

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
JULY 22, 2002, 7:00 P.M.**

MINUTES

**PRESENT: James F. Palmer, Mayor
John D. Shelton, Jr., Mayor Pro Tem
Ronald H. Woods, Councilman
Ray M. Denmon, Councilman
Lorene Potts, Councilwoman**

**ALSO: William P. Bailey, City Attorney
Kelly Cornwell, Director of Utilities
Eddie Peterson, Director of Public Safety and Public Works
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Denmon gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Following review, minutes of the July 8, 2002 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer expressed appreciation to the sponsors of the community appreciation day held on July 12, 2002 at the Fair Grounds, recognizing county, city and emergency employees for their work following the tornado of May 1, 2002.
 - b. Councilwoman Potts reminded everyone of the August 9, 2002 "Celebration of the 50's" in downtown Calhoun. She expressed an invitation for everyone to attend. She stated the Embers would provide the entertainment and the Empty Pockets Car Club would have their vehicles on display. Councilwoman Potts stated she felt the road closings that had previously been approved might not be sufficient for all the vehicles that would be displayed and she made a motion to close one lane of King Street, the east lane, from Pine to Oothcalooga Street for additional vehicles to be parked for showing. The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - c. Mayor Palmer reminded the Council of the September 30 through October 2 ACCG-GMA fall conference in Atlanta and asked those who plan to attend to notify Mrs. Harrison in order for registration to be completed.
 - d. Mayor Palmer announced two public hearings regarding update requirements for the county and cities solid waste short-term program on August 1, 2002 at 11:00 a.m. at the Gordon County office at 201 Wall Street and on September 3, 2002 at 7:00 p.m. at the Gordon County Courthouse.

- e. Mayor Palmer reminded the Council and public of the hearing scheduled for August 12, 2002 at 7:00 p.m. on the request for a beer pouring license by Kurani Pizza, d/b/a Pizza Hut, Shiraz Charanice, Manager.
 - f. Councilwoman Potts reminded the Council and public of zoning hearings scheduled for August 12, 2002:
 - 1) A zoning variance request by Adventist Health Systems, Inc. for a 40-foot height variance for a hospital addition at 1035 Red Bud Road.
 - 2) A request by Flipper McDaniel to rezone property at 317.5 Cherry Hill Drive from R-2 to C-N.
 - 3) A request for new zoning of R-1 and annexation by Loel McKinnon for a house and lot on Fuller Street.
 - 4) A request for zoning of PRD and annexation by Worth Enterprises, Inc., Donald Hollingsworth, President, for approximately 175 acres off Dews Pond Road.
5. Public Hearings and Comments:
- a. Mayor Palmer stated that Roy Russmon who had asked to be listed on the agenda regarding water pressure on McDaniel Station Road was not in attendance and hopefully, his problem has been resolved.
 - b. A public hearing was opened on the request by the Coosa Valley Technical College Foundation for a \$150,000.00 loan from the Revolving Loan Fund. Councilman Woods stated the request had been reviewed by members of the Revolving Loan Advisory Commission. While they were unable to obtain a quorum due to vacations, a telephone poll was made of each of the members. All were reached with the exception of one, with the request being recommended for approval. He stated the request is for a \$150,000.00 loan for a maximum period of ten year, with an interest rate of 5% and with interest-only payments for the first year. He stated the proposal would not directly increase jobs. However, the increased area would allow Phase III expansion of the college which, at the time of expansion, would create approximately 15 new jobs. Mayor Palmer closed the public hearing. Councilman Woods made a motion to approve the recommendation of the Loan Advisory Commission to approve the loan of \$150,000.00 at 5% interest for a maximum of ten years, with payment of interest only for the first year. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - c. A public hearing was opened on the proposed zoning ordinance amendments regarding modular housing and single family housing in R-2 zoned areas. Attorney Bailey reported that the amendment would change the title of "Mobile Homes" to "Manufactured Housing" and would provide proper definitions. The ordinance amendment would also allow protection for single family houses in R-2 areas that had been zoned R-2 due to lot size in previous years, which had been destroyed or damaged by the storm. These homes would be allowed to be rebuilt as single family housing through a variance procedure. It would also disallow multi-family housing in areas where single-family houses have been in the area for 40 years or more. The amendment would also allow changes in the density for manufactured home parks and would codify the policy that is currently in force for mobile units which are requested for educational purposes, etc., and would also allow the building inspector to approve construction trailers. Mayor Palmer inquired if there were any questions or comments regarding the proposed amendments. There were none and the hearing was closed. Mayor Palmer stated he would entertain a motion for approval or denial

of the proposed amendments. Councilman Woods made a motion to waive the third and fourth reading and to approve the amendment as reviewed by Attorney Bailey, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

6. Old business:

- a. Mayor Palmer reviewed the action taken by the purchasing department in the solicitation and award of a bid for the sewer interceptor project, which had been outlined in the budget. He stated the project is moving toward readiness. He asked for a confirmation of the action taken by the purchasing department based upon a recommendation by the Director of Utilities and the Director of Water and Sewer. He reviewed the 14 bids that had been received by the city, with the low bid being from Butch Thompson Enterprises, Inc., as follows:

1	Tommy L. Griffin Plumbing & Heating Co.	\$ 4,224,159.26
2	Gordy Construction Co.	4,177,389.15
3	Site Engineering Inc.	4,098,742.69
4	Don Moorehead Const. Inc.	3,974,186.40
5	Rockdale Pipeline, Inc.	3,921,330.91
6	Mayse Construction Co.	3,768,051.62
7	Reynolds, Inc.	3,714,715.00
8	Cash Construction Co.	3,648,131.23
9	Ruby-Collins Inc.	3,535,944.85
10	John D. Stephens Inc.	3,514,154.09
11	Thalle Construction Co. Inc.	3,497,570.60
12	Phoenix Water & Sewer Inc.	3,129,604.21
13	Morgan Contracting Inc.	2,929,304.00
14	Butch Thompson Enterprises, Inc.	2,912,616.01

Following discussion, Councilman Denmon made a motion to approve and confirm the action taken by the purchasing department and to officially award the contract to the low bidder, Butch Thompson Enterprises, Inc., for the amount of \$2,912,616.01. The motion was seconded by Councilman Woods, with Councilman Denmon, Councilman Woods, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

7. New business:

- a. A first reading was given of a request by DOT to adopt a new speed limit ordinance for on-system and off-system streets. In the absence of Chief Goswick, Eddie Peterson, Director of Public Safety and Public Works, reviewed the proposal, stating there were three off-system streets that are presently enforced at 30 miles per hour but will need to be changed to 35 miles per hour, as per the recommendations. He stated it is necessary for the city to follow the DOT guidelines as required by the Department of Highway Safety, in order for the city to provide proper speed control efforts. Attorney Bailey stated the proposal would amend the current ordinance number 708 and he would recommend it to also include 30 mile per hour speed enforcement for all other streets not listed, noting however that these streets would not be eligible for radar control. Mayor Palmer stated the matter would be brought for a public hearing on August 12, 2002 at 7:00 p.m.
- b. Mayor Palmer stated the city had received a request from the Calhoun-Gordon County Arts Council for closure of Piedmont Street from Boston Street to Court

Street for a “Concert Under the Stars” on September 7, 2002. Following review, Councilman Woods made a motion to approve the closing request as outlined for the “Concert Under the Stars” performance. The motion was seconded by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

8. Other written items not on the agenda: **none.**
9. Work Reports:
 - a. Kelly Cornwell, Director of Utilities: **none.**
 - b. Eddie Peterson, Director of Public Safety and Public Works: **none.**
 - c. Attorney Bailey stated the Mayor and Council had provided a moratorium for permits to be issued in the R-2 area, effective June 17, 2002, for 60 days. However, he stated that with the adoption of the proposed zoning amendments, the Mayor and Council may wish to end the moratorium. Following discussion, Councilwoman Potts made a motion to end the June 17, 2002 moratorium for some permits in the R-2 areas, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.
10. Mayor Palmer stated there was no need to move to executive session.
11. Councilman Woods made a motion to adjourn, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator