

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
DECEMBER 9, 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.
  - a. In lieu of an invocation, Councilwoman Potts read a list of several things a person should or should not do.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the November 25, 2002 regular City Council meeting were approved as written.
4. Mayor's comments:
  - a. Mayor Palmer reminded everyone that the Mayors' Motorcade to Northwest Regional Hospital would be held on December 10, 2002 and the group would leave City Hall at approximately 9:00 a.m. He thanked everyone who had delivered gifts to be forwarded to the hospital.
  - b. Mayor Palmer reminded the Council of the Mayors' Day Conference in Marietta in January 2003. He stated it would be important for the members of the Council to attend the meeting and meet the new state legislative body for the coming year.
  - c. Mayor Palmer reminded the Council and public that the second City Council meeting in December is scheduled for December 23. However, he would recommend the meeting be changed to December 16, 2002. Following discussion, Councilman Woods made a motion to change the meeting date from December 23 to December 16, 2002 at 7:00 p.m., second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
  - d. Mayor Palmer reminded the public that the city will observe the Christmas holidays on December 24 and 25. City offices will be closed. However, emergency services will be available.
5. Council Comments:
  - a. Mayor Pro Tem Shelton stated:

- 1) During the month of November, the police department made 715 cases, including 52 warrants, 104 cases for speeding and 559 other cases, with anticipated fines of \$123,197.50 from the cases made. They collected \$95,114.50 in fines against previous cases. He stated the cases made included 19 DUI's and 329 warning tickets. Officers worked 70 highway accidents, 28 private property accidents, and 9 injuries. They provided 61 escorts, issued 1097 incident reports and responded to 170 alarms. They logged 53,492 miles on patrol during the month and received 5,312 calls for service from 911.
  - 2) The fire department suppression division for November 2002 had fire damages estimated at \$24,250.00. They responded to 25 accidents with 24 injuries and two fatalities. There were 11 false alarms. The department responded to 5 single-family dwelling calls, 1 apartment, 2 industries, 1 bonfire, 4 mutual aid, 6 hazardous materials, 1 live wire and 5 other miscellaneous calls. During the month, the firefighters completed training on the incident command system, street and hydrant locations. They participated in fire drills at the Calhoun Middle School and Calhoun Health Care. They conducted a fire station tour and safety class for students of the Calhoun Elementary third through fifth grades. They gave a station tour to 15 cub scouts, assisted with the Calhoun High homecoming parade and all members completed a basic Spanish class at the Coosa Valley Technical College. They completed all routine station and vehicle maintenance work schedules. The fire inspector conducted 44 inspections in November, a fire extinguisher class for 35 people at Cintas, 7 commercial burn site inspections and attended the public safety training center for commercial cooking and hood systems extinguishment class.
- b. Councilman Woods stated:
- 1) The electric department installed Christmas decorations and replaced over 3,000 bulbs on downtown buildings that had been damaged or lost due to the May 1 storm. The electric services in the alley behind the old theater building have been rebuilt. The Gordon Hospital electrical construction is 90% complete, with the changeover to the new service coordinated with the hospital. The well and filter plant wiring and the controls for the new filters at the well site are 80% complete. The telecommunications building is 85% complete. Downtown Park lighting and gazebo wiring and installation are 50% complete. Tree trimming continues in various locations. The contract tree trimming crew has been temporarily relocated to North Carolina due to the ice storm. The Calhoun Electric Department, in its mutual aid agreement, has sent Mike Day, Allen McCormick and Dale Black, along with equipment, to assist North Carolina. During the month, the electric department issued 14 permits, provided 33 inspections and purchased 32,103,336 kilowatt hours for resale during the month of October.
  - 2) Telecommunications continues to work on preparations for occupying the new telecommunications center on December 26. The department is also doing fiber construction for a new internet customer on Gee Road. They signed an agreement with the new customer to provide a 10 megabit service to their Dalton office. They worked with Harris Computer to prepare the postal bar codes on city bills to take advantage of lower

postage rates. They converted the tax digest for tax billing software to handle the 2002 digest. They continued evaluation of the new switching application from Extreme Network.

c. Councilman Denmon stated:

- 1) The building inspection department issued 46 permits during the month of November, with 10 of those being new residential, for an estimated construction cost of \$1,365,000.00 and with 3 new commercial constructions estimated at \$711,500.00. The total amount of estimated construction for the 46 permits was \$2,294,985.00. The department provided 138 inspections during the month.
- 2) The water treatment plant treated 340,182,000 gallons of raw water during the month for a daily average of 11.339 million gallons per day (MGD) of raw water during the month.
- 3) The waste treatment plant treated a daily average of 9.534 MGD during the month of November. The average BOD effluent was 15, the average suspended effluent was 16 and the average COD effluent was 78.
- 3) The water and sewer construction department made 27 water taps in the month and 6 sewer taps. They installed 3,100 feet of 6-inch water line along Mt. Olive Road to tie together two dead end lines and provide a better feed to Mt. Olive Road pump station. They repaired 44 leaks and 17 meters. They responded to 96 calls and installed 43 new meters. They responded to 5 sewer calls.

d. Councilwoman Potts stated:

- 1) The street sweeper cleaned 28 miles of curb and gutter. They hauled 79 loads of stone, put up 21 new street signs and completed 26 shop work orders. They ran the brush and leaf pickup routes for the entire city. Work continues on the new park in the downtown area. The sidewalk around the park is completed. The gazebo, bell foundation, fountain and fencing are currently under construction. The paving crew has completed the paving at the soccer field. There are approximately 230 parking spaces and a ½ mile walking track inside the soccer field area. Construction on the second phase of the Line Street/Dews Pond sidewalk is near completion. All the curb and sidewalk is in except for a section at the construction lot. This will be completed after back filling and grassing behind the sidewalk is complete. The third phase will start soon, heading north along Curtis Parkway to Redbud Road. Working with the motor grader, the street department hauled stone to the Ranger water tank, the OMC pump station and the Northwest pump station. They poured 50 feet of sidewalk to repair damaged sidewalk on River Street and North Wall Street.
- 2) The parks department personnel provided routine maintenance on city property, water tank sites and right-of-ways. They worked on various maintenance jobs at Chandler Cemetery, telecommunications and the library. They started building an addition on the parks department building.
- 3) The cemetery department marked and supervised opening and closing of 10 grave sites, sold 4 grave spaces and supervised the installation of ten new monuments. They performed routine maintenance at both Fain and Chandler Cemetery.

- 4) The safety department reported no workers' comp accidents and 4 vehicle accidents during the month.
- 5) The animal control department housed 19 dogs and 13 cats. They issued one warning for a leash law violation and responded to 11 customer calls.

6. Public Hearings and Comments:

- a. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials had filed a disclosure statement regarding ownership or special interest in the agenda items. The response was negative.

**STANDARDS GOVERNING THE EXERCISE OF ZONING POWER**

- (1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- (4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (5) Whether there will be capital costs for capital improvements to serve the area. Capital costs shall include water mains, sewer mains, new street pavement or widening, new fire stations or equipment, new police stations or equipment, and other like costs.
- (6) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.
- (7) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for their approval; or disapproval of the zoning proposal.
- (8) Whether there are other factors relevant to balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property.

**VARIANCE CONSIDERATIONS (ONE OR MORE)**

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance to the particular piece of property would create an unnecessary hardship.
- (c) Such conditions are peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

- 1) Mayor Palmer gave a second reading of a request for an 11-foot zoning variance by Brian Dulaney to replace canopies damaged by the May 1, 2002 storm at 102 Fair Street.
  - a) A public hearing was opened.
  - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been published in the local legal organ.
  - c) Councilwoman Potts stated the Zoning Advisory Board met on this matter on December 5, 2002 at 4:30 P.M. Based upon the fact that the canopies would be replaced with a more sturdy and attractive type of awning, and due to the fact that the request would not damage any of the adjoining properties, the Zoning Advisory Board had recommended approval of the request.
  - d) Mayor Palmer inquired if there were any comments by the applicant.
  - e) Mr. Dulaney stated the reason for the delay in replacing the canopies had been caused by problems with the insurance company and at this time, he was ready to proceed with the replacement.
  - f) There were no other comments and the hearing was closed.
  - g) Councilwoman Potts made a motion to waive the third and fourth reading and to approve the variance request based on the following criteria:

|     |   |
|-----|---|
| (a) | N/A   |
| (b) | The strict application of this ordinance would create an unnecessary hardship.  |
| (c) | N/A.  |
| (d) | Relief, if granted, will not cause any substantial detriment to the public good or impair the purposes or intents of the ordinance. |
- 2) Mayor Palmer gave a second reading of a request for a zoning change from R-2 to C-2 by Alex Feagin for 9 lots located between Old Dixie Highway and North Drive.
  - a) Councilwoman Potts stated Mr. Feagin had notified the city today, Monday, December 9, that he had not mailed the notices to the adjoining property owners and as a result, Councilwoman Potts asked that the matter be held for the January 13, 2003 meeting.
  - b) Following discussion, Councilman Woods made a motion to continue the matter until January 13, 2003, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- 3) Mayor Palmer gave a second reading of a request for a zoning change from I-G to C-2 by Greyfield Properties, Inc., Haley Stephens, President, for property at 101 Mauldin Road.

- a) Mayor Palmer stated that at the Zoning Advisory Board meeting, the applicant, Haley Stephens, had requested this item be tabled at this time to give him an opportunity to study the additional requirements that would be needed for the change of use of the facility.
  - b) Councilman Woods made a motion table the request, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 4) Mayor Palmer gave a second reading of a request for zoning of PRD and annexation of approximately 22.36 acres on Highway 53 and the Old Fairmount Highway by Jack Lamar Perry.
- a) A public hearing was opened.
  - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been published in the local legal organ.
  - c) Councilwoman Potts stated the Zoning Advisory Board met on this matter on December 5, 2002 at 4:30 P.M. They determined that the developer plans to build 228 apartment units with one, two and three bedrooms, on the 22 acre site, with approximately 15 acres of green space. The street leading into the development would be a public street for a short distance and the remaining street into the development would be a private street and the area would be gated according to the regulations from the fire department. She stated the units would be sprinkled and would include amenities such as tennis courts, swimming pool, children's play area, etc. She stated the Zoning Advisory Board had reviewed the application carefully, since there is a great deal of multi-family housing area currently within the city. Following a thorough review and a full presentation by the developers, the Zoning Advisory Board recommended zoning of PRD and annexation of the property. These findings replaced the earlier findings, which had been published without benefit of information from the developers.
  - d) Mayor Palmer asked if there were any comments by the applicant.
  - e) Jack Perry, owner of the property, distributed a map indicating the portion of his property that would be sold to the proposed developer, WGH Contractors.
  - f) Following discussion on the property to be developed, Mr. Howerington of WHG Contractors, distributed a written report on his proposed development and displayed a site plan indicating the location of the units, their height and size. Mr. Howerington stated it is their intention to file for the tax credit program available through the Department of Community Affairs, for the project. If this should not be available, he would then work toward a conventional construction program for the project. He responded to questions regarding the feasibility of conventional units by saying that at this time, he had not had a study of need but would do this if he was not successful in his application for the tax credit program. Mr. Howerington stated the management company that

he uses for the project would be the same management company which has previously worked with Post Apartments and they do an excellent job in maintaining the policies set for the units. It will be properly controlled and maintained. The structure he proposes to build will be very similar to units that have been built in Cartersville and Canton, Georgia. He also stated the number of school children that would be added to the school rolls as a result of the apartments would be very low, based upon numbers he had reviewed from the Canton site.

- g) Mayor Palmer inquired if there were any comments by the public. There were none and the public hearing was closed.
- h) Councilwoman Potts made a motion to waive the third and fourth reading and to zone the property PRD and to annex, based upon the following factors:

- (1) The commercial activity would correspond with commercial activity currently present in the surrounding area.
- (2) The zoning request will not adversely affect existing or nearby property.
- (3) The property would have a reasonable economic use as currently zoned.
- (4) The board determined the proposed light commercial activity would not pose an excessive burden on existing streets or facilities in the area.
- (5) The developer would be responsible for the capital costs for infrastructure to serve the property. This includes water, sewer and street access.
- (6) The zoning proposal is in conformity with the intent of the long range land use plan of the city.
- (7) N/A
- (8) Light commercial activity would be a better use of the property, as opposed to multi-family housing.

The motion was seconded by Councilman Denmon, with Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively and Councilman Woods abstaining, motion carried.

- 5) Mayor Palmer gave a second reading of a request for zoning of R-1B and annexation by Margaret Ruth Whitfield for a lot and home at 319 Cherokee Drive NE.
  - a) A public hearing was opened.
  - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been published in the local legal organ.
  - c) Councilwoman Potts stated the Zoning Advisory Board met on this matter on December 5, 2002 at 4:30 P.M. They determined the request was for annexation of an existing house and lot with no plans for any additions or modifications, other than a request to connect to city sewer. The board had also determined the zoning of R-1B would be the best zoning, based on the size of the house

and lot. She stated based upon these findings, the Zoning Advisory Board recommended zoning of R-1B and annexation.

- d) Mayor Palmer inquired if there were any comments by the applicant or public. There were none and the hearing was closed.
- e) Councilwoman Potts made a motion to waive the third and fourth reading and to zone the property R-1B and annex, based upon the following findings:

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|-----|---|
| (1) | The zoning proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby property.  |
| (2) | It would not adversely affect the adjacent and nearby property.   |
| (3) | The property is currently in the county and does have a reasonable economic use as zoned.   |
| (4) | The zoning proposal will not result in a use that would be excessively burdensome on existing streets, schools, etc.  |
| (5) | There will be minor capital improvement costs that will be required for service of the lot and Mrs. Whitfield has been made aware that she would be responsible for paying those costs. |
| (6) | The proposed use would meet the city's long-range land use plan.  |
| (7) | N/A   |
| (8) | N/A   |

The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

- 6) Mayor Palmer reopened the zoning request of MTD, Inc. to relocate a sign at Gordon Hills Shopping Center, an "on premise" sign for 16 businesses.
  - a) Mayor Palmer stated the notices on the request had been determined to be complete last month, with the exception of the notices to the adjoining property owners. Harrison reported those have been mailed and evidence received.
  - b) Councilwoman Potts stated the Zoning Advisory Board met on this matter in November and based upon their findings, they recommended the sign be rebuilt in Gordon Hills Shopping Center to serve the 16 businesses located in the center.
  - c) Mayor Palmer inquired if there were any comments by the applicant or the public. There were none and the hearing was closed.
  - d) Councilwoman Potts made a motion to approve the request to relocate the sign at Gordon Hills Shopping Center as an on-premise sign to serve the 16 businesses in the shopping center, based on the following criteria:

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|-----|--|
| (a) | There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question. |
| (b) | The strict application of this ordinance would create an unnecessary hardship.                                   |
| (c) | N/A.   |

- |   |
|---|
| (d) Relief, if granted, will not cause any substantial detriment to the public good or impair the purposes or intents of the ordinance. |
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The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

b. Other Hearings:

- 1) Mayor Palmer opened a public hearing on the beer package license request of Tim Bockholt for B&L Beverage at 100 Highway 53 SE.
  - a) Mayor Palmer reported the police report is clear.
  - b) Mayor Palmer inquired if there were any comments by the public or the Council members. There were none and the public hearing was closed.
  - c) Councilman Woods made a motion to approve the license request for the remainder of 2002 and a renewal in 2003. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 2) Mayor Palmer opened a public hearing on the wine package request by Golden Gallon-GA, LLC, Karen Aldridge, Manager, at 702 Highway 53 East. Mayor Palmer stated the police report for the proposed manager is clear and the store currently has a beer package license at the location.
  - a) Mayor Palmer asked if there were any comments by the applicant or the public. There were none and the public hearing was closed.
  - b) Councilman Woods made a motion to approve the wine package license for Golden Gallon-GA, LLC, Karen Aldridge, Manager, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 3) Mayor Palmer opened a public hearing on a request to change the name of the western portion of Timms Road to Wright Court. He stated the Timms Road had been divided and it was appropriate for the name to be changed to allow separate names for each road.
  - a) Mayor Palmer asked if there were any comments or questions from the public. There were none and the hearing was closed.
  - b) Mayor Palmer asked for a motion to set another public hearing on December 16, 2002. Councilman Woods made a motion to set the public hearing for December 16, 2002 at 7:00 p.m., second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

7. Old business:

- a. Mayor Palmer gave a second reading of the beer, wine and liquor license requests for the following establishments that have met the proper certification of employees and are available for approval or denial:

| Alcohol | Business Name             | Manager          | License Type        |
|---------|---------------------------|------------------|---------------------|
|         | Gondolier's Pizza         | Alexis Prasinios | Beer Pouring        |
|         | Oyster Pub                | Basen Sam Saleem | BWL Pouring         |
|         | Dixie Beverage Shop       | Barbara Bishop   | Beer Package        |
|         | El Pueblito Mexican Rest. | Juana Naranjo    | Beer/Liquor Pouring |
|         | 53 Package Shop           | Allan Conway     | Beer Package        |

1) Following review, Councilman Woods made a motion to approve the renewal for the 2003 licenses, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

b. Mayor Palmer gave a second reading of the pawn license renewal requests for the 2003 licenses as follows:

| Business Name                     | Owner               | License Type |
|-----------------------------------|---------------------|--------------|
| PCI Capital Corp, d/b/a Pawn Mart | Scotty Brown        | Pawn         |
| Pete's Music City & Pawn          | Clifford L. Cochran | Pawn         |

1) Following review, Councilwoman Potts made a motion to approve, second by Councilman Woods, with Councilwoman Potts Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

c. Mayor Palmer gave a second reading of the taxi license renewal requests, as follows:

| Business Name          | Owner           | License Type |
|------------------------|-----------------|--------------|
| Los Buenos Amigos Taxi | Sonia Romero    | Taxi         |
| Taxi Latino            | Ofilio Lara     | Taxi         |
| Taxi Union             | Isidro Bautista | Taxi         |

1) Following review, Councilman Woods made a motion to approve, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

d. Mayor Palmer gave a first reading of the amended request by Tammy West for a Revolving Loan Fund application for the purchase of a downtown building and equipment. The earliest possible date for a public hearing would be December 16, 2002 at 7:00 p.m. Councilman Woods made a motion to set the public hearing at that date and time, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

e. Mayor Palmer read the proposed resolution covering the adoption of the Solid Waste Management Plan for Calhoun, Gordon County, Fairmount, Plainville, Ranger and Resaca. Following consideration of the resolution, Councilman Woods made a motion to approve the resolution as drawn and to authorize the Mayor to sign and to authorize the forwarding of a copy to the Coosa Valley RDC. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

8. New business:

a. Mayor Palmer gave a first reading of a the third group of beer, wine and liquor license renewal requests.

| Alcohol Business Name | Manager         | License Type |
|-----------------------|-----------------|--------------|
| Losposada             | Vickey R. Brown | Beer Pouring |

Mayor Palmer stated a second reading could be held on December 16, 2002 at 7:00 p.m.

- b. Mayor Palmer gave a first reading of the third group of pawn license renewal requests.

| Business Name             | Owner                  | License Type |
|---------------------------|------------------------|--------------|
| Bubba's Pawn, Inc.        | Laurence Mauldin       | Pawn         |
| Cash Store, Inc           | Kent Popham            | Pawn         |
| Title Exchange & Pawn     | Hugh M. Austin         | Pawn         |
| Titlemax of Calhoun, Inc. | Barry Russell, Manager | Pawn         |

Mayor Palmer stated a second reading could be held on December 16, 2002 at 7:00 p.m.

- c. Mayor Palmer gave a first reading of a request for zoning of R-1 and annexation by CAHA, LLC, d/b/a Small World Day Care at 111 Jones Road, for approximately 1.5 acres adjoining other city property. He stated the earliest possible date for a public hearing would be January 13, 2003 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing at that date and time, second by Councilwoman Potts, with Councilman Denmon, Councilwoman Potts, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- d. Mayor Palmer gave a first reading of a request for a zoning variance by Gordon County Board of Education for five mobile classrooms, 50 x 76 feet, at 333 New Town Road NE. He stated the earliest possible date for a public hearing would be January 13, 2003 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing at that date and time, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
- e. Mayor Palmer gave a first reading of a request by James Wyatt for a zoning reclassification from R-3 under the old zoning ordinance to R-3 under the new ordinance in order to build apartments at the intersection of Court Street and McConnell Road, as well as a 7-foot variance between the proposed apartment building and a garage. Attorney Bailey stated the actual request should be a variance under the current R-3 ordinance, which would allow the construction of apartments, as opposed to a reclassification. Mayor Palmer made that correction. Mayor Palmer stated the earliest possible date for a public hearing on the variance request under the current R-3 zoning ordinance to allow construction of apartments, as well as a variance of 7-feet between the apartment building and a garage would be January 13, 2003 at 7:00 p.m. Councilwoman Potts made a motion to set the public hearing at that date and time, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.

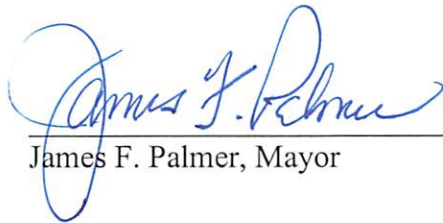
9. Other written items not on the agenda:

- a. Mayor Palmer stated city has been working diligently regarding the proposed quotes for the city's liability insurance coverage, which expires December 12, 2002 at 12:01 a.m. He stated the negotiations for the coverage are still ongoing. Due to several factors including the city's claim history, the effects of 9/11, and the effects of the recent tornado damage have caused rates to escalate dramatically

and the city has continued to be in negotiations to determine the lowest possible rate that would be available for amended coverage. He stated at this time, the final quotes were not available and he would ask for the Council to either call a special Council meeting or to authorize him to negotiate a contract for coverage. Councilman Woods stated he felt in order for the city to get the best possible price available based on all the events including additional property that is being insured, which has also escalated the price, he would make a motion authorizing the Mayor to negotiate and obtain the best contract available and authorize him to sign any documents necessary for the coverage. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

10. Work Reports:
  - a. Kelly Cornwell, Director of Utilities: **no report.**
  - b. Eddie Peterson, Director of Public Safety and Public Works: **no report.**
11. Mayor Palmer stated it was not necessary to move to executive session at this time.
12. 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.

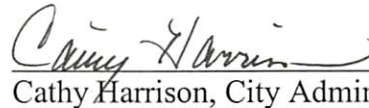
Approved:



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James F. Palmer, Mayor

Submitted:



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Cathy Harrison, City Administrator

**CITY OF CALHOUN  
CALHOUN, GEORGIA**

***RESOLUTION***

**WHEREAS**, the Georgia Comprehensive Solid Waste Management Act requires county and municipal governments to prepare local comprehensive solid waste management plans; and

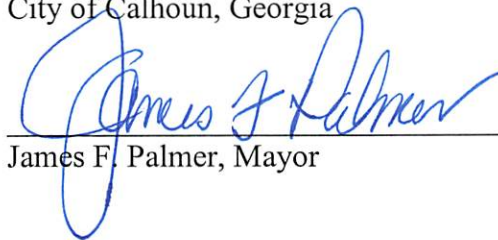
**WHEREAS**, the City of Calhoun, Georgia has compiled, reviewed and modified an update to the Solid Waste Management Plan for Gordon County, including the cities of Calhoun, Fairmount, Plainville, Ranger and Resaca; and

**WHEREAS**, the City of Calhoun, Georgia has complied with the Rules of Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Solid Waste Management (Chapter 110-4-3) including the minimum public participation requirements;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Calhoun, Georgia that the document entitled: Solid Waste Management Plan for Gordon County, Georgia including the City of Calhoun, the City of Fairmount, the City of Plainville, the City of Ranger and the City of Resaca (Update September 2002) be officially approved and adopted.

**SO RESOLVED**, this, the 9<sup>th</sup> day of December 2002.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator/Clerk

**CITY OF CALHOUN  
CALHOUN, GEORGIA**

***RESOLUTION***

**WHEREAS**, the Georgia Comprehensive Solid Waste Management Act requires county and municipal governments to prepare local comprehensive solid waste management plans; and

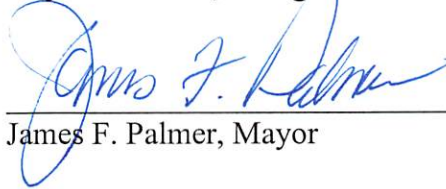
**WHEREAS**, the City of Calhoun, Georgia has compiled, reviewed and modified an update to the Solid Waste Management Plan for Gordon County, including the cities of Calhoun, Fairmount, Plainville, Ranger and Resaca; and

**WHEREAS**, the City of Calhoun, Georgia has complied with the Rules of Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Solid Waste Management (Chapter 110-4-3) including the minimum public participation requirements;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Calhoun, Georgia that the document entitled: Solid Waste Management Plan for Gordon County, Georgia including the City of Calhoun, the City of Fairmount, the City of Plainville, the City of Ranger and the City of Resaca (Update September 2002) be officially approved and adopted.

**SO RESOLVED**, this, the 9<sup>th</sup> day of December 2002.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator/Clerk