

MARCH 23, 1998

7:00 P.M.

REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR
JIMMY PALMER, MAYOR PRO-TEM
JOHN D. SHELTON, JR., COUNCILMAN
RONALD H. WOODS, COUNCILMAN
HENRY HOLLAND, 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 March 9, 1998 Regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows reminded the Council of the public hearings scheduled for April 13, 1998: (1) Annexation/New Zoning Request of Sharon Smith for a lot 180' x 200' on Highway 53 Spur, west of the railroad for C-2 zoning; (2) Annexation/New Zoning Request of Jim Black, Billy Black, Sandra Reese, and Johnnie McNeese for property located on U. S. Highway 41, North, across the railroad adjoining the Bowater property for C-2 zoning; (3) Annexation/New Zoning Request of Alan Price for approximately 3.35 acres located in Land Lot 194 in the 14th District and 3rd Section of Gordon County, Georgia (Red Bud Road and Barrett Road) for C-N zoning; (4) Annexation/New Zoning Request of Haley Stephens for property located off I-75 off Flowers Road, and consisting of 2.75 acres, with an easement of 50 ft. extending from Flowers Road to said tract for Ind.-G zoning.
 - b. Mayor Meadows stated the Council held its first work retreat on March 14-15, 1998, and that it was very productive. He stated a lot of progress was made on the budget and on future planning for the City.
 - c. Mayor Meadows reported City and County Officials had met with the DOT Commissioner on March 12, 1998 for a very productive meeting. He stated the DOT Commissioner notified the Council that work would begin on Highway 41 North from West Line Street to Red Bud Road, with property procurement to begin after July 1, 1998. He also reported the County had received additional funding to match the millage levied in 1997 by the County, which would enable street improvements in several areas including a couple of city streets.
 - d. Mayor Meadows announced a Budget Work Session would be held March 30, 1998 at the Depot Community Room at 6:30 P. M.
 - e. Mayor Meadows extended sympathy to employees Jerry and Charlie Walraven on behalf of the Council. Jerry and Charlie Walraven lost their mother during the past week.
 - f. Mayor Meadows reported Representative Shanahan has filed a discretionary fund request for emergency water line extension funds for residents of Possum Hollow Road. Representative Shanahan anticipates an early answer from Governor Miller.
 - g. Mayor Meadows read and requested a resolution be adopted commending Ms. Marla Ray for her accomplishments and for being elected Ms. Teenage Georgia. Mayor Pro-Tem Palmer made a motion to adopt the resolution, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Woods and Councilman Holland voting affirmatively, motion carried.
 - h. Mayor Meadows welcomed members of the 1998 Leadership Class to the meeting, and invited them to attend again.
5. Public Hearings & Comments:
 - a. A 2nd reading of the Beer/Wine Liquor Pouring License Request of Weldon Walker for Madison's Steak House, the former Rock House Grill, located on 360 Piedmont Street was given. A public hearing was opened, with a clear police report being given, there were no other comments and the hearing was closed. Mayor Pro-Tem Palmer made a motion to approve, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Woods and Councilman Holland voting affirmatively, motion carried.
 - b. Mr. Oland Chan of Cellular One requested the City consider a temporary cellular tower for his company, since they obtained a building permit on January 19, 1998, prior to the

date of the moratorium announced by the City. Mr. Chan announced that his company had made a decision to operate their company, which is an FCC licensee for this particular area. He stated his company was licensed to sell in the rural service area. He stated his request was to locate two temporary towers on Mt. Alto, on property owned by the City for approximately six months until the new ordinance is adopted, and at that time, they will relocate to a permanent location. Following discussion, Mayor Pro-Tem Palmer made a motion to approve a temporary license for six months in consideration for testing of all the other antennas located on the site and subject to proper legal documentation to be prepared by Cellular One's attorney and approved by the City attorney, 2nd by Councilman Woods with Mayor Pro-Tem Palmer, Councilman Woods, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

6. Old Business:

- a. The staff reported the sewer line and pump requested by Roy Caughorn for property located at 514 Linda Lane, as well as, a proposed gravity flow line was reviewed. Cornwell stated the cost of the gravity flow line for materials and labor would be approximately \$35,000.00, however, he stated there was rock in the area, and there could be substantial cost added to the \$35,000.00. He stated the owner of the Meadowbrook property had stated he would trade a water line extension for the easement across his property for a sewer line extension, which would be a cost of approximately \$13,000.00. He stated in addition to this proposal, Mr. Roy Caughorn had proposed in lieu of the gravity flow line, the right to install a pump on his property, with a two inch line extending on the street right-of-way to the existing manhole approximately 380 ft. from his lot. Mr. Caughorn stated he had contacted the residents based upon the \$35,000.00 material and labor cost for the gravity flow line, and that none were willing to pay that amount for a sewer connection. Mayor Meadows stated the City's existing policy tracks the state requirement that property located outside the City which is within 200 ft. of an existing sewer line, with a written statement from the Health Department can tap into the City's sewer system. The request filed by Mr. Caughorn is 380 ft. from the city's existing system. The Mayor and Council asked the matter be held for a review by staff for other similar requests for sewer line extensions outside the City limits.
- b. Harrison stated the City of Calhoun currently has four employees enrolled in a supervisory management degree program at Coosa Valley Tech. Those students are Linda Brookshire, Rhonda Crider, Randy Jackson and Brenda Wilson. She stated all have been on the President's List for the past two quarters, with Brenda Wilson receiving a Citizenship Award, after being nominated by her instructor. Harrison commended each of these employees for their dedication and commitment to self improvement.

7. New Business:

- a. A 1st reading of the Amusement License Request of Leroy and Celeste Chattam for an amusement business to be located at 437 South Wall Street. The business has not yet been named. Following discussion as to the location, and a possible parking problem, Mayor Pro-Tem Palmer made a motion to set a public hearing for April 13, 1998 at 7:00 P. M., 2nd by Councilman Woods with Mayor Pro-Tem Palmer, Councilman Woods, Councilman Shelton, and Councilman Holland voting affirmatively, motion carried.
- b. Harrison reviewed a recommendation by the Golf Advisory Board to cancel the current snack bar contract for Calcutta Grill, and begin receiving bids regarding operation at the snack bar at the earliest possible date. Attorney Bailey reviewed the contract regarding cancellation, stating the cancellation can be immediate, with the Council allowing the operators sufficient time to move their equipment. Following discussion, Councilman Holland made a motion to revoke the contract allowing 30 days for the operators to remove their equipment at the snack bar area, and to authorize the City to begin accepting bids for operation of the snack bar, 2nd by Councilman Woods with Councilman Holland, Councilman Woods, Councilman Shelton and Mayor Pro-Tem Palmer voting affirmatively, motion carried.
- c. Engineer John Sweitzer of Sweitzer Engineering and Kelly Cornwell, Director of Utilities/Public Works reviewed the bids for the well project and for the transmission lines associated with the well project. These items being bid in division: Division One being the well project, Divisions Two, Three and Four being various stages of piping. Sweitzer stated the original estimate of cost was one million dollars, however, the pump associated with the well project had been redesigned, and a larger holding tank added to the project in order to have better utilization for additional wells or other water sources to be treated at the site in the future. In order to stay within the budget of one million dollars, Sweitzer stated he recommended Jones Environmental, the low bidder for \$635,429.00 for the well portion in Division One. For the line division, he recommended the City go with Divisions Two and Three for a total of \$262,469.00 with the low bidder M&M Contracting. Following review and discussion of the project, Mayor Pro-Tem Palmer made a motion to accept the low bids from both contractors as recommended and to move forward with Divisions One, Two and Three, 2nd by Councilman Woods with Mayor Pro-Tem Palmer, Councilman Woods, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- d. Harrison reviewed a request by Conoco, also known as Kay-O Oil, for a lease on land at the intersection of North River Street and West Line Street for an additional five year

period for \$900.00 per month with an option for an additional five years at \$1,000.00 per month. Harrison reviewed this lease in comparison to the lease for the Butler Building located off Richards Street and Louise Avenue. Following additional discussion, Councilman Woods made a motion to table the request, 2nd by Councilman Shelton with Councilman Woods, Councilman Shelton, Councilman Holland and Mayor Pro-Tem Palmer voting affirmatively to table, motion carried.

8. Other Written Items Not on the Agenda:

- a. Mayor Meadows reviewed a request from the Department of Transportation requesting the City to sign a request for a traffic signal on S.R. 53 at W.C. Bryant Parkway and also a request to sign an agreement for telephone services for signalization at the intersection. Mayor Meadows stressed this was not an agreement to actually approve the signal, but that it was an agreement to look at the application. Following further discussion, Councilman Woods made a motion to approve and to authorize the Mayor to sign, 2nd by Councilman Shelton with Councilman Woods, Councilman Shelton, Councilman Holland and Mayor Pro-Tem Palmer voting affirmatively, motion carried.
- b. Mayor Meadows reviewed a request by United Way to consider continuing its course, which had been certified two years ago, and which allowed the run to proceed down Old Red Bud Road into Highway 156. The Council stated that at this time a portion of the road had been removed and a sidewalk installed, and that it would be extremely hard for the numbers of people participating in the Annual United Way Run to access a four ft. sidewalk. The Council asked that the matter be reviewed again by the officials of the United Way Run prior to approval.

9. Director Cornwell's Work Report:

- a. Director Cornwell provided an easement request by Ernest Owens for a 50' x 80' portion of the city's property on Oak Street. Mr. Owens had stated he would pipe the area, and would also realign the fence, in order for the Electric Department's property to be fully protected and secure. In reviewing the application, it was determined that Mr. Owens had other access to his property, other than procurement of the easement. Councilman Woods asked that the matter be tabled until April 13, 1998 to allow time to review the other access to the property with Mr. Owens, 2nd by Councilman Shelton with Councilman Woods, Councilman Shelton, Councilman Holland and Mayor Pro-Tem Palmer voting affirmatively, motion carried.

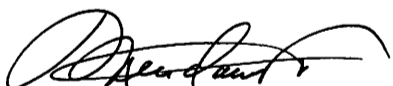
10. Mayor Pro-Tem Palmer made a motion to move to Executive Session for a personnel matter, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Woods and Councilman Holland voting affirmatively, motion carried.

11. Mayor Pro-Tem Palmer made a motion to move to General Session, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Woods and Councilman Holland voting affirmatively, motion carried.

12. Mayor Pro-Tem Palmer made a motion to adjourn, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Woods and Councilman Holland voting affirmatively, motion carried.

Approved:

Submitted:


John D. Meadows, III, Mayor


Cathy Harrison, City Administrator

MARCH 23, 1998

8:45 P.M.

EXECUTIVE SESSION
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET

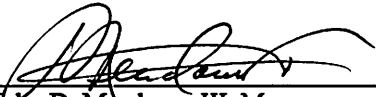
PRESENT: JOHN D. MEADOWS, III, MAYOR
JIMMY PALMER, MAYOR PRO-TEM
JOHN D. SHELTON, JR., COUNCILMAN
RONALD H. WOODS, COUNCILMAN
HENRY HOLLAND, COUNCILMAN

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

1. Harrison stated the City had received a request for a part time job by a recently retired employee, who retired under the old unfunded pension plan, and who currently receives 60% of his highest pay from funding in each year's current budget. In a matter of legalities, the City Attorney stated there was no problem legally in rehiring the retired employee, however, he would recommend that the employee be placed as a probationary employee, as all new hires, to determine if it would be cost effective and the City would retain its rights under the probationary period. The Council reviewed the request, and stated that the department head should justify the job, and that with justification it would be approved.
2. The meeting was adjourned at approximately 9:15 P. M.

Approved:

Submitted:



John D. Meadows, III, Mayor



Cathy Harrison, City Administrator

**A RESOLUTION AUTHORIZING THE
CORRECTION OF THE CITY OF CALHOUN
1996 TAX DIGEST AS TO IMAGE INDUSTRIES, INC.**

WHEREAS, the 1996 Tax Digest for the City of Calhoun was compiled by the Board of Tax Assessors of Gordon County, Georgia, based upon returns made by the taxpayers who are owners of property, both real and personal, in Gordon County, Georgia which includes the City of Calhoun; and

WHEREAS, the 1996 Tax Digest of the City of Calhoun served as the collection record for 1996 City of Calhoun ad valorem taxes; and

WHEREAS, 1996 ad valorem taxes were due and payable in the City of Calhoun on January 15, 1997 and the amount of ad valorem taxes to be paid by Image Industries, Inc. on its Bill Number 96-2042 was \$47,502.19; and

WHEREAS, upon receipt of said Bill Number 96-2042, Image Industries, Inc. advised the City of Calhoun that an error had been made in the return of its personal property to the Gordon County Tax Assessors in that the inventory value returned was in pounds (weight) and not dollars; and

WHEREAS, upon calculation of the inventory value based upon dollars rather than pounds (weight), the amount of tax due would be \$14,769.94; and

WHEREAS, Georgia law provides at O.C.G.A. §48-5-380 that a municipality may refund to taxpayers all taxes which are determined to have been erroneously assessed if a claim is made within three years after the taxes were due; and

WHEREAS, the report of the City Staff indicates Image Industries, Inc. filed an amended Business Personal Property Report with the Gordon County Board of Tax Assessors and the amended return has been accepted and ad valorem taxes for 1996 have been paid and accepted by the Tax Commissioner of Gordon County based on said amended return; and

WHEREAS, based upon said amended return Image Industries, Inc. has paid to the City of Calhoun the sum of \$14,769.94 and City Staff has determined said amount to be correct as applied to the amended return; and

MARCH 12, 1998

3:00 P.M.

BID OPENING ON THE WATER TREATMENT FACILITY
WELL NUMBER THREE PUMPING AND WATER
TRANSMISSION MAINS BID REQUEST AT
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET

PRESENT: JOHN SWEITZER, SWEITZER ENGINEERING, INC.
JOINER SMITH, USDA RURAL DEVELOPMENT, REPRESENTING
THE INTEREST OF ARC
CATHY HARRISON, CITY ADMINISTRATOR

ALSO: ESTES PASS, WATER PLANT SUPERINTENDENT
EDDIE PETERSON, ASST. DIRECTOR UTILITIES/PUBLIC WORKS
MARK WILLIAMSON,

1. Listed below are the bids for Division One for Well No. Three Pumping and Treatment Facility.

- a. Haren Construction Company, Inc. – 1715 Highway 411, North, Etowah, TN 37331 - \$717,000.00 (\$5,000.00 will be deducted if Division I, II, III and IV awarded).
- b. Jones Environmental Construction, Inc. – P. O. Box 425, Trussville, AL 35173 - \$635,429.00.
- c. Southern Champion Construction, Inc. – 3897 Stephens Court, Tucker, GA 30084-4322 - \$718,511.00.
- d. Collins Construction, Inc. – 740 Weatherly Lane, N.W., Atlanta, GA 30328 - \$680,000.00.

2. Listed below are the bids for Water Transmission mains.

- a. Cash Construction Company – 282 Addington Drive, Rome, GA 30165
Div II - \$75,458.49
Div III - \$389,324.61
Div. IV - \$285,701.11
Total Bid - \$750,484.21
- b. Summit Pipeline, Inc. – 886 Bradford Street, Gainesville, GA 30501
Div. II - \$73,400.00
Div. III - \$288,390.00
Div. IV - \$256,060.00
Total Bid - \$617,850.00
- c. D & H Construction – 489 Windy Hill Road, Smyrna, GA 30082
Div. II - \$73,725.00
Div. III - \$253,550.50
Div. IV - \$251,860.00
Total Bid - \$579,135.50
- d. Unity Construction Company – P. O. Box 651, Mableton, GA 30059
Div. II – \$62,399.50
Div. III - \$271,992.50
Div. IV - \$254,109.00
Total Bid - \$588,501.00 (Ded. \$3,000. if two are awarded.)
- e. C&S Construction Company – 8274 Calhoun Road, Adairsville, GA 30103
Div. II - \$69,865.00
Div. III - \$224,680.00
Div. IV - \$218,715.00
Total Bid - \$513,260.00
- f. K.M. Davis Contracting – 3859 Floyd Road, Austell, GA 30106
Div. II - \$77,020.00
Div. III - \$242,640.00
Div. IV - \$301,178.00
Total Bid - \$620,838.00
- g. Stancil Underground Trenching – 953 Turner Road, Jasper, GA 30143
Div. II - \$61,080.00
Div. III - \$210,460.00
Div. IV - \$212,800.00
Total Bid - \$484,340.00
- h. Phoenix Water and Sewer – 64 Laurel Lane, Jasper, GA 30143
Div. II - \$76,812.60
Div. III - \$274,309.60
Div. IV - \$278,665.00
Total Bid - \$629,787.20
- i. Haren Construction Company – 1715 Highway 41, North, Etowah, TN 37331
Div. II - \$59,000.00

- Div. III - \$248,720.00
Div. IV - \$231,440.00
Total Bid - \$539,160.00
- j. M&M Contracting – P. O. Box 929, Jasper, GA 30143
Div. II - \$61,719.00
Div. III - \$200,750.00
Div. IV - \$205,180.00
Total Bid - \$467,649.00
- k. Carver & Carver Plumbing – 102 Clark Avenue, Rome, GA 30165
Div. II - \$68,223.00
Div. III - \$243,027.00
Div. IV - \$244,092.40
Total Bid - \$555,342.40
- l. Newell Contracting, Inc. – 2696 Skyview Drive, Lithia Springs, GA 30057
Div. II - \$65,483.71 (180 Days)
Div. III - \$247,739.22
Div. IV - \$252,244.31
Total Bid - \$565,467.24

Submitted:


Cathy Harrison, City Administrator