

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
NOVEMBER 23, 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 to the meeting.
 - 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 November 9, 1998 regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer stated the 40th Mayor's Motorcade would be held on December 9, 1998 at 10:00 A.M., with a trip to Northwest Regional Hospital. He stated Bill Fricks, City Commissioner of Rome, had requested each mayor in the Northwest Georgia area to remember those patients who have little, if any contact, with other family members, and who are left out at Christmas time, with the exception of the gifts brought by mayors from various residents of the Northwest Georgia area.
 - b. Mayor Palmer reminded the Council of the Mayor's Day GMA Legislative Meeting scheduled for Atlanta on January 23 through January 25, 1999. He asked everyone to notify Ms. Harrison if they plan to attend.
 - c. Mayor Palmer reminded the Council and public of the hearings scheduled for December 14, 1998 at 7:00 P.M.
 - 1) A rezoning request of Beth Maddox for a house and lot at 312 Piedmont Street to be rezoned from C-2 to R-1;
 - 2) The zoning variance application of Cracker Barrel for an on-premise sign at the intersection of Highway 53 and I-75.
 - 3) The new zoning and annexation request of Paul Lusk and J. D. Moreland for property on Dews Pond Road, with modified lot size requested.
 - 4) The new zoning and annexation request of Jack May, as agent for Melton J. May, for a lot on Highway 41 South, for Industrial-G zoning.
 - 5) A new zoning and annexation request of Gordon B. Bearden, Jr. for 24 acres on Curtis Parkway for zoning of C-2.
 - 6) A request for new zoning of Industrial-G and annexation by Bob T. and Carol Nance, for Nance Carpet, for approximately 2.3 acres on Nance Road off Highway 41 North.
 - d. Mayor Palmer announced a reception would be held at the Depot on November 28, 1998, from 10:00 A.M. to 12:00 noon, honoring Mr. W. W. Balliew. He commended Mr. Balliew for his years of service with the Winner's Club. He stated he had been recognized in the national award through Betty Crocker, which brought a grant of \$50,000.00 to the Winner's Club. He encouraged everyone to attend the meeting.
5. Public hearings and comments:

- a. Mayor Palmer reviewed a resolution commending Jack Edwards of the Street Department for thirty years of dedicated service to the City of Calhoun. He made a recommendation for the adoption of the resolution. Councilman Shelton made a motion to adopt the resolution, second by Mayor Pro Tem Woods, with Councilman Shelton, Mayor Pro Tem Woods, Councilman Holland and Councilman Denmon voting affirmatively, motion carried. Mayor Palmer presented Mr. Edwards with a watch for his thirty years of service, and expressed an interest in him remaining on the job for an additional period.
- b. A public hearing was opened on the Beer License request of Billy Lee Loy, as manager of a currently licensed location on Highway 53 East, The Highway 53 Package Shop, formerly managed by Terry Ross. Harrison stated the police report was clear. There were no other comments and the hearing was closed. Councilman Shelton made a motion to approve the manager change request by Billy Lee Loy, second by Mayor Pro Tem Woods, with Councilman Shelton, Mayor Pro Tem Woods, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- c. Mayor Palmer provided a second reading of the Alcohol Beverage Ordinance Amendment, and opened a public hearing. There were no comments. Mayor Palmer stated that each member of the Council had the proposed amendment for more than two weeks and asked if there were any additional questions from the Council. There were none, and the public hearing was closed. Mayor Pro Tem Woods made a motion to waive the third and fourth readings of the Ordinance Amendment and to approve. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- d. Mayor Palmer gave a second reading of the Ordinance Regarding Business Licenses for Gas Marketers. He opened the public hearing. There were no comments, and the hearing was closed. Mayor Pro Tem Woods made a motion to waive the third and fourth readings and to approve the Ordinance Regarding Business Licenses for Gas Marketers. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- e. Mayor Palmer opened a public hearing on the City's proposal to erect a cellular tower on Hillcrest Drive, on City property, for both public and private use. Director Cornwell stated, if approved, the City will erect a monopole tower, which will have up to four connections available for both public and private use. He stated the height will be determined by FAA regulations, there would be no lights on the tower, the area would be fenced and landscaped so as to make it unobtrusive. Mr. Ron King, a property owner on Hillcrest Drive stated he was there to hear information regarding the City's proposal. He emphasized that the tower would be a monopole tower without lights. He stated that he was interested in the exact location. Mr. Cornwell stated there had been two areas tested, and the City's initial plan is to put it on the back portion of the lot. Mr. Billy Lewis also asked if the City had taken bids for use of the tower. Mr. Cornwell stated bids had been taken, with one bid being received for \$1,500.00 for a connection. Mr. Lewis asked if the other three connections would be available for public or private use, and the response was both. There were no further questions and the hearing was closed. Councilman Denmon made a motion to authorize the city staff to erect a cellular tower, as described, on Hillcrest Drive, on City property, for public and private use. The motion was seconded by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Mayor Pro Tem Woods and Councilman Holland, motion carried.
- f. Mayor Palmer opened a public hearing on the L. L. Limo, Inc. Limousine License Request. Harrison stated the police report for the proposed driver of the limousine was clear. There were no other comments and the hearing was closed. Mayor Pro Tem Woods made a motion to approve the Limousine License Request, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- g. Jim Langford of Tammell Street addressed the Council on the current stop signs and flashing lights which had been located on Trammell Street in an effort to curb speeding and high volumes of traffic on the road. He stated the flashing signal

had been removed, and that he understood the stop signs were scheduled to be removed shortly. He asked what other alternates would be used by the City to help in this effort. He stated the residents are very concerned about the traffic flow, and made several suggestions. Mayor Palmer stated the City of Calhoun is very concerned about traffic in residential areas, not only on Trammell Street, but in other areas such as McConnell Road, streets in Amakanata, Pisgah Way, Dews Pond Road, and several other areas. He stated the City will be making every effort through the Police Department to persuade residents to obey the speed limits in these residential areas. He stated the City will continue to look at ways to reduce speed, not only on Trammell Street, through conventional methods, but also other methods over the next several weeks.

5. Old Business:

- a. A second reading of the Beer, Wine and Liquor License Renewals for 1999 was given as follows:

Business Name	Manager Name	License Type
American Legion Post 47	Thomas J. McCary, Jr. (Manager change request to Jack Whitter)	BWL Pouring
Arch City Package	Otto L. DeFoor	Beer Package
Atlanta Gate Restaurant	Saleh A. Rashid	BWL Pouring
B&L Liquor, Inc	Lindsey Lewis	Liquor/Wine Package
B&L Beverage	Cindy L. Bockholt	Beer Package
Blue Sky Petroleum, LLC	Kari Baumez	Beer Package
Calhoun Liquor Store	John H. Bell	Liquor/Wine Package
China Hall	Yong Hwang Laing	Beer/Wine Pouring
Dixie Beverage Shop	Barbara Bishop	Beer Package
El Pueblito Mexican Rest.	Juana Naranjo	Beer/Liquor Pouring
Fast Food & Fuel	Betty Sue Youmans	Beer Package
Golden Gallon, Inc.	Nancy Gayle Williams	Beer Package
Gondolier Pizza	Evangelos Pateritsas	Beer Pouring
Great Wall Chinese Rest.	Kitty Leung	Beer Pouring
Highway 53 Package Shop	Bill Loy	Beer Package
J J's Package Store	Raymond J. Brown	Beer Package
J & P	Patsy Colleps	Beer/Wine Package
Jimmy's Package	Alton DeFoor	Beer Package
Los Reyes Mexican Rest.	William T. Howard	BWL Pouring
Pizza Hut, Inc.	Sonia Pack	Beer Pouring
Red Bud Liquor Store, Inc.	Champ Kelly	Liquor/Wine Package
South 41 Package	Roy Thomas Aaron	Beer/Wine Package
Speedy's Spirits, Inc.	Glenn Bryant	Wine/Liquor Package
Troy's Package	Ronald B. Robinson	Beer Package
VFW	Alesia Russell Chester	Beer Pouring

Councilman Holland made a motion to approve the renewals for 1999, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

- b. A second reading of the Amusement License Renewals for 1999 was given as follows:

Business Name	Manager Name
American Legion Post 47	Thomas J. McCary, Jr. (Manager change request to Jack Whitter)
Calhoun Bowling Center	James H. Roark
King's Skating Palace	Harvey A. King
Triangle Grocery	Russell Offutt
VFW	Alesia Russell Chester

Councilman Shelton made a motion to approve the amusement license renewals for 1999, second by Councilman Denmon, with Councilman Shelton, Councilman Denmon, Mayor Pro Tem Woods and Councilman Holland voting affirmatively, motion carried.

- c. A second reading was given of the Pawn Shop License Renewals for 1999, as follows:

Business Name	Manager Name
Bubba-John Pawn Mart	Laurence Mauldin
Calhoun Trophy & Sporting Goods	Jimmy Gee
Cash Express	Cal Rountree
D&S Pawn	Nancy P. Long
North Georgia Pawn Shop	Walter James
Otasco/Coast to Coast	Jimmy M. Payne
Pete's Music City & Pawn	Clifford L. Cochran
Park Avenue Pawn & Jewelry	Douglas Driscoll
PCI Capital Corp, d/b/a Pawn Mart	Janice King
Title Exchange & Pawn	Hugh M. Austin
This & That Pawn Shop	Clyde E. McEntyre

Mayor Pro Tem Woods made a motion to approve the Pawn License Renewals for 1999, second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

- d. Harrison stated the City of Calhoun currently has "Family Plus" as its group medical insurance provider. She stated the City had been notified that cancellation would be forthcoming in March 1999 when the company would cease doing group insurance business. She stated the City had notified its agents to review the situation and make a recommendation for substitute coverage. She stated the agents, Jennifer Beason and John Meadows, are available to review their proposal. Mr. Meadows and Ms. Beason stated that Family Plus was going to cease business due to the fact that the majority of their business was based on Medicare clients. Since the regulations for Medicare have changed over three times in the last year, their business could no longer be supported. Therefore they made a determination to cease group health insurance for Medicare or regular HMO point of service coverage. Mr. Meadows stated he and Ms. Beason had polled several companies, provided census information, and asked for bids to continue the fiscal year, which would go through June of 1999. He stated based upon those bids, their choice would be Cigna Insurance Company, which is one of the top five providers, and whose service very closely tracks that of Family Plus. He stated it would be a \$10.00 co-pay, with out-of-network being provided at 80/20%, and that the 80/20% would be provided based upon usual and customary services, making it a true 80/20 provision. He also stated that under the Cigna program, there would be no deductibles for hospitalization, either in-patient or out-patient. He stated there would not be any cost increase to the City or to the employees for the remainder of the fiscal year. The Mayor and Council asked several questions regarding the proposed program. Following discussion, Councilman Holland made a motion to approve the recommendation of the agents, and to authorize sign-up of employees for the Cigna insurance, to be effective January 1, 1999, for a very similar network of doctors and hospitals in the local area, and with a broader coverage nation-wide. 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.
- e. Mayor Palmer stated the City of Calhoun had reviewed a proposed CDBG Innovative Grant pre-application, which is available for the first time this year through the Department of Community Affairs, and he asked the Council to consider authorizing the pre-application, and to authorize him to sign said

application. Following discussion, Councilman Denmon made a motion to approve the pre-application and to authorize the Mayor to sign. 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.

7. New Business:

- a. A first reading of a new zoning request of R-2 and annexation by Wanda Moore, as agent for Wilma Greene, for a house and lot at 101 Thomas Street was given. Mayor Pro Tem Woods made a motion to set the public hearing for December 14, 1998 at 7:00 P.M., second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- b. A first reading was given of the Taxi License renewal for 1999 was given. Councilman Holland made a motion to set the second reading on December 14, 1998 at 7:00 P.M., second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- c. A first reading was given of a Beer, Wine and Liquor License renewal for those companies whose requests were received after November 9, 1998, those being Brangus, for beer, wine and liquor pouring license, and Madison's Steak House for a beer pouring license. Mayor Pro Tem Woods made a motion to set the second reading for December 14, 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.
- d. Mayor Palmer read a request from Eddie Watkins, acting as agent for George Mashburn, for permission to connect lots 70 and 71 in Fairmont Subdivision to Mashburn's private sewer line, which flows into the City system. He stated the properties are not currently eligible for annexation, and that a request recommending the connection to the system was available from the Health Department. Following a review of the number of taps currently in the area, it was a recommendation of staff that the verbal policy that has been in effect regarding the responsibilities of both parties, Mr. Mashburn and the City, be reduced to writing, so there would not be any misunderstanding as to who would be responsible for any improvements or repairs to the private system, since it is becoming aged. There were no other comments. Councilman Holland made a motion to approve the residential taps on the private system at the outside connection fee, based upon a written agreement identifying responsibilities, to be signed by both parties. The motion was seconded by Councilman Denmon, with Councilman Holland, Councilman Denmon, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried.
- e. Mayor Palmer read a request of Stanley Simpson for permission to connect to the City sewer for property off Highway 41 North. He stated the property is currently in Resaca city limits. The applicant has been unable to de-annex and apply for Calhoun annexation. He also stated a letter supporting the request had been provided from the Health Department. Mayor Palmer stated based upon the lack of an inter-governmental agreement between the City of Resaca and the City of Calhoun, it would not be appropriate for the City of Calhoun to act upon the request at this time.
- f. A first reading of an amusement license application for 330 South Piedmont Street, for Walter James as owner, and Randall James as manager, was given. Mayor Pro Tem Woods made a motion to set the public hearing for December 14, 1998 at 7:00 P.M. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

8. Other written items not on the agenda: none

9. Work report of Kelly Cornwell, Director of Utilities and Public Works: none


10. Mayor Pro Tem Woods made a motion to move to Executive Session for personnel and real estate matters, second by Councilman Holland, with Mayor Pro Tem Woods,

Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

11. Mayor Pro Tem Woods made a motion to move to General Session, second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
12. Mayor Pro Tem Woods made a motion to adjourn, second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**CITY OF CALHOUN
CITY COUNCIL MEETING
EXECUTIVE SESSION
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
NOVEMBER 23, 1998 – 9:00 P.M.**

MINUTES


PRESENT: JIMMY 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 UTILITIES AND PUBLIC WORKS
EDDIE PETERSON, ASST. DIR. UTILITIES AND PUBLIC WORKS
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Palmer called the executive session to order.
2. Mayor Palmer stated the City of Calhoun normally provides holiday pay for its employees, and these funds have been budgeted in excess of \$80,000.00 for the current fiscal year. Harrison stated that all of the funds are budgeted, that she always brings the matter to the Council prior to actual payment, to be sure that they understand that the item is in the budget. The Council reviewed the matter regarding amount of pay and how the pay was based, per employee. Harrison stated the pay would be available for employees with six months or more of service, that it would be for \$200.00 for hourly employees and half a month's salary for those employees who are not eligible for overtime. Following further discussion, the Council stated they were in agreement with payment of the holiday pay.
3. Mayor Palmer stated that Mr. Cornwell had provided each of the Council members a copy of a letter from John Sweitzer, dated November 23, 1998, regarding the written information provided to the Council from Mr. Bates' attorney regarding Big Springs. Kelly Cornwell reviewed the information step-by-step, with a final conclusion by the Council that a maximum price for outright purchase would be in the neighborhood of \$6,000,000.00. However, the Council stated that a counter-offer to Mr. Bates should be made at a lower level for the next level of negotiations.
4. There were no other items for Executive Session, and Executive Session was adjourned.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator