proposals. Councilman Woods stated that he had conversed with five of the large to medium sized private companies in the area, and that based on his review, he felt most comfortable with the change for Section 15.40 of the City's Personnel Policy as expressed by example C provided by Attorney Bailey. Councilman Palmer stated that he had also reviewed all the proposals, and that he felt Exhibit C would be most effective for the City. Mayor Pro-Tem Shelton stated his choice was also Exhibit C. Following discussion, Mayor Meadows read the proposed resolution identified as Exhibit C for the audience, stating the policy in 15.40 would remain virtually the same as currently listed with further enhancements which would make it easier for the Human Resource Department of the City to interpret, and easier for employees and elected officials to understand and follow. Following discussion, Councilman Woods made a motion to adopt the resolution amending Section 15.40, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

- b. Harrison reviewed the schedule for the November 4, 1997 City Election, stating the qualifying dates would be those as identified by State Law, with qualifying time to begin on September 8, 1997 at 8:30 A. M. and ending on September 12, 1997 at 4:30 P. M. She also identified those posts eligible for election; the first being Council Post Two for the unexpired term of Paul McEntire (ending December 31, 1999); Council Post Three, presently held by Jimmy Palmer; Council Post Four, presently held by John D. Shelton, Jr. (both posts to be for a four year term); also City School Board Post One, presently held by Henry Holland; City School Board Post Two, presently held by Judy Wilson; and City School Board Post Three, presently held by Becky Mathews (four year terms). Harrison stated the last day to register to vote would be October 6, 1997 at 5:00 P. M.

7. New Business:

- a. A 1st reading of a Parade Request by Bud Owens for the Cherokee Capital Fair, a traditional parade, which will be held on September 13, 1997 at 11:00 A. M. for the normal parade route was given. Following discussion, Councilman Palmer made a motion to approve the request subject to DOT approval, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- b. A 1st reading of a Parade Request by Bud Owens for the 2nd Annual Calhoun Christmas Parade for December 5, 1997 at 7:00 P.M. for the normal parade route was given. Following discussion, Councilman Palmer made a motion to approve the request subject to DOT approval, 2nd by Councilman Woods with Councilman Palmer, Councilman Woods and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- c. Mayor Meadows reviewed a DOT application for a commercial driveway relocation and a DOT application for a traffic signal at Red Bud Road and Springdale Drive. Harrison stated the DOT application for the commercial drive relocation is being applied for in the name of Piggly Wiggly of Calhoun, Inc. and the City of Calhoun, since the City of Calhoun would be the party requesting the traffic signal. Following discussion of the driveway

relocation application, Councilman Woods made a motion to approve and authorize Mayor Meadows to sign on behalf of the City, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton and Councilman Palmer voting affirmatively, motion carried. Following discussion, Councilman Woods made a motion to approve the request, and to authorize the Mayor to sign the traffic signal request for Red Bud Road and Springdale Drive, 2nd by Mayor Pro-Tem Shelton with Councilman Woods, Mayor Pro-Tem Shelton and Councilman Palmer voting affirmatively, motion carried.

- d. Mayor Meadows stated the City of Calhoun has received a DOT contract for .537 miles of base and paving for Executive Park, formerly known as Roberson Road. He concurred with Attorney Bailey that right-of-way had been procured, and was clear for the City to sign contracts. Following discussion, Councilman Woods made a motion to approve the contracts, and to authorize the Mayor to sign, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- e. Harrison stated the Police Department is requesting permission to apply for a \$13,000.00 grant and local match for training and computer software. She stated the prior year, the City had been provided approximately \$11,000.00 which was used for equipment. The equipment to be purchased this year would be primarily software equipment regarding photo capabilities for solving crimes, also training tapes for officers. She stated the local match of the \$13,000.00 expenditure would be approximately \$1,200.00. Following discussion, Mayor Pro-Tem Shelton made a motion to approve, and to authorize the Mayor to sign, 2nd by Councilman Woods with Mayor Pro-Tem Shelton, Councilman Woods, and Councilman Palmer voting affirmatively, motion carried.

8. Other Written Items Not on the Agenda:

- a. Attorney Bailey reviewed a memorandum he had provided for the Mayor and Council regarding a road bed approximately 750 ft. in length and 60 ft. in width which had been deeded to the City of Calhoun in 1979. He stated from all indications in the minutes, and from interviewing individuals, he had not been able to find any commitment the City had made in regard to development of the strip. He stated in his memorandum, he had listed the alternates: (1) City to accept the private bid for paving the strip according to City specifications, and the City to pay the difference; (2) to require the property owners to pay all construction cost incurred by the City; (3) convey the property to the owners under the authority of Road Abandonment Statute Section 32-7-4 which would allow the property owners to build the road according to City specifications under their own bid efforts, and then to deed the property back to the City for future maintenance; or (4) to do nothing. Following discussion by the Council and Director Cornwell, the Council stated they would prefer to abandon the property, and to allow the adjoining property owners the opportunity to build the road according to City Specs in order for them to utilize their property which adjoins the road bed. Following said discussion, Councilman Woods made a motion to accept this as first reading, and to set a public hearing for September 8, 1997 at 7:00 P. M., and to authorize Attorney Bailey to proceed with said action, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

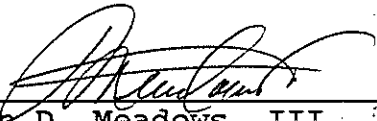
9. Director Cornwell's Work Report:


- a. Director Cornwell stated that a letter from EPD had been forwarded from Gordon County regrading recent tests from two of the City's test wells on the Harris-Beamer Landfill property. He stated according to the tests, there were three constituents (Benzene, Methylene Chloride and Vinyl Chloride) which have been detected at or slightly above regulatory limits. EPD noted that at these concentrations, these constituents can be considered biodegradable. It was also noted that the limited extent of the landfill impact has not affected any of the near by water wells, however, they are requiring that the City take immediate action. The site will be listed on the hazardous site inventory. This will allow the City to comply with the necessary regulations which might include additional test wells and monitoring or other items, and will allow the City to apply for reimbursement from the State Hazardous Site Fund. Cornwell stated that the firm of Piedmont Olsen Hensley had handled the City's closure of the landfill, and since they had expertise in this area, that he would recommend Piedmont Olsen Hensley handle the engineering review and recommendations as to appropriate action needed to be taken by the City. Following discussion, Councilman Palmer made a motion to approve retaining Piedmont Olsen Hensley for the project, 2nd by Mayor Pro-Tem Shelton with Councilman Palmer, Mayor Pro-Tem Shelton and Councilman Woods voting affirmatively, motion carried.
- b. Director Cornwell and Asst. Director Peterson reviewed a spill near Cal-Tech off Highway 41, South. They reviewed the information which had been forwarded to EPD regarding the spill. The City had responded, and had the problem resolved within one hour after notification. The problem had apparently resulted due to a lint screen not in place at the industry resulting in unauthorized items getting into the system and causing problems. Following elimination of the problem, the City diluted the spill for hours from a fire hydrant, however, the industry will be responsible for the cost associated with the clean up efforts.

- 10. Councilman Woods made a motion to move to Executive Session for legal matters, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- 11. Councilman Woods made a motion to move to General Session, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.
- 12. Councilman Woods made a motion to adjourn, 2nd by Councilman Palmer with Councilman Woods, Councilman Palmer and Mayor Pro-Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:

  
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John D. Meadows, III  
Mayor

  
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Cathy Harrison  
City Administrator