

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
SEPTEMBER 14, 1998, 7:00 P.M.**

MINUTES

PRESENT: JAMES F. PALMER, MAYOR
RONALD H. WOODS, MAYOR PRO TEM
JOHN D. SHELTON, JR., COUNCILMAN
HENRY HOLLAND, COUNCILMAN
RAY M. DENMON, COUNCILMAN

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
 - a. Councilman Holland gave the Invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the August 24, 1998 regular City Council Meeting were approved.
4. Mayor's Comments:
 - a. Mayor Palmer congratulated United Way for their successful year and also for their successful annual walk, which had over 1,492 participants.
 - b. Mayor Palmer notified everyone that the Alzheimer's Association, Northwest Georgia Chapter, would provide a memory walk, scheduled on October 10, 1998, from 8:30 A.M. until noon on a route around town, using public rights-of-way. The walk will start at the Recreation Department, follow Oak Street to Highway 41, to Court Street, and from Court Street to River Street and back to the Recreation Department. The general public is invited.
 - c. Mayor Palmer stated he would entertain a motion to appoint him to continue to serve on the Recreation Board as the City's official member. Following discussion, Councilman Denmon made a motion to appoint Mayor Palmer to serve on the Recreation Board as the City's official member. The motion was seconded by Mayor Pro Tem Woods, with Councilman Denmon, Mayor Pro Tem Woods, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
5. Council Comments:
 - a. Mayor Pro Tem Woods stated:
 - 1) The Street Department patched the following streets during the month of August 1998: Hawthorn Drive, South Industrial Blvd., Hillcrest Drive, Harris Street, Thornwood Drive, Court Street, McConnell Road, Gallman Avenue and Timber Ridge, using 114.2 tons of asphalt. They set up the gazebo and did the remaining foundation work for the downtown parking lot. They also formed 112 feet of sidewalk and 80 feet of curb at the downtown parking lot. They installed 60 feet of 36-inch drain tile on Mauldin Road. They also dug out a large stump in the sidewalk, took out broken sidewalk and reformed approximately 97 feet of sidewalk on College Street. They hauled dirt and sowed grass for routine maintenance at the old industrial landfill. They sprayed weed killer around the airport lights, guardrails and intersections around town. They built up shoulders on roads on the LARP list, and hauled 78 loads of stone.
 - 2) The Sanitation Department gained two 4-yard dumpster accounts, ran their routine commercial routes during the month, serviced and washed trucks, and serviced and painted dumpsters
 - 3) The Parks Department built benches and painted the gazebo at the downtown parking lot. They constructed and put up fences at the Depot and downtown parking lot. They began construction on the building for the Sewer Infiltration Department. They cut grass, trimmed hedges and edged sidewalks.
 - 4) The Cemetery Department supervised the opening and closing of thirteen graves and performed maintenance at both Fain and Chandler Cemeteries.
 - 5) The Animal Control Department housed 37 dogs and 13 cats during the month, issued 7 first warnings, 2 second warnings, and responded to 56 calls.

- 6) The Street Department Shop completed 72 work orders for all City departments.
- b. Councilman Shelton stated:
- 1) The Police Department made 341 arrests, with 24 DUI's, collected \$35,414.00 in fines, issued 85 warning tickets and 400 parking tickets. They investigated 197 incidents and 107 accidents. They provided 115 escorts, and responded to 117 burglar alarms. Councilman Shelton reported that a person convicted of robbery at Field's Ferry Golf Course had been sentenced to ten years.
 - 2) During the month of August, the Fire Department continued training of firefighters in the industrial area. They also provided inspections at the schools located within the city limit area, responded to 60 calls with fire damages of \$7,850.00, and they provided 51 inspections.
 - 3) Councilman Shelton stated he had attended the annual meeting of the Coosa Valley Regional Development Center, at which time they reviewed the performance of the department, and specifically of the Director. He stated at the present time, the Coosa Valley RDC is under the direction of Jim Layton, who gained a very favorable reporting on his leadership.
- c. Councilman Holland stated:
- 1) The Water Treatment Plant pumped a total of 425,336,000 gallons of raw water during the month of August, for a daily average of 13.72 MGD.
 - 2) The Waste Treatment Plant treated a daily average of 7.56 MGD during the month of August, with the average BOD effluent being 9, the average suspended effluent 17 and the average COD effluent 137.
 - 3) The Water and Sewer Construction Department made 45 water taps during the month of August, 7 sewer taps, installed 5300 feet of 4-inch water line on Trimble Hollow Road, repaired 41 leaks and 65 meters, and answered 145 miscellaneous calls.
 - 4) The Sewer Infiltration Crew cleared 12,252 feet of right-of-way, inspected 4500 feet of sewer line with TV inspection systems, and responded to 15 sewer related calls.
- d. Councilman Denmon stated:
- 1) The Electric Department sold 32,757,055 kilowatt hours during the month of August to a customer base of 3,973. They provided 12 inspections during the month.
 - 2) The Building Inspectors issued 29 building permits during the month of August, for fees of \$6,514.00, for total construction of \$2,081,265.00.
 - 3) Telecommunications has completed phone installations for both the City departments and the City School System, and are now working on the data system.
6. Public Hearings and Comments: Mayor Palmer announced at this time public hearings on zoning matters would be held. The public was given the opportunity to make pro and con comments with a ten minute maximum time limit for each side of the matter, with each person speaking having filed a Financial Disclosure Statement five days prior to the hearing, and with each person giving their name and address. Mayor Palmer inquired if any elected official needed to file a disclosure statement regarding ownership or special interest in any of the agenda items. The response was negative. Mayor Palmer announced the first three items would not be in alphabetical order, since they must be listed in the order as presented, in order to be contiguous.
- a. A third reading of Artisan's, Inc., also known as Harco, Inc., was given of the Zoning Request of Industrial-G and annexation of approximately 7.32 acres, at 125 Nance Road, being located in Land Lots 49, 50, 60 and 69, 14th District, 3rd Section of Gordon County. A public hearing was opened.
- 1) Administrator Harrison stated notices to the adjoining property owners had been made a second time, since the item had been heard on more than one occasion. Notices to the newspapers had been published as required, and notices had been posted on the property.
 - 2) Mayor Pro Tem Woods, as chairman of the Zoning Advisory Board, stated the Zoning Advisory Board had met on the matter on September 9, 1998 at 4:30 P.M. He stated the Zoning Advisory Board had heard a report from the Zoning Committee which indicated the section of Nance Road had been completed according to street specifications, with a deed and title submitted to the City and accepted by the City. The City does not provide electric service to the property but will be responsible for any inspections of new development. The Fire Department reported fire protection is available within 300 feet on Highway 41. A current sprinkler test and a fire inspection of the premises will be required, in addition to the MSDS sheets, as required. The Fire Chief noted for the record the facility is very near the City's 4.9 mile limitation for the present number of fire stations and personnel. The Police Department reported the property is within the City's current patrol area, and will add only a short distance to that route.

The Building Inspector had reviewed the property, which had originally requested C-2 zoning, and had recommended to the property owner that Ind-G zoning would be more appropriate and would conform to other zoning in the immediate area. He stated the property owner had no problem with the suggested change. Water is available from a 12-inch water line in the immediate area, as well as a 4-inch water line. There is no current sewer on the property. However, it is available at the expense of the property owner for extension. The Police Department recommended one or two additional security lights be erected in the south parking lot. The Zoning Advisory Board stated there were no comments from the General Public, and based upon the recommendations of the Zoning Committee, they would entertain a recommendation of Industrial-G zoning and annexation.

- 3) Mayor Palmer inquired if there were any additional comments regarding the proposed zoning and annexation. There were no comments and the public hearing was closed.
 - 4) Mayor Pro Tem Woods made a motion to waive the fourth reading, to zone the property Industrial-G and to annex as requested. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried. # 644
- b. A third reading was given of the New Zoning Request for C-2 Zoning and Annexation of property owned by Carolyn S. Cochran, and described as lot numbers 15, 16, 17, 18, 32, 33, 34, 35, and fifty feet of lots 19 and 31 of the Skyway Subdivision, being located in Land Lots 49 and 60, 14th District, 3rd Section of Gordon County, Georgia. A public hearing was opened.
- 1) Administrator Harrison stated second notices to the adjoining property owners had been mailed, since the item had been heard on more than one occasion. Notices to the newspapers had been published as required, and notices had been posted on the property.
 - 2) Chairman Woods stated the Zoning Advisory Board met on the matter on September 9, 1998 at 4:30 P.M., and the Board heard the recommendations of the Zoning Committee as follows: The property fronts on a public road. The property is not developed at this time. However, any development would need to meet City specifications. A storm water plan would be required, and a grading permit would be needed, as well as a soil and sedimentation plan, prior to any development. The property could have available commercial trash pick up by the City. The City does not currently serve electricity in the area. However, they would do electrical inspections for any development. Fire hydrants are available to serve the property. However, the type of development may require additional fire hydrants to meet code. The Fire Chief once again expressed his concern that this property also is located at the northern limit of the City's current fire station and personnel coverage. The Police Department stated the property will extend only slightly the patrol routes for their department. The Building Inspector stated a pre-construction conference would be required prior to any development of the property. He also stated the entrance to the property could be off Nance Road or off Highway 41, but all necessary permits would be required. Water and sewer are available for the property. However, connection will be at the expense of the owner. Chairman Woods stated the Zoning Advisory Board had not heard any additional comments from the public, and based upon the recommendations of the Zoning Committee, the Zoning Advisory Board would recommend zoning of C-2 for the property and annexation.
 - 3) Mayor Palmer asked if there were any further comments from the public regarding the application. There were none and the hearing was closed.
 - 4) Mayor Pro Tem Woods made a motion to waive the fourth reading, zone the property C-2, and annex as requested. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried. # 645
- c. Mayor Palmer gave a third reading of the zoning request of Bostik Mydrin, Inc. for approximately 18.5 acres at 129 Nance Road in Land Lots 49, 50, 59 and 60, 14th District, 3rd Section of Gordon County, for Ind-G zoning and annexation. A public hearing was opened.
- 1) Administrator Harrison reported all notices, including a second notice to all adjoining property owners had been completed. Notices to the newspapers had been published as required, and notices had been posted on the property.
 - 2) Chairman Woods of the Zoning Advisory Board stated the Board had met on September 9, 1998 at 4:30 P.M. and had reviewed the request of Bostik Mydrin, Inc. He stated the Board heard a report from the Zoning Committee, stating the Nance Road extension had been completed, allowing the City to accept

dedication of the road as a public road, and meeting the qualifications of the proposed property being located on a public road. The Building Inspector had stated that prior to any further development of the property, a storm water plan and a hydrology study would be required, as well as a grading permit and a pre-construction conference. The area is not presently served by City electric power. However, the Electric Inspector will inspect any future development. Adequate fire protection is currently available for the structures located on the property. However, a fire inspection and submission of MSDS sheets will be required. The Fire Inspector did note the property is at the outer edge of the City's limitations for the current fire station and manpower response. The Police Department stated the area is only slightly outside the current patrol area which will be able to be expanded to cover the property. The security lighting for the area is also adequate. However, the night patrol from the Police Department did indicate that several bulbs are presently out and in need of replacement. Eddie Peterson stated the holding ponds have not been used for approximately eight years, with the possible exception of one that was used to recirculate water for cooling. Therefore, no permits are needed at this time. The property is currently served by a 12-inch water line and sewer is available, located on Highway 41 and can be extended to the site at the expense of the property owner. The need for a private sewer lift station had been discussed with the owner. If this is needed to provide proper sewer service, it will be at the expense of the property owner. Also, based on the type of business, a monitoring connection will be needed, and the effluent will need to meet any pre-treatment standards required presently or in the future by the City. There were no comments presented to the Board. The Board reviewed the discussion and made a decision to recommend zoning of Industrial-G and annexation. #646

- 3) Mayor Palmer asked if there were any further comments from the public regarding the application. There were none and the hearing was closed.
 - 4) Mayor Pro Tem Woods made a motion to waive the fourth reading, zone the property Industrial-G and to accept for annexation, as requested. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- d. Mayor Palmer gave a third reading to the zoning variance request of Celeste Chattam, acting as agent for Marie Silvers, for a lot located on Wilson Street and further described as parts of lots 23, 24 and 25 of the M. H. Dobson Subdivision. The Zoning Variance is for setback relief as follows: a 15 foot variance off the south property line; a 10 foot variance off Powell Street; and a 10 foot variance off the west property line. A public hearing was opened.
- 1) Administrator Harrison stated that all notices, including additional notices to the adjoining property owners had been completed, since the project had been scheduled for two public hearings.
 - 2) The Chairman of the Zoning Advisory Board reported the item had been considered on September 9, 1998, at which time they heard a report from the Zoning Committee. It was stated one of the highest and best uses of the property would be for the purpose requested, the construction of mini-storealls, based on the location and size of the lot. It was recommended that a security light be installed on site, in addition to the street lights. A fence will be needed at a minimum on the south and west sides of the property. The entrance should be at least 50 feet from the intersection. The area is subject to flooding. Therefore the storm water off the roof and from the downspouts will need to be addressed during building planning and development. The floors will need to be elevated by approximately 1-foot to prevent damage to contents. Water and sewer are currently available to the property. City power is available to the property and the City will be responsible for electric inspections along with building inspections for new construction. The property is served by fire protection at this time and is also within the current police patrol route. There were no public comments regarding the matter, and based upon the findings, the Zoning Advisory Board made a recommendation to approve the request.
 - 3) Mayor Palmer invited comments from the audience. There were none and the hearing was closed.
 - 4) Mayor Pro Tem Woods made a motion to approve the zoning variance request of Celeste Chattam, as agent for Marie Silvers. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- e. Mayor Palmer gave a second reading of the new zoning request of Joe Powell, Gregg Powell, and Russell Powell for approximately 64.7 acres of land adjoining Spring Valley

Subdivision, being located in Land Lot 299, 14th District, 3rd Section of Gordon County, Georgia, for R-1 zoning and annexation, with a proposal to develop for single family housing. Mayor Pro Tem Woods stated the item had been considered by the Zoning Advisory Board on September 9, 1998, and based on information being unavailable by the owner and developer at this time, they made a request to table the item until October 12, 1998. Mayor Palmer stated the item would be tabled to allow the developer time to provide a general layout plan, a full hydrology study, a transportation study, and a water and sewer layout plan.

7. Other hearings:

- a. Mayor Palmer reopened the hearing on the Cellular Tower Ordinance. He stated no further amendments had been proposed to the ordinance. He asked for comments from the Council. There were none. He asked for comments from the audience. There were none. The hearing was closed. Mayor Pro Tem Woods made a motion to approve the adoption of the ordinance as presently stated. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried. # 647
- b. Mayor Palmer opened a public hearing on the 1998 Tax Millage. Administrator Harrison reviewed her recommendation, based on the values as presented by the Tax Assessor's Office for the 1998 digest. Harrison stated based on the digest, and based on the budget adopted by the Mayor and Council in May 1998, she proposed the City School M & O taxes of 12.55 mills, the City School debt at 0.00 mills, since it will be paid from the Special Purpose Local Option Sales Tax approved by the citizens in 1997. The City M&O gross mills of 4.73, less City Local Option Sales Tax rollback millage of 2.78, for a net City M & O mills of 1.95, for a net total millage of 14.5 mills. Mayor Palmer stated the millage compared to the millage for 1997 is 2.25 mills lower. As an example, he stated for a home with a market value of \$100,000.00 in 1997, and with no change in the market value for 1998, would be assessed at \$40,000.00. The 1997 City taxes including the school taxes would total \$670.00. 1998 City taxes including school taxes would total \$580.00, for a savings of \$90.00. He stated, however, if the same property was valued at \$100,000.00 but had a 10% increase in value for a new assessed value of \$110,000.00 in 1998, there would only be a \$32.00 savings based on the proposed millage rate. Mayor Pro Tem Woods stated he was pleased the City had worked with its budget and made every effort to reduce the millage. There were no other comments. Mayor Pro Tem Woods made a motion to set the millage for 1998 at 14.50 mills, as recommended. Second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- c. Mayor Palmer stated he was reopening the Gas Franchise Ordinance. However, he stated at the work session, a lengthy discussion and report from staff had been heard regarding the matter, and based upon new information that it expects to receive from the City Attorney, the item is being held for a fourth reading on September 28, 1998 at 7:00 P.M.
- d. Mayor Palmer opened a public hearing on the Beer and Wine Package License Request of Charlie Kirby for a new location, presently known as R&R Food Store at 400 West Line Street. Mayor Palmer received the following Comments:
 - 1) Mrs. Cunningham stated she was a spokesperson for the Friendship Child Care Center, for the Senior Citizens and for the Friendship Church located in the community. She stated they were opposed to alcohol at this location and in the neighborhood.
 - 2) Mrs. Allene Flemming stated the area is a quiet street, and she had a desire for it to be preserved, and she was opposed to the request.
 - 3) Mrs. Henrietta McClure of 320 West Line Street, a six year resident, also stated it is a quiet street. However, problems are beginning to move in from Second Avenue, and she feels the approval of an alcohol beverage license in the area would only add to further problems.
 - 4) Sarah Abbot stated the community did not need beer to be sold on the street.
 - 5) Doug Hall of 101 Jackson Street stated, although he did not live in the area, he would hate to see the revenue not be available for the City.
 - 6) John M. Flemming stated he was opposed to the request because it was too close to residences in the area.
 - 7) Mary Bell Harris of McConnell Road stated she lives alone and is afraid at this time, and the request would only increase traffic and activity. Following review of the application, comments and information provided, Councilman Denmon made a motion to deny the request based upon the application of factors 2, 6 and 10 of Section 3-14 of the Code of Ordinances of the City of Calhoun. The motion was seconded by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Mayor Pro Tem Woods and Councilman Holland voting affirmatively, motion to deny request was carried.

8. Old Business:

- a. Mayor Palmer stated the SprintCom cellular tower proposal had been deleted from the agenda during the work session on September 14.
- b. Mayor Palmer opened a request by W. G. Robertson to extend the sewer connection agreement for the area located off of Highway 53 East, for an additional two years. Mayor Palmer stated the staff had provided information regarding the status of the agreement, and regarding the minutes from Mr. Robertson's request in 1995 for the initial three year extension. Mr. Robertson asked the Mayor and Council to consider that his private investment for sewer on the east side of I-75 at that location had helped to pay for the extension across I-75 and up Belwood Road. However, he did not get any tap connection consideration for that stretch of the area. However, he admitted he was aware of this at the time he signed the original agreement. He stated he would request the Council consider an extension, since he had not received any monetary consideration during the previous three year extension. The Council discussed the item, and based upon their request for additional time to review the item further, Councilman Holland stated he would like the matter tabled at this time. Mayor Palmer stated the matter would be tabled until September 28, 1998.
- c. Following review, Councilman Holland made a motion to adopt a resolution regarding a contract for the State Grant Fund for the Possum Hollow water line extension. The motion for adoption was seconded by Councilman Shelton, with Councilman Holland, Councilman Shelton, Mayor Pro Tem Woods and Councilman Denmon voting affirmatively, motion carried.
- d. Assistant Director Peterson stated the City had received one bid for the Piedmont Street Project, and the bid was considerably higher than was anticipated by the State DOT or by the City. The bid offered was \$2.3 million. He stated according to the Engineers, the project was overestimated in earth removal by approximately \$700,000.00. He stated his recommendation would be to re-bid the project. Following discussion, Mayor Palmer authorized Assistant Director Peterson to re-bid the project as soon as possible.

9. New Business:


- a. A first reading was given of the new zoning request of William F. Williams for approximately 24 acres on Dews Pond Road, on the east side of I-75, for C-2 zoning and annexation. Mayor Pro Tem Woods made a motion to set the public hearing for October 12, 1998 at 7:00 P.M., second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- b. A first reading was given of the request of Avis Norwood for new zoning of R-1 and annexation of a house and lot at 630 Peters Street. Councilman Holland made a motion to set the public hearing for October 12, 1998 at 7:00 P.M., second by Councilman Shelton, with Councilman Holland, Councilman Shelton, Mayor Pro Tem Woods and Councilman Denmon voting affirmatively, motion carried.
- c. Mayor Palmer stated the City had received a proposed street dedication from Calhoun North Industrial Property for approximately 900 feet located between and Quality and Van Guard Streets. Assistant Director Peterson stated the area is not presently striped nor does it contain any signage. Therefore, he would recommend the acceptance be subject to these items. Attorney Bailey stated the City had received a warranty deed properly executed, as well as a title opinion indicating the property was clear. Following further discussion, Mayor Pro Tem Woods made a motion to accept the street dedication, subject to striping and signage, as recommended. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- d. Mayor Palmer stated the City had received a quit claim deed request for release of property platted but never developed or dedicated as a street on property formerly operated as the Sonic Drive Inn, and property formerly owned by Hugh Prater. Attorney Bailey stated the property had been reviewed, and he had determined the platted but never developed street beds were part of the original Peters Land Company. He stated part of the property being requested to be quit claimed is located within the city limit area, and part is not. The proposed purchaser of the property, Regents Bank, desires any possible cloud of title to be cleared prior to their purchase. He stated he had no problem in recommending the execution of the quit claim deed. Following discussion, Councilman Holland made a motion to approve the execution of the deed and to authorize the Mayor to sign. The motion was seconded by Councilman Shelton, with Councilman Holland, Councilman Shelton, Mayor Pro Tem Woods and Councilman Denmon voting affirmatively, motion carried.

- e. A first reading was given to the Revolving Loan Fund request of Lorene Potts, doing business as "Berkley's" for \$25,000.00. The loan would be repaid over a ten year period, providing funding to start a new custom drapery and home accessories store, which would create three new jobs. Following discussion, Councilman Holland made a motion to set the public hearing for September 28, 1998 at 7:00 P.M., second by Councilman Denmon, with Councilman Holland, Councilman Denmon, Mayor Pro Tem Woods and Councilman Shelton voting affirmatively, motion carried.
 - f. A first reading of a Street Ordinance Amendment was given. Mayor Palmer stated a copy of the proposed street amendment would be available at City Hall after September 16, 1998. Mayor Pro Tem Woods made a motion to set the public hearing for September 28, 1998 at 7:00 P.M., second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
 - g. A first reading of a grading ordinance was given, with Mayor Palmer stating a copy of the grading ordinance would be available at City Hall after September 16, 1998. A motion to set the public hearing for September 28, 1998 at 7:00 P.M. was made by Councilman Holland, second by Councilman Denmon, with Councilman Holland, Councilman Denmon, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried.
10. Other written items not on the agenda:
- a. Administrator Harrison stated there were four items, the first being an update of the City's Fee Schedule Ordinance. She reviewed several items in which fees were fully identified as they presently are, or otherwise those that would be increased. Following the reading of those fees, Councilman Shelton made a motion to set the public hearing for September 28, 1998 at 7:00 P.M., second by Councilman Denmon, with Councilman Shelton, Councilman Denmon, Councilman Holland and Mayor Pro Tem Woods voting affirmatively, motion carried.
 - b. Harrison reviewed a report of the proposed refinancing of the Calhoun Recreation Authority Bond for the Fields Ferry Golf Course, as authorized by the Golf Advisory Commission. Harrison stated she had requested five proposals and had received four. She reviewed each of the proposals and reviewed a recommendation in which she stated, based on several factors, with the predominant factor being the all-inclusive costs of the four presentations, she would recommend the proposal of Robinson-Humphrey, with an interest rate of 4.599%, provided the rate was at that level or lower at the present time. However, she stated Councilman Holland had stated the proposal from First Union, which is slightly under with a bid of 4.611%, with a determination that should the callable features of the First Union proposals be more attractive than those of Robinson-Humphrey, it would be a point to be considered. Councilman Holland reviewed the proposals and stated he felt as though the bid from First Union might be more effective in the long run if rates continue to be favorable for bond financing. Following discussion, Councilman Holland made a motion to approve the recommendation, subject to the structure of First Union compared to that of Robinson-Humphrey, and once this determination is made, to authorize the Administrator to move forward, based upon this determination. The motion was seconded by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
 - c. Attorney Bailey stated the City had received a proposed street dedication for Towne Lake Drive in the Towne Lake Ridge subdivision off Dews Pond Road. He stated he had a clear title opinion. Street Superintendent Kevin McEntire stated the street meets City specifications. Based upon these factors, Councilman Denmon made a motion to approve the dedication. The motion was seconded by Councilman Holland, with Councilman Denmon, Councilman Holland and Councilman Shelton voting affirmatively, and Mayor Pro Tem Woods abstaining, stating he has a financial interest in the development, motion carried.
 - d. Harrison stated the City of Calhoun had finally received the DOT contract for the traffic light to be located at the intersection of South Industrial Boulevard and Highway 53 Spur. Following discussion, Mayor Pro Tem Woods made a motion to approve the DOT contract and to authorize the Mayor to sign. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
11. Work report of Director of Utilities and Public Works Kelly Cornwell:
- a. Cornwell presented a proposed new policy to be adopted by the City regarding water and sewer line installations by developers, and the requirements regarding the installation, as well as review costs by the City of Calhoun. He stated those costs had been included in the proposed fee schedule, as recommended by Administrator Harrison. He stated all of these are in draft form. He distributed copies to the Mayor and Council and asked them

to review for further consideration on September 28, 1998. He stated additional copies would be available at his office. There were no other comments.


12. There was no need to move to Executive Session.
13. Councilman Holland made a motion to adjourn, second by Councilman Shelton, with Councilman Holland, Councilman Shelton, Councilman Denmon and Mayor Pro Tem Woods voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the Mayor and Council of the City of Calhoun, Georgia has applied to the Division of Environmental Protection of the Department of Natural Resources for a grant of financial assistance to secure adequate water supply facilities on Possum Hollow Road; and

WHEREAS, such facilities are necessary to provide adequately for the public health and welfare of the residents;

NOW, THEREFORE, BE IT RESOLVED Mayor and Council that the proposed **CONTRACT FOR THE STATE GRANT NUMBER 99-G-WS-3** be and the same is hereby approved and the Mayor is herewith authorized to execute, on behalf of the City of Calhoun, Georgia, the referenced contract and any other related documents or papers necessary to obtain the grant or secure such water supply facilities as provided therein.

ADOPTED this the 14th day of September, 1998.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison,
Clerk of Council



Ronald H. Woods, Mayor Pro Tem

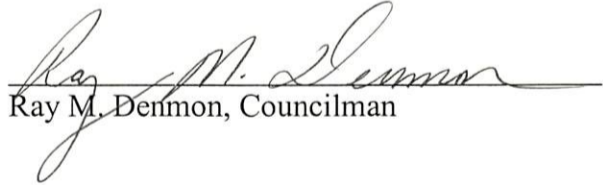


John D. Shelton, Councilman

Federal ID # 58-6000530



Henry Holland, Councilman



Ray M. Denmon, Councilman

Zoning Application No: 75

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 14th day of **September, 1998**, to consider the **zoning request of Bostik Mydrin, Inc. for approximately 18.5 acres at 129 Nance Road in Land Lots 49, 50, 59 and 60, 14th District, 3rd Section of Gordon County, for Ind-G zoning and annexation.**

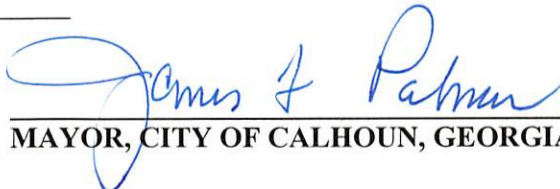
During the public hearing, the Application was discussed in an open meeting and the following findings were made:

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: **The Nance Road extension had been completed, allowing the City to accept dedication of the road as a public road, and meeting the qualifications of the proposed property being located on a public road. Prior to any further development of the property, a storm water plan and a hydrology study will be required, as well as a grading permit and a pre-construction conference. The area is not presently served by City electric power. However, the Electric Inspector will inspect any future development. Adequate fire protection is currently available for the structures located on the property. However, a fire inspection and submission of MSDS sheets will be required. The Fire Inspector did note the property is at the outer edge of the City's limitations for the current fire station and manpower response. The Police Department stated the area is only slightly outside the current patrol area, which will be able to be expanded to cover the property. The security lighting for the area is also adequate. However, the night patrol from the Police Department did indicate that several bulbs are presently out and in need of replacement. Eddie Peterson stated the holding ponds have not been used for approximately eight years, with the possible exception of one that was used to recirculate water for cooling. Therefore, no permits are needed at this time. The property is currently served by a 12-inch water line and sewer is available on Highway 41, and can be extended to the site at the expense of the property owner. The need for a private sewer lift station has been discussed with the owner. If this is needed to provide proper sewer service, it will be at the expense of the property owner. Also, based on the type of business, a monitoring connection will be needed, and the effluent will need to meet any pre-treatment standards required presently or in the future by the City.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
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

Number Voting: 5
In Favor: 5
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA

Zoning Application No: 74

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 14th day of September, 1998, to consider the **New Zoning Request for C-2 Zoning and Annexation of property owned by Carolyn S. Cochran, and described as lot numbers 15, 16, 17, 18, 32, 33, 34, 35, and fifty feet of lots 19 and 31 of the Skyway Subdivision, being located in Land Lots 49 and 60, 14th District, 3rd Section of Gordon County, Georgia.**

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: **The property fronts on a public road. The property is not developed at this time. However, any development will need to meet City specifications. A storm water plan will be required, and a grading permit will be needed, as well as a soil and sedimentation plan, prior to any development. The property will have available commercial trash pick up by the City. The City does not currently serve electricity in the area. However, the City will perform electrical inspections for any development. Fire hydrants are available to serve the property. However, the type of development may require additional fire hydrants to meet code. The Fire Chief once again expressed his concern that this property also is located at the northern limit of the City's current fire station and personnel coverage. The Police Department stated the property will extend only slightly the patrol routes for their department. The Building Inspector stated a pre-construction conference will be required prior to any development of the property. He also stated the entrance to the property could be off Nance Road or off Highway 41, but all necessary permits will be required. Water and sewer are available for the property. However, connection will be at the expense of the owner.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
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 _____

Number Voting: 5
In Favor: 5
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA

Zoning Application No: 73

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 14th day of September, 1998, to consider the **Artisans, Inc., also known as Harco, Inc. New Zoning Request of C-2 and Annexation Request for approximately 7.32 Acres at 125 Nance Road, being located in Land Lots 49, 50, 60 and 69, 14th District, 3rd Section of Gordon County;**

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: **Since Nance Road has been brought up to City specifications, with a deed and title opinion submitted to the Mayor and Council, and has been approved, subject to a correction being made in the curbing. The correction has been made and found to be acceptable. There would need to be a storm water plan developed for any new construction. The facility is not presently on City electric service. However, the City will be responsible for inspection of any improvements or remodeling. Fire protection is available within 300 feet on the highway. A current sprinkler test will be required, and it will be subject to City fire inspection, with submittal of MSDS sheets, if required. The Fire Chief noted for the record that the facility is very near the City's 4.9 mile limitation for the present number of fire stations and personnel. The Police Department will be able to patrol the area, since it will require only a short distance from existing City properties. Don McGinnis stated he had reviewed the area for the requested C-2 zoning, and found that the present building is being used as a trucking warehouse, and that after a conversation with the owner, he had recommended the property be zoned Industrial-G to conform with the other properties in the immediate area. His recommendation had been approved by the building owner. He also stated that if annexed, he would ask that it be made subject to building inspection review. There is currently a 4 inch and a 12 inch water line in the area. There is no sewer to the property at this time. However, it can be extended at the expense of the property owner, with any effluent from the facility meeting the pre-treatment standards in force at the time of connection. There are no plans for expansion at this time. The Police Department recommended one or two additional security lights be erected on the south parking area.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
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 _____

Number Voting: 5
In Favor: 5
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA

Zoning Application No: 72

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 14th day of **September, 1998**, to consider the **Zoning Variance Request of Celeste Chattam, as agent for Marie Silvers, being a lot located on Wilson Street and further described as parts of lots 23, 24 and 25 of the M. H. Dobson Subdivision. Zoning Variance (the Application) being for setback relief as follows:**

- 1) **A 15 foot variance off the south property line;**
- 2) **A 10 foot variance off Powell Street; and**
- 3) **A 10 foot variance off the west property line.**

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: **It was stated one of the highest and best uses of the property would be for the purpose requested, the construction of mini-storealls. It was recommended that a security light be installed on site, in addition to the streetlights. A fence would be needed at a minimum on the south and west sides of the property, and the entrance should be at least 50 feet from the intersection. The area is subject to flooding, and the storm water off the roof and from the downspouts needs to be addressed during building plan development. It was recommended the plans include elevating the floor by 1-foot to prevent damage to contents. Water and sewer is available to the property. City power is available to the property and the City would be responsible for electric inspections. A fire hydrant is located across the street and will provide proper fire protection. The area is currently within the City's patrol area, since it is presently in the City, zoned as C-2.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with four standards.**

Based upon the foregoing findings, the Application is:

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

Number Voting: 5
In Favor: 5
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA