

APRIL 13, 1998

7:00 P.M.

CITY OF CALHOUN, CITY COUNCIL
DEPOT COMMUNITY ROOM
109 SOUTH KING ST.
CALHOUN, GA. 30701

PRESENT: JOHN D. MEADOWS, MAYOR; JIMMY PALMER, MAYOR PRO TEM;
JOHN D. SHELTON, COUNCILMAN; RONALD WOODS, COUNCILMAN;
AND HENRY HOLLAND, COUNCILMAN.

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

1. Mayor Meadows welcomed the group and 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 March 23, 1998 regular city council meeting were approved as written.
4. Mayor comments.
 - a. Mayor Meadows requested the Council reappoint Phillip Beamer to the Airport Authority for a term to expire July 1, 2000. Following review Councilman Holland made a motion to reappoint Mr. Beamer to the Airport Authority with his term expiring July 1, 2000, 2nd by Councilman Shelton, with Councilman Holland, Councilman Shelton, Councilman Woods, and Mayor Pro Tem Palmer voting affirmatively motion carried.
 - b. Mayor Meadows reviewed a request for Meadow Lane to be closed on April 18, 1998 at 1:00 p.m. to 4:00 p.m. in order for a soap box derby to be held by boy scouts master for several groups. Following discussion Mayor Pro Tem Palmer made a motion to approve the road closing as requested. 2nd by Councilman Woods, with Mayor Pro Tem Palmer, Councilman Woods, Councilman Shelton and Councilman Holland voting affirmatively motion carried.
 - c. Following review of the United Way Run proposed route, a request was made to travel the Old Red Bud Rd. to the current Red Bud Rd. even though a four foot sidewalk has been installed at the lower portions of Old Red Bud Road. Following review, Councilman Woods made a motion to approve the run along the route as requested by United Way. The motion was 2nd by Councilman Shelton, with Councilman Woods, Councilman Shelton, Councilman Holland and Mayor Pro Tem Palmer voting affirmatively, motion carried.
 - d. Mayor Meadows reminded the Council of the meeting with the school board on April 14, 1998 at 6:30 p.m. on West Line St. The purpose of the meeting being a work section to discuss the school's budget.
 - e. Mayor Meadows reviewed a letter from John Beldsoe who operates a counseling service for drug and alcohol abuse victims. Mr. Beldsoe requested a larger meeting room for individual to meet in a congenial atmosphere to discuss problems. Mayor Meadows stated at the time the city had no room available, but would keep this in mind as any possible school buildings become available.
 - f. Mayor Meadows reviewed a proposed resolution honoring the first Cherokee Indian Festival to be held on April 25, 1998 at 10:00 a.m. at the former Concerts in the County location on Red Bud Road. Following review, Mayor Pro Tem Palmer made a motion to adopt the resolution, 2nd by Councilman Woods with Mayor Pro Tem Palmer, Councilman Woods, Councilman Holland and Councilman Shelton voting affirmatively, motion carried.
5. Council Comments:
 - a. Mayor Pro Tem Palmer stated the Electric Dept. sold 26,423,991 KWH of electricity to a customer base of 4,041. They provided 36 inspections and also had several calls on Wednesday evening due to storms and high winds. Mayor Pro Tem Palmer congratulated the nine and ten year old girls basketball team who recently won the state tournament the second for the group. Mayor Pro Tem Palmer also expressed appreciation to the VFW for their improvements to the ball fields, which they lease to the recreation department for its programs. Mayor Pro Tem Palmer stated the Main Street Director had been meeting with various groups to discuss the parking situation, had been active in the local leadership program and had provided the Easter Bunny at the depot two weeks before Easter.

- b. Councilman Shelton stated the Fire Department provided fire extinguisher training to area businesses and fire fighters. They participated in the March of Dimes programs with the Winners Club. They are presently painting fire hydrants and have had several firemen become certified at state level. They received 43 calls during the month of March with damages of \$47,650.00, and the provided 41 inspections. During the month of March, the Police Dept. made 303 arrest of which 15 where UI. They collected \$36,217.00. They issued 129 warnings, 526 parking tickets, investigated 188 incidents and 112 accidents, which had 25 injures. They provided 135 escorts and responded to 111 burglar alarms.
 - c. Councilman Woods stated the Street Department continued patching, which included Old Red Bud Rd., Three Oaks Drive, Woodland Circle, Marine Drive, Flowers Road and the Recreation Department using over 40.64 tons of asphalt. This included patching several areas on each of the streets. They poured 80 feet of sidewalk on Red Bud Rd. and 65 feet of sidewalk on Old Red Bud Rd. They poured 210 feet of curbing gutter and 100 feet of golf path at the golf course. They poured 150 feet of curb and gutter on Wildwood Circle. They hauled topsoil and sowed grass on Old Red Bud Rd. They installed 40 feet of 36 inch metal pipe on Newtown Road and hauled 66 tons of gravel for the street and water department. They have three truck drivers who have completed and passed the Class B, CDL Driver's Test and Kevin McEntire received certification from DOT on erosion control. Sanitation Department gained three 4 yard customers, one 6 yard and one 8 yard commercial dumpster customer during the month. The Parks Department provided maintenance on right of ways and hauled debris as needed. They began construction on a bench pad at Fain Cemetery for benches to be installed in the center of the new section of Fain Cemetery. They did maintenance repair work at the police dept. and the waste treatment plant. The Cemetery Department supervised the opening of thirteen graves and provided maintenance for both Fain and Chandler since the mowing season has begun. The Street Department shop completed 38 work orders for all city departments. Rabies control housed 38 dogs and 24 cats. They issued four first warnings, one second warning and one third warning.
 - d. Councilman Holland stated the Water Treatment Plant pumped an average of 1.2 million gallons for the month of March 1998. The water treatment plant treated an average of 11.67 million gallons during the month of March with suspended effluent of 22, COD effluent of 102, and BOD effluent of 19. The water and sewer construction department made 36 water taps and 21 sewer taps during the month of March. They repaired 33 water leaks and changed out 28 meters. The sewer infiltration crew cleared over 7,000 ft of sewer right of way during the month, as well as rehabilitating several manholes.
6. Public Hearings and Comments:

Mayor Meadows stated the public hearing for zoning matters would be held. They are to be presented in alphabetic order with reports by the Zoning Advisory Board. Public hearings will have pro and con comments with a 10 minute maximum time limit with each person speaking being required to have filed a financial disclosure statement five days prior to the hearing and giving their name and address. Mayor Meadows inquired if any member of the Council needed to file a disclosure statement on any of the items to be considered. The response was no.

- a. A 2nd reading of annexation / new zoning request of Jim Black, Billy Black, Sandra Reece and Johnnie McNeese for property located on US Hwy. 41 North, adjoining the Bowater property of approximately 2.72 acres for C-2 zoning was given. A public hearing was opened with Harrison reporting that signs had been placed on the property, adjoining property owners had been notified and advertising completed in the legal organ. The Zoning Advisory Board stated the tract is located in a commercial area and has sewer available. However, a bore under the railroad will be needed at an approximate cost of seven to eight thousand dollars, which is to be paid by the developer. An eight inch water line is near the property and is available for extension at the cost of the developer. The street dept. reported that trash service would be available with no problem. The area is located on a state route with a county road called South Drive on the north side of the property. There is natural drainage in the area and no storm water problem. The City will not serve electricity to the area since it is outside the city's jurisdiction. However, any new construction would need to be inspected by the city electric dept. The Fire Department stated there were no problems regarding fire protection since there is a fire hydrant located near the Bowater property. However, new construction will be reviewed and it will be determined if additional hydrants would need to be added due to construction. The Building Inspectors stated there were no problems with the application currently proposed. The Zoning Advisory Committee recommended the parcel be annexed at C-2 zoning. There were no other comments and the public hearing was closed. Councilman Woods made a motion to waive the 3rd and 4th readings and to approve annexation at C-2 zoning, 2nd by Mayor Pro Tem Palmer with Councilman Woods, Mayor Pro Tem Palmer, Councilman Shelton and Councilman Holland voted affirmatively motion carried. # 633
- b. A 2nd reading was given annexation/ new zoning request of Alan Price for property located off Barrett Rd., west of Devonwood Subdivision and south of the Donut Castle

for C-N zoning. A public hearing was opened with Harrison reporting the signs on the property, the advertising in legal organ and notification to adjoining property owners had been completed. Councilman Woods stated the Zoning Advisory Board had met on April 9, 1998 to review the request, and found the need for the developer to work with the street dept. in locating a driveway to the property off Barrett Rd. or Red Bud Rd. due to the high traffic in the area. There would be trash service available to the area. However, drainage may be a problem since there is currently a 24 inch storm sewer line which feeds into a 12 inch catch basin near the sight. However, with additional construction, this might need to be replaced in order to handle the additional volume. Erosion control would be needed due to the terrain in the area. A six inch water line is located on Barrett Road near Red Bud Rd. Sewer is available on Barrett Road and Red Bud Rd., and can be extended to the property at the cost of the developer. Fire protection is available from hydrants currently located at the corner of Barrett Road. However, any new construction will be reviewed to determine if additional hydrants need to be placed on the site. The City will service electricity to the area and there should no problems with police control since the area is currently within their patrol area. The building inspector recommended that storm sewer control be addressed and that the property be cleaned up. Any permits required should be issued prior to any land disturbance. The Zoning Advisory Board recommended the property be annex for C-N zoning. There were no other comments and the hearing was closed. Councilman Woods made a motion to waive the 3rd and 4th readings and to approve the annexation for C-N zoning, 2nd by Mayor Pro Tem Palmer with Councilman Woods, Mayor Pro Tem Palmer, Councilman Holland and Councilman Shelton voting affirmatively motion carried. #634

- c. A 2nd reading of annexation/new zoning request of Sharon S. Smith, for lot 100 feet by 200 feet off Hwy. 53 West, west of L & N Railroad, bound on the east and south by Beamer property for C-2 zoning was given. The applicant had requested C-1 zoning. However, they are eligible only for C-2 or C-N zoning. A public hearing was opened Harrison reported that advertisement, placement of signs and notification of adjoining property owners had been completed. The Zoning Advisory Board met on the matter on April 9, 1998 at 4:30 p.m. and reviewed the application. They found the lot has a driveway off Hwy. 53, there is natural drainage off the property, a 12 inch water line is available to serve the property and sewer can be extended. However, an easement will need to be procured from the owners of the Beamer property and any water and sewer extensions will be at the cost of the developer. The Building Inspector stated he had no problem with the application and normal permitting would be required. The Fire Dept. stated a fire hydrant is located on River Street and can serve the property. The City will serve electricity to the sight. Based on these factors and based upon commercial property located adjacent to the lot, the Zoning Advisory Board recommended the property be annexed and zoned C-2. Councilman Woods made a motion to waive the 3rd and 4th readings and to approve the annexation for C-2 zoning, 2nd by Councilman Holland with Councilman Woods, Councilman Holland, Councilman Shelton and Mayor Pro-Tem Palmer voting affirmatively, motion carried. #635

- d. A 2nd reading of annexation/new zoning request for J. Haley Stephens for property located off Flowers Road with a 50 foot easement extending 1300 feet to a 2.75 acre tract for an Industrial G zoning was given. A public hearing was opened with Harrison reporting that advertisement, placement of signs and notification of property owners had been completed. The Zoning Advisory Board met on the matter on April 9, 1998 at 4:30 p.m. and determined that approximately 100 feet of debris from the recent carpet burn was located on the 50 foot easement area. The Zoning Review Committee determined that no sewer was available at the 2.75 acres. However, it is located on adjacent property and could be extended approximately 2000 feet to the sight. Water is located near the site but would need to be extended, both at the cost of the developer. The Fire Dept. stated no hydrants were located on the easement or tract and prior to any construction to the lot, a fire hydrant would need to be placed on the easement area or the 2.75 acre tract. The Street Dept. stated that it does have natural drainage and it also abuts a public road. However, trash would need to be picked up on Flowers Road at the end of the easement area. The City would be eligible to serve electricity to any construction on the 2.75 acre site. The Fire Department recommended that the matter be held until all legal problems have been resolved on the tract since the fire department assisted the Gordon Fire Dept. and the County Emergency Management Group and felt that Leacheate could contaminate the area. Harrison stated she had received a letter from the county attorney requesting the annexation be held until all legal matters have been resolved regarding the full tract in which the 2.75 acres adjoin the actual property of the recent carpet burn. Councilman Woods stated the Zoning Advisory Board also heard comments from the property owner, Haley Stephens, and since Mr. Stephens is in attendance, he would allow him the opportunity to address the request in person. He stated that the Zoning Advisory Board had recommended the matter be tabled until legal action was completed on the full tract of property of which the 2.75 acres is a part. Haley Stephens stated the only violation he had received regarding the situation was dated January 13, 1997, stating the property was zoned as A-1 and was not being used as A-1. He stated his options to remedy the violation were to either annex into the City at an appropriate zoning or to request a zoning change through the county process. He stated, based upon prior zoning changes by the county, that he preferred annexation. He stated he had met with the

county to gain permission to clean up the site and requested that electricity be restored for the Kroger sign which is located on the easement area of the property requested for annexation. He stated his request had been denied. He had also requested that Gordon County consider a reasonable rate to move the waste to the land fill area. However the rate he was quoted was higher than a rate quoted from another county. He stated, at this time, he has paid over \$5,000.00 for a soil test provided by the Walter H. Carter Company, which has determined the soil is not hazardous. He also stated he has paid over \$40,000.00 in legal fees and has not been able to achieve any cooperation from Gordon County in his request to clean up the site. Mr. Marvin Broyles stated that as a citizen, he is concerned with industry located in both the city and county. He stated that he is concerned that the taxpayer might be the one to pay the bill for clean up on the site, and he is opposed to annexation since property taxes may ultimately be used to pay for the actual clean up of the property. Haley Stephens stated that, had the property been located in the City limits with its business license requirements, the situation might never have occurred. There were no other comments on the matter and the hearing was closed. Councilman Woods made a motion to table the matter and to continue the public hearing until notice is received by the Zoning Advisory Board to add the item to the agenda again.

- e. A public hearing was opened on the LeRoy and Celeste Chattam request for amusement license for 437 South Wall St. Calhoun, Ga. 30701. (The former Stegal Tax Building) Mayor Meadows stated that at the previous reading of the request, the Council had been concerned with parking at the facility. Mrs. Chattam stated that she had met with the owner of the property and he had agreed to rent additional space for parking at the rear. The public would enter at the north driveway, go behind the building for parking and exit on the other side of the building onto Hwy 41. Harrison reported the applicants had clear police reports. There were no other questions and no other comments and the hearing was closed. Councilman Woods made a motion to approve the license request provided parking is provided as stipulated. The motion was 2nd by Mayor Pro Tem Palmer with Councilman Woods, Mayor Pro Tem Palmer, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

7. Old Business:

- a. Harrison reported in reference to the Roy Caughron request for permission to provide a pump and extend a line to the manhole for sewer service to 514 Linda Lane, that a previous commercial sewer tap of over 300 feet outside the city had been made on one occasion which is presently operated at the Flying J. Harrison provided copies of minutes from July, 1988 in which the request was made and reviewed over several months and was later approved in late November, 1988. It was reported by one of the elected officials that Mr. Caughron had purchased and installed a septic tank system, and the matter was dropped at this point.
- b. Harrison reported a special meeting of the Golf Advisory Commission had been held on April 9, 1998 to review a request by Vickie Roberts of the Calcutta Grill to continue her contract at Field's Ferry Golf Course snack bar on a month-by-month basis. Harrison reported the committee confirmed their earlier recommendation to the Council to cancel the contract, with the occupants to vacate by April 25, 1998. However, the committee reviewed findings from Harrison, which indicated the county's beer and wine ordinance does not allow refunds for licenses cancelled prior to the end of the year. Harrison reported the owners of Calcutta Grill had paid over three thousand dollars for their license for Field's Ferry at the beginning of 1998. She recommended the committee allow the outstanding rent due plus reimbursement of electricity to offset a portion of the year's license which will not be used. She further recommended that the outings booked through May 5 be allowed to be handled by Calcutta Grill with an extension of the date to vacate until May 6, 1998. Harrison reported the committee agreed to those recommendations with the understanding that the original assessment of the situation stood and that the contract would be cancelled. However, the lessee could stay until May 6, 1998 in order to fulfill the outings that had been previously booked. Following review of the Golf Advisory Commission recommendation, Councilman Woods made a motion to approve the recommendation as outlined, 2nd by Councilman Holland with Councilman Woods, Councilman Holland, Councilman Shelton and Mayor Pro-Tem Palmer voting affirmatively, motion carried.
- c. Staff reported the easement request from Ernest Owens had no further activity, Councilman Woods stated that Mr. Owens had been out of town and he had been unable to contact him regarding accessibility from other properties. The matter was tabled.

8. New Business:

- a. Harrison reviewed the proposed easement agreement from the State of Georgia for the Gordon County Satellite Center of Coosa Valley Tech at Beamer Road. Harrison stated the state requires the city to sign an easement in order to be on the property to provide utility services. Harrison reviewed the City's earlier commitment of \$127,000, indicating that approximately \$2,800 was outstanding on the original commitment. Harrison stated that commitment balance could be used toward a water tap and a portion of the sewer extension required for the service. However, anything above \$2,800, the school would be

- expected to pay. Following review of the report, Mayor Pro-Tem Palmer made a motion to approve the easement agreement and to authorize the Mayor to sign. The motion was seconded by Councilman Woods, with Mayor Pro-Tem Palmer, Councilman Woods, Councilman Shelton, and Councilman Holland voting affirmatively, motion carried.
- b. Harrison stated a request had been made by Image Industries, Inc. to adjust their 1996 tax return which had erroneously been stated in lbs. rather than dollars. Harrison stated the company became aware of the error when they received their tax notice and started the process of filing an amended return. The county assessor would not accept the amended return in terms of adjusting the digest since the error had not been made by the Tax Assessor's office. However, the tax assessor had signed an affidavit indicating the revised assessment sent to the city was identical to the one forwarded to the Tax Assessor's Office and he understood it had been erroneously stated in lbs. as opposed to dollars. Harrison stated she was requesting the Mayor and Council adopt a resolution, which would allow the correction to be made on the city's digest in order for correct percentages of paid taxes to be indicated. Following review of the request and a report of the precedent allowed by state law, as given by Attorney Bailey, Councilman Holland made a motion to adopt a resolution and to authorize the correction of the 1996 tax digest. 2nd by Councilman Woods with Councilman Holland, Councilman Woods, Councilman Shelton and Mayor Pro-Tem Palmer voting affirmatively, motion carried.
- c. Harrison reviewed a special election calendar, which was needed due to notification that two vacancies would be occurring shortly on the City Council, those being for Mayor and City Councilman. She stated the state required four dates for special election and that the next available date would be July 21, 1998, the same date as the state primaries. She stated that after contacting Judge Parker, the city election would be handled with the other county and state election by Judge Parker's office and the city candidates would be listed on the ballot. Harrison reviewed the dates for candidate qualification and the date of closure of the qualification and the dates for advertising. She also noted there would be special reports to be filed in July and December by each candidate.
- d. Mayor Meadows opened a public hearing for the city's 1998-1999 Budget. Harrison stated the city handles its financial accounting on a fund basis with the first fund being the general fund. Harrison reviewed the various areas of income for the general fund, which totaled \$10,845,620. The general fund usually includes the school budget. However, at this particular stage of the process, those figures are not available. Harrison reviewed the water, power, sewer fund and particular revenue items, which make up the revenue budget for a total of \$30,789,571. In each instance, Harrison reviewed the expenditures by categories for each fund. The third fund is the telecommunications fund, with projected revenues of \$880,121 with a balanced budget including expenses of \$880,121. The fourth fund is the Golf Enterprise Fund for the total anticipated receipts of \$985,268 and the same amount of expenditures. Harrison explained the city has three bond debt service funds, the first being water, power, sewer for total payments of \$787,928. The general fund school bond of \$546,950 will be paid from receipts from the SPLOST tax recently approved. The third bond fund is the Calhoun Recreation Authority for \$400,449 and a special projects fund which includes special projects for the water and sewer systems. The first is the well development project, which includes a grant from ARC in the amount of \$300,000 and loan funds of \$676,626, loan funds for improvement at the water treatment plant for \$463,374 and a grant from the Community Development Block Grant, which includes improvements to streets, water and sewer for a portion of the Mill Village area in the amount of \$500,000 and a loan for \$455,280 associated with further development of the sludge dryer. Harrison stated the total expenses in the budget at this point in time is \$47,684,254 and the same amount for revenues. The Mayor and Council exchanged various comments regarding specific items in the budget. There were no comments from the public and the hearing was closed. Mayor Meadows stated a second hearing would be held on April 27, 1998 at 7:00 P. M.
- e. A first reading of the Annexation/New Zoning Request and also a first reading of a zoning change request for property owned by Mary Will Stephens, with her son Haley Stephens, handling the annexation application and zoning change for her property located off Kent Drive. The request is to rezone the lot on either side of Cambridge Court which extends 175 ft. in depth. Those lots were previously zoned R-2 with a request to rezone to R-1 for single family development. The balance of the lots extending further north on either side of Cambridge Court are being requested to be annexed at R-1 zoning. Mayor Meadows stated the applications were in order and the first available date for a hearing would be May 11 at 7:00 P. M. Following review, Councilman Woods made a motion to set the public hearing for May 11, 1998 at 7:00 P.M., second by Mayor Pro-Tem Palmer with Councilman Woods, Mayor Pro-Tem Palmer, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- f. A first reading of the Manager Change Request of Brangus Cattle Company for their alcohol license from Rick Muscella to Pamela A. Hammond was given. Harrison stated the police report was clear and the affidavit indicated Ms. Hammond met the qualifications according to her statement for residence in requirement of all three licenses. There were no questions regarding the request. Mayor Pro-tem Palmer made a motion to approve the manager change, 2nd by Councilman Shelton with Mayor Pro-Tem Palmer, Councilman Shelton, Councilman Holland and Councilman Woods voting affirmatively, motion carried.

10. Director Cornwell's Work Report:

a. City Attorney Bailey reviewed the City's bids recently taken on Executive Park Drive which totaled over \$591,000 with the low bid by some \$20,000 to Dalton Paving. Attorney Bailey stated the city had received notice from the state indicating they would allow the project to be completed without a right turn lane on the westerly side and without a deceleration lane going north on Highway 41. The state contracts would be amended to reflect those deletions. Attorney Bailey stated that he had discussed the matter with the paving company's attorney and that based upon the city's desire to receive the lowest bid possible and based upon the owners of Dalton paving agreeing to accept the calculations by the engineering firm who drafted the plans to value the deletion of those items, he would recommend the city accept the low bid on the project. The Assistant Director of Utilities/ Public Works Peterson stated he recommended the city move forward and accept the bid with those stipulations as outlined by Attorney Bailey. Following discussion, Councilman Woods made a motion to approve the bid to Dalton Paving for \$591,495.59 with the understanding that the deletion of those items be a part of the approval, those deletions to be calculate by the engineering firm, David Volkert & Associates, 2nd by Mayor Pro-Tem Palmer with Councilman Woods, Mayor pro-Tem Palmer, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.


11. Councilman Woods made a motion to move to Executive Session for discussion of real estate matters, 2nd by Mayor Pro-Tem Palmer with Councilman Woods, Mayor Pro-Tem Palmer, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

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

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

Approved:

Submitted:


John D. Meadows, III, Mayor


Cathy Harrison, City Administrator

APRIL 13, 1998

9:30 P.M.


EXECUTIVE SESSION
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOU, GA 30701

PRESENT: JOHN D. MEADOWS, III, MAYOR
JIMMY PALMER, MAYOR PRO-TEM
JOHN D. SHELTON, JR., COUNCILMAN
RONALD H. WOODS, COUNCILMAN
HENRY E. 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. In review of real estate matters for discussion, Director of Utilities/Public Works Kelly Cornwell, stated that he had discussed easement agreements with Stansel and Swift regarding the line extension and line replacement necessary for the Mydrin pump to enhance water pressure in the Resaca area. He stated the 20 ft. wide easement necessary from Mr. Stansel, which would run a substantial length, had been valued by Mr. Stansel at \$4,500. He stated this value is similar to the value of the current easement price being paid on Piedmont Street. On the second easement from Swift, he had agreed to a similar situation with the exception that he did not request any cash, however, he did request five residential water taps at a total value of \$3,000. Based upon this information, the Council notified Mr. Cornwell to proceed with those easement procurements as outlined. In the third real estate matter, Mr. Cornwell had received a damage estimate request from the Hardys for the Piedmont Street Project for construction and permanent easements for a total of \$12,000. The Council stated they would take the matter under advisement until the April 27 meeting. In the fourth real estate item to be considered, Attorney Bailey reviewed the title situation on the property located on River Street for Conoco Oil. In an attorney/client privilege communication the Council recommended proceeding with the lease of the property, however, they might ask the City Administrator to notify the company to amend their lease price offers. The Council made that request.

Approved:


John D. Meadows, III, Mayor

Submitted:


Cathy Harrison, City Administrator

Zoning Application No: 60

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 13th day of April, 1998, to consider **Annexation/New Zoning request by Sharon Smith for a lot 180 by 200 feet on Highway 53 Spur, west of the railroad for C-2 zoning, (the Application.)**")

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **Recommend annexation with C-N zoning.**
6. List any additional findings, if necessary, to support additional conditions: **Sewer may need an easement across Beamer property, and all water or sewer extensions would be at developer's expense.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**

Based upon the foregoing findings, the Application is:

- (a) Approved X
(b) Denied _____
(c) Approved with express Condition _____



MAYOR, CITY OF CALHOUN, GEORGIA

Number Voting: 4
In Favor: 4
Opposed: 0

Zoning Application No: 59


A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 13th day of April, 1998, to consider Annexation/New Zoning request by Alan Price for approximately 3.35 acres located in Land Lot 194, 14th District, 3rd Section of Gordon County (Red Bud and Barrett Road) for C-N zoning, (the Application.)

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **Recommend annexation with C-N zoning.**
6. List any additional findings, if necessary, to support additional conditions: A driveway site would need to be selected with the assistance of the Street Department due to sight distance problems. There are possible drainage problems, probably requiring replacement of the 24-inch line and 12-inch catch basin to handle additional volume. Erosion control will be needed due to terrain. Sewer and water access would be available from the Barrett/Red Bud Road line, extension costs to be borne by the developer. Permit should be required prior to disturbance of land. Any construction should be carefully monitored due to the high traffic volume in the area.
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**

Based upon the foregoing findings, the Application is:

- (a) Approved X
(b) Denied _____
(c) Approved with express Condition _____



MAYOR, CITY OF CALHOUN, GEORGIA

Number Voting: 4
In Favor: 4
Opposed: 0

Zoning Application No: 58

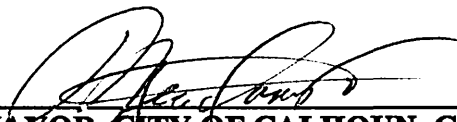
A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 13th day of April, 1998, to consider Annexation/New Zoning request by Jim Black, Billy Black, Sandra Reece, and Johnny McNeese for property located on Highway 41 North, across the railroad, adjoining the Bo Water property for C-2 zoning, (the Application.)

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **Recommend annexation with C-2 zoning.**
6. List any additional findings, if necessary, to support additional conditions: **Sewer is not currently available. A 70-foot bore under the railroad tracks would be required at a cost of \$7,000 to \$8,000, to be paid by the owners. The City does not serve the area with electricity. However, the Electric Department would inspect any new construction on the site. Water available with cost to be paid by owners.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**

Based upon the foregoing findings, the Application is:

- (a) Approved X
(b) Denied _____
(c) Approved with express Condition _____



MAYOR, CITY OF CALHOUN, GEORGIA

Number Voting: 4
In Favor: 4
Opposed: 0