

JULY 18, 1977, 7:30 P.M. REGULAR CITY COUNCIL MEETING WITH MAYOR BURDETTE, ALD. HARWELL, ALD. COX, AND ALD. PADGETT PRESENT, ALD. LEWIS WAS ON VACATION.

1. Mayor Burdette called the meeting to order and City Chaplain John Allen gave the invocation.
2. Minutes of the June 27, 1977 and July 2, 1977 Council Minutes were read and approved.
3. Mayor's Comments: Mayor Burdette announced the annual Coosa Valley Meeting in Rome, July 21, 1977 at 10:00 a.m. He encouraged the Council to attend if possible.  
He announced that he had received notice that a state inspection would be made of the City/County Civil Defense Department beginning in September, 1977. There would be no cost to the City or County since the survey would be done with Federal Funding.  
Mayor Burdette stated that the annual G.M.A. Convention in Atlanta had been well worth the time spent by City Officials and City Personnel.  
Mayor Burdette commended the Police Chief and Department, the Sheriff's Department, and the State Patrol for their excellent handling of the traffic situation over the weekend.
4. Aldermen's Comments: Ald. Harwell expressed his appreciation of the convention. The addresses by Governor Busbee and Senator Nunn indicated points of mutual interest to the Federal, State, and Local Governments.  
Ald. Padgett stated that one of the most important items he learned of, was the \$165,000.00 electric refund the City received from Ga. Power, which the City intends to refund back to local customers.
5. Public Comments: (a) Rev. Eugene Ward stated that in a recent Public Personnel hearing the Council had stated that it would try to follow the Personnel Board's recommendation to have a black officer on each duty shift. He presented two young men that were interested in law enforcement work. The Mayor asked that each fill out an application with the City and stated that their applications would be considered when additional hiring was done by the Police Department. Mr. Ward stated that the local Chapter of the N.A.A.C.P. would be available to assist the City should they need their assistance.
6. Old Business: (a) A public hearing was granted on the Jack Knight application. There were no public remarks at the meeting, but the Clerk stated that she had received a call inquiring about the resolution of the question of beneficial interest of rent proceeds. A general discussion followed in which it was stated that the matter had been discussed in open Council Meeting but no official action had been taken to resolve the situation. The Clerk gave a favorable police report, but the Mayor asked that voting on the license be held until July 25, 1977 in order to officially decide on the beneficial interest question. (b) A public hearing was granted to Louis Terry Manager of the Golden Gallon Food Store. J.C. Maccox, Attorney for Mr. Terry and the business, proceeded to outline the Ordinance requirements and questioned Mr. Terry as to the posting

of signs on the property indicating the time and date of the public hearing for a beer license application. He indicated that signs had been posted facing all streets; an ad had been placed in the legal organ announcing the time and place of the hearing, and produced photos indicating the type of business as that of a convenient store. Mr. Maddox questioned Mr. Terry as to his residence, and absence of relatives being employed with the City. The Clerk gave a police report indicating date of birth, residence, and no arrest record. There were no public comments. The Council asked about the hours the store was in operation. Mr. Terry replied that the store was open seven days a week until eleven in the evening. The only date they are closed is Christmas Day. Mayor Burdette reminded the Council and Golden Gallon of the present resolution on record to grant license only to package stores, restaurants and fraternal organizations. Attorney Maddox addressed the Council quoting results from the City of Atlanta vs. Hill Case and the Barnes vs. Meritt Case at Macon Georgia. He further expounded on the request for his client, Golden Gallon-Louis Terry, to be granted a beer license. Mayor Burdette then asked each member to vote by voice individually on the wish to uphold or resend the present resolution regarding the granting of beer/wine/liquor license only to package stores, restaurants, or fraternal organizations. Ald. Harwell stated that since there were two beer package stores and one liquor store within feet of Golden Gallon and since Golden Gallon is a convenient store and frequented by minor children, he would vote to uphold the Resolution. Ald. Cox voted to uphold the Resolution. Ald. Padgett voted to uphold the Resolution siting the same reasons as Ald. Harwell. The Mayor then called for an individual voice vote from each alderman on the Golden Gallon application. Ald. Harwell voted not to grant the license for his earlier stated reasons. Ald. Padgett voted not to grant the license. Ald. Cox voted not to grant the license. (c) A public hearing was held on the John Bell Beer & Wine Relocation License Request to Jimmy's on the Red Bud Road. There were no public comments, a favorable police report was given, and the Clerk stated that this would limit the license interest of Mr. Bell to one location. Newspaper ads were verified and Mr. Bell stated that signs had been posted on the property. Ald. Harwell made a motion to approve the license, seconded by Ald. Padgett and approved. (d) A public hearing was held on the J.J. McBee beer license request for the former K & K Package Store on U.S. 41 North. The Clerk confirmed the legal ad and Mr. McBee confirmed placement of the signs on the property. There were no public comments and a favorable police report was given. Ald. Padgett made a motion to approve the license, seconded by Ald. Cox and approved. (e) A public hearing was held on the Charles Craig beer/wine application for Troy's location on South Wall Street. There were no public comments. The Clerk verified the legal ad and Mr. Craig verified the posting of a sign at the location.

The Clerk requested a reading of the Ordinance involving relatives employed by the City since Charles' brother Jerry is employed by the City Police Department. The Ordinance was restricted to spouse or children and elected officials. The police report was clear. Ald. Cox made a motion to approve the beer license, seconded by Ald. Padgett and approved. Ald. Cox made a motion to approve the wine license, seconded by Ald. Padgett and approved. Mayor Burdette stated that as a City Official he tried to act impartially in administering the law as far as Beer/Wine/Liquor License was involved, but that he personally was opposed to the granting of any Beer/Wine or Liquor License in the City. (f) City Supt. Hobgood reported that sewer lines and water lines had been laid in Brandon Subdivision on Highpoint Drive. (g) City Supt. Hobgood reported that the Creekview Development off Peters Street was progressing. Sewer lines had been laid and water was in the process. (h) City Supt. Hobgood reported that the curb & gutter work and paving had been done on Woodland Drive. There is still a lot of dress work to do as yet. (i) City Administrator Edwards stated that Calhoun failed to become a Certified City due to the present residential landfill, but that he felt that once a new site was located and prepared, the City would have no problems. (j) The Clerk reported that the Odell Lots on South Wall Street had been purchased for \$70,000.00 to build a fire station with City funds and an EDA Grant. (k) A public hearing was held on the 1977-78 City budget. The Clerk reviewed those items which included Revenue Sharing Funds and other capital additions. A general discussion followed. Kay Pope of the Child Care Center stated that she hoped to be able to consummate a contract with the Spink Estate Executors regarding purchase of the property. The contract would be for a year, requiring a partial payment and the balance at the end of the year. She expressed her appreciation for the City's allocation of operating funds and asked the Council to remember the Center's need to purchase the Spink Property. Ald. Padgett made a motion to adopt the budget as was stated, seconded by Ald. Cox and approved. (l) The Clerk stated that the City could still join in the suit on the National Institute of Municipal Law Officers challenge to federally mandated unemployment requirements. After discussion on the cost of \$300.00, Ald. Cox made a motion to adopt a resolution to join in the challenge, seconded by Ald. Padgett and approved.

7. New Business: (a) Supt. Hobgood explained that fourteen residents in the Plainville area had signed a petition for the City water line to be extended another 7/10 of a mile. The line would be a 6" extension and would cost approximately \$4,500.00 to \$4,800.00 for materials. After further discussion, Ald. Padgett made a motion to extend the line when time and money were available, seconded by Ald. Harwell and approved. (b) City Supt. Hobgood stated that

the City had two used police cars that could be sold. After discussion, Ald. Harwell made a motion to sell the cars at public auction on August 6, 1977 at 10:00 a.m. in the parking lot behind the City Fire Station, seconded by Ald. Cox and approved.

Supt. Hobgood stated that the City had purchased a police vehicle recently ordered by the County, but not picked up, without getting bids. He stated that he had asked Prater Ford to submit a bid on a full size car for the second car to be purchased for the 77-78 year. After opening the bid, Mayor Burdette announced the price on a full 1978 Ford automobile to be \$5,784.00. Ald. Cox made a motion to accept the price and order the vehicle, seconded by Ald. Padgett and approved. (c) The Clerk stated that a resident on Mac Avenue had complained about the squirrels eating their gardens, and asked the Council to consider allowing people to hunt in the woods near that area hopefully to eliminate the problem. The Council could not permit hunting in the area but would give the problem consideration.

(d) The Clerk stated that a new company, Manning Carpet & Rugs (P.B.L.), had requested permission to locate a trailer 24 x 60 on Richards Street to serve as office space on a temporary basis. After further discussion, Ald. Harwell made a motion to grant a six months permit to the company, provided all codes were met, seconded by Ald. Padgett and approved. (e) Ald. Padgett made a motion to adopt the resolution covering acquisition and clearance of right-of-ways at Briarwood Subdivision, seconded by Ald. Harwell and approved. (f) Ald. Padgett made a motion to adopt the resolution covering the maintenance agreement and signing of the contracts with the Dept. of Transportation on the Briarwood Subdivision Streets. Seconded by Ald. Cox and approved. (g) Ald. Padgett made a motion to appoint Herbert King, Tom Bond, and Richard Wilson to the Civic Auditorium Committee representing the Community. Seconded by Ald. Cox and approved.

8. Ald. Padgett made a motion to adjourn, seconded by Ald. Cox and approved.

Approved:



W.C. Burdette  
Mayor

Respectfully Submitted:



(Mrs.) Cathy Harrison  
City Clerk--Treasurer