

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
AUGUST 24, 1998, 7:00 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 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 10, 1998 regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer stated the City of Calhoun and the City School System is installing a new voice system (telephone) on the City's fiber system. He stated, as with any new telephone system, there are minor problems, and he encouraged any citizen who has had difficulty reaching anyone to not be discouraged, but to continue to try to reach their party. Hopefully, all the problems will be resolved very shortly, and the system will be a great improvement and will allow connection between all City departments and the City School System.
 - b. Mayor Palmer announced the City has filed a pre-application for a \$300,000 ARC Grant to assist in the replacement of the North Industrial sewer line. He expressed his appreciation to the Coosa Valley RDC for their assistance in filing the application.
 - c. Mayor Palmer announced the following public hearings will be scheduled for September 14, 1998:
 - 1) Harco, Inc.'s annexation and new zoning request for C-2 zoning, for property off Nance Road.
 - 2) Carolyn Cochran's annexation and new zoning request for C-2 zoning, for property off Highway 41 North.
 - 3) Mydrin, Inc.'s annexation and new zoning request for Ind-G zoning, for property off Nance Road.
 - 4) Celeste Chattam, as agent for Marie Silvers, zoning variance request for a lot on Wilson and Powell Streets.
 - 5) Joe, Greg and Russell Powell's annexation and new zoning request for R-1 zoning, for property located off McDaniel Station Road.
 - d. Mayor Palmer announced a joint work session between the City of Calhoun Council, the Gordon County Board of Commissioners, and the Industrial Development Authority Board on August 27, 1998, at 6:30 P.M., at the Calhoun-Gordon County Library.
5. Public Hearings and Comments:
 - a. Mayor Palmer reopened a public hearing on the proposed Cellular Tower Ordinance. Mayor Palmer stated the City had revamped its original ordinance, taking into consideration the comments of Cellular One, of Mr. Steve Greenburg, and of the City's engineer, Mr. David Nix, regarding several items in the ordinance. He asked Attorney Bailey to review those proposed changes. Attorney Bailey reviewed the changes, stating the primary concept would be to make the permitting process a zoning decision, in which the City will process all requests through the Zoning Committee and the Zoning Advisory Board. The final decision will be made by the Mayor and Council, after all necessary information has been collected. He also stated height requirements had been removed and that he had deleted some area requirements, based upon the need for a professional engineering report to be provided by the applicants. He also stated that an access road would be reduced from fifty feet to twenty feet in width, and that tower lighting had also been addressed in the proposed changes. He also stated the setback criteria had been

reviewed and amended, indicating the setback would be the tower height plus 15 feet. He also stated the introductory portion of the proposed ordinance had been changed, and the special use permit section had been deleted, since it would now be processed as a zoning decision. Following Mr. Bailey's report, Mayor Palmer asked if there were any public comments. Mr. Steve Greenburg, Attorney for SprintCom, stated he would like to thank the Mayor and Council for their consideration and comments. He stated the one area that he was still concerned about was the requirement for setback being the height of the tower plus 15 feet. He asked the council to consider making it the height of the tower, or to consider other possible alternates. Following his comments, Mayor Pro Tem Woods stated as chairman of the Zoning Advisory Board, that the City was accustomed to handling zoning variances, and that should the setback prove to be a hardship, and that hardship could be expressed appropriately to the Zoning Committee and the Zoning Advisory Board, a zoning variance on these matters would also be entertained, and would be carried forward to the Mayor and Council for their consideration. There were no other comments, and Mayor Palmer announced copies of the proposed ordinance were available for anyone to pick up, and that he expects the final public hearing to be held on September 14, 1998, at 7:00 P.M., with possible adoption.

- b. Mayor Palmer gave a second reading to the Gas Franchise Ordinance and opened a public hearing. There were no comments. Councilman Shelton made a motion to continue the hearing until September 14, 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.

6. Old Business: None

7. New Business:

- a. A first reading for a new package store application for beer and wine of Charlie Kirby for 400 West Line Street, was given. Mayor Palmer stated the current facility, R&R Food Store, located on the lot, will discontinue general merchandise and gasoline sales if the license is approved, and will be exclusively a package store. The earliest possible date for a public hearing would be September 14, at 7:00 P.M. Following discussion, Councilman Denmon made a motion to set the public hearing for September 14, 1998 at 7:00 P.M., 2nd by Mayor Pro Tem Woods, with Councilman Denmon, Mayor Pro Tem Woods, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

8. Other written items not on the Agenda:

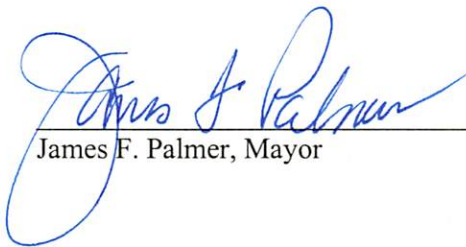
- a. Mayor Palmer asked Harrison to review the information provided to the City by the Gordon County Tax Assessor. Ms. Harrison stated the valuation for the City M&O Taxes for the calendar year 1998 was \$411,054,460.00, and the valuation for School M&O Taxes for the 1998 calendar year was \$399,602,625.00. Based upon the budget adopted in May of 1998, she stated the millage that she would recommend, with the understanding that there would be a small consideration for errors on the Digest, would be 12.55 mills for the School M&O. She stated based upon the Special Purpose Local Option Sales Tax (SPLOST) which was passed by the citizens of Calhoun and Gordon County in 1997, it would not be necessary to set any millage for the school debt. She stated that her recommendation for the City M&O millage based upon the budget adopted in May of 1998, would be net millage of 1.95 mills, with a total City M&O and City School M&O of 14.50 mills, compared to 16.75 mills for 1997. She stated this would allow a reduced millage of 2.25 mills for the calendar year 1998. She asked that, if the Council had no objection, these recommended rates be listed in a legal advertisement, giving a five year history for publication which would need to run until the public hearing. She further recommended the public hearing be held on September 14, 1998 at 7:00 P.M. Following discussion, Mayor Pro Tem Woods made a motion to set the public hearing for September 14, 1998 at 7:00 P.M. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried. Mayor Pro Tem Woods stated he was very pleased with the reduction in ad valorem taxes, and that it would mean that on an average priced house assessed at \$63,000.00 for the prior year, with the same assessed value for 1998, the tax payer's taxes would be reduced for 1998. Mayor Palmer stated he was also very pleased with the ability to roll back taxes by 2.25 mills, and stated that the matter would be more thoroughly discussed on September 14, 1998, and invited the general public to attend.
- b. Attorney Bailey stated he had hired an appraiser, A-1 Appraisal Associates, to provide the City with an appraisal on the property which would be used as a pedestrian path from the Depot into the new River Park, with the primary area involved being property owned by Shirley Roach, and managed by Mr. H. Fite Barnette, guardian of Shirley Roach. He stated the appraisal called for a payment of \$2,300.00. The amount had been approved

by Mr. Fite Barnette, as guardian, and that he would recommend the Mayor and Council approve, in order for the sale to carry forward. Following discussion, Mayor Pro Tem Woods made a motion to approve and to authorize the payment of \$2,300.00 for the easement. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

9. Work report of Director of Utilities and Public Works, Kelly Cornwell:
 - a. Cornwell stated he had been notified by the State EPD that it would be necessary for the City of Calhoun to lime the acreage which was under contract, regarding the City's land application program for sludge. He stated there is approximately 2000 acres under contract at this time, and that following an initial price quoted by the current contractor for the land application process, Bio-Gro, that he had contacted several other sources and had obtained verbal quotes on the lime. He stated, in the meantime, Bio-Gro had reviewed their contracts and had contacted him with a proposal to provide the service for adding lime to the 2000 acres as required, with an understanding that the price would be approximately a net cash outlay of around \$40,000.00, with a \$12,000.00 credit to the contract, with the request that the City entertain extending the contract for an additional two year period, with prices at the rate of \$13.50, beginning July of 1998, and ending May of 1999. The price would elevate to a monthly rate of \$14,594.54, beginning in June of 1999 through May of 2000, the 12th month with an adjustment based upon the Consumer Price Index. Following further discussion on the proposal, Mayor Pro Tem Woods made a motion to approve the contract addendum, with the understanding that the City could not enter a three year contract, but that it would consider the contract as proposed by Bio-Gro, with the language of the 90-day option to remain in the contract. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
 - b. Cornwell stated he had met with EPD on Monday, August 24, 1998, regarding the landfill closure on Beamer Road, and that he hoped the process was complete with the State at this time.
10. Councilman Holland made a motion to move to executive session to consider real estate matters, 2nd by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
11. Mayor Pro Tem Woods made a motion to move to general session, 2nd by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
12. Councilman Holland made a motion to adjourn, 2nd by Councilman Shelton, with Councilman Holland, Councilman Shelton, Mayor Pro Tem Woods 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
AUGUST 24, 1998 – 8:00 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
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Palmer called the executive session to order.
2. Mayor Pro Tem Woods stated he had a call from Charlie Baker regarding his property located on Piedmont Street. Mr. Baker informed him that he had had no contact from anyone with the City regarding the proposed purchase of his property. Mayor Pro Tem Woods and Attorney Bailey met with Mr. Baker, with Mr. Bailey informing Mr. Baker that, based upon the appraisal and the outright taking of his property, that he felt he would not be willing to accept the appraised value. Therefore, Mr. Baker had not been contacted. However, Mr. Baker asked for someone to meet with him with an actual offer. Mayor Pro Tem Woods stated Eddie Peterson was scheduled to meet with Mr. Baker. However, he needed some direction. It was the general consensus of the group to offer the appraised price plus the legal cost required to condemn.
3. Executive Session was closed.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator