

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING ST  
DECEMBER 12, 2016 7:00 P.M.**

**MINUTES**

**PRESENT:** James F. Palmer, Mayor  
David Hammond, Mayor Pro Tem  
Al Edwards, Councilman  
Jackie Palazzolo, Councilwoman  
Matt Barton, Councilman

**ALSO:** Eddie Peterson, City Administrator; Larry Vickery, Utilities General Manager; Paul Worley, City Clerk; George Govignon, City Attorney; Garry Moss, Police Chief; Larry Gilbert, Major CPD; Jeff Defoor, Director of Electric Utilities; Brett Sane, Electric Department; Jerry Crawford, Water and Sewer Director; Lenny Nesbitt, Fire Chief; Chuck Poarch, Battalion Chief; Judith Arnold, Customer Service Manager; Danny Stephens, Water Treatment Plant Superintendent; Ben Hall, Water Treatment Assistant Superintendent;

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
  - A. Councilman Edwards gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Councilman Barton made a motion to approve the agenda, Councilman Hammond seconded the motion. All voted aye, motion approved.
4. Councilman Edwards made a motion to approve the regular minutes of the November 28, 2016 City Council Meeting. Councilwoman Palazzolo gave a second with all voting aye, motion approved. Councilman Edwards made a motion to approve the executive session minutes of the November 28, 2016 City Council Meeting. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
5. **Mayor's Comments:**
  - A. The Gordon County Youth Leadership 2016-2017 class was in attendance. The class includes 49 students from all four high schools in the County. The class is sponsored by the Gordon County Chamber of Commerce Leadership program. This is the 22<sup>nd</sup> class and approximately 1,200 students have graduated from the program.
  - B. The next City Council meeting will be on December 19<sup>th</sup>.
  - C. The City of Calhoun offices will be closed on Friday December 23<sup>rd</sup> and Monday December 26<sup>th</sup> for the Christmas Holidays and Monday January 2<sup>nd</sup> for New Year's Day.

6. **Council Comments:**

A. Councilman Edwards gave the November report as follows:

1) **Water, Sewer, and Engineering**

- The 2" Galvanized Line Replacement Project –The project as a whole is approximately 58% complete. Thor Drive, Hunt's Subdivision, Spring Valley, Davis Road, Edwards Street, Fox Street, Short Street, and West Street have been completed. The next area will be sections of Cherry Hill Drive, Sherwood Drive, Highland Ct, and Valley Circle is under construction.
- Flocculation and Sedimentation Control Project at the Mauldin Road Water Treatment Plant- The project has been completed except for a failure in a section of piping, which will be corrected by the contractor. The contractor has scheduled this work within the next two weeks.
- The new NPDES permit for the Wastewater Treatment Plant went into effect March 1, 2016. Several items required under the new permit have been implemented. The required Design Development Report has been submitted and approved by EPD. Design of the chemical feed system is in progress and is due this month.
- The Nutrient Trading Monitoring Pilot Program is underway. The first phase, funded by a Section 319 Grant has been completed. We are working on a second 319 Grant application to continue the monitoring. EPD would like for the second phase of monitoring to include a larger scale in conjunction with the small plots. The North Georgia Water resources has agreed to help fund the in-kind match should the grant be awarded.
- Wastewater Treatment Plant Motor Control Center Upgrades Phase one- The new motor control centers were delivered on October 31<sup>st</sup>. The contractor began work on November 1<sup>st</sup>.
- Piping modifications at the Wastewater Treatment Plant- Elevations and horizontal locations of existing facilities have been completed. The project was advertised for bids, and the bid opening was December 1<sup>st</sup>. The two bids received were both extremely high. Options are being considered for completing the project.
- Miller's Ferry Loop Water Main- The US 41 section is complete, with the second phase along Millers Ferry and part of Shaw Road under construction.
- South Calhoun By-Pass utility relocations- GDOT gave us a "Notice to Proceed" on February 19th. GDOT has awarded the road project to Wright Brothers Construction. Parts of the project have been completed with other areas pending categorical exclusion from EPD. The categorical exclusion is now in the advertising phase and should be issued by early January 2017.
- The 2 million gallon Glassrock Tank painting project bid opening was on November 14<sup>th</sup>. The lowest bidder was \$54,000 over the estimated budget of \$235,000. This project will be completed using City forces.
- Second interconnect with Chatsworth on Maple Grove Church Road is underway. Chatsworth has requested the second connection at this location.

- 2) **Water Treatment Plant Facility**
  - Total gallons withdrawn: 308,950,000
  - Daily average: 10,298,333
  - Wells: 115,990,000
  - Big Springs: 0
  - Percent produced by Brittany Drive: 37.5%
  - Brittany Dr. daily production to capacity: 32.67%
  - Mauldin Rd. daily production to capacity: 36.2%
  - Rainfall- 1.98"
  - The City of Calhoun, along with a total of 53 Georgia Counties, are now under a Georgia EPD Declared Level Two Drought Response.
  
- 3) **Waste Water Treatment Plant Facility**
  - Treated a daily average of 2.423 MGD, with an average BOD effluent of 4, average suspended effluent of 10, and an average COD of 57.
  
- 4) **Water Distribution**
  - 403 work orders completed, 16 new water connections, 44 water service leaks repaired, 29 water main leaks repaired, 35 utility locates called in for work orders, 485 utility locates responses.
  - Completed installing 2,950 feet of 8" ductile iron pipe along New Town Church Road to replace old 2" galvanized line.
  - Completed installing 4,500 feet of 6" pvc and ductile iron pipe along Owens Chapel Road to replace old 2" galv. Line.
  
- 5) **Waste Water Collection**
  - 1,650' Sanitary Sewer Services TV inspected, 292 utility locates completed, 4,600' sanitary sewer lines cleaned, 6 new sewer connections installed, 5 sanitary sewer services repaired.
  
- 6) **Building Inspection Department**
  - Issued 33 permits for an estimated cost of \$2,391,530, collected \$11,609 in permit fees. This included 3 new residential, 2 residential remodeling, 2 new commercial, 3 commercial remodel/Addition, 3 signs, and 99 total inspections.
  
- 7) **Recreation Department**
  - Park Expansion Project – All landscaping has been completed. Plan to have a final walk through before the end of December.
  - SWIMMING POOL RENOVATION – Mayan Pool began the renovation work of the pool in early November. The pool has been sandblasted and the plaster work is being done. Depending on weather, the renovation is scheduled to be complete by the end of December.
  - Youth Basketball – Registration for youth basketball concluded with 299 boys and girls registering to participate. Teams have been formed and practices began on November 19. Scheduled games will begin on Monday, December 12. Games will be played at Billy Bearden Recreation Center and Calhoun Middle School gym.

- Youth Football – The all-star football teams participated in the GRPA 5<sup>th</sup> District Football Championships November 14-19. Our agency hosted games on November 15 and the championship games on November 19 at Phil Reeve Stadium. The GRPA North Regionals were played December 3-4 with Calhoun 7-8, 9-10 and 11-12 teams advancing to the GRPA Championships which will be played December 9 at Phil Reeve Stadium.
- Youth Soccer – Calhoun Recreation Department hosted the u8, u10, and u12 Coed and u8, u10, and u12 Girls GRPA District soccer tournaments November 11-19. The U8 and u10 Coed advanced to the GRPA State Championships in Thomasville with the u10 Coed winning the GRPA State Championship December 3. Calhoun hosted the GRPA State Girls Soccer tournament December 2-3.
- Staff continuing education – Kim Townsend, Jeff Davis, Will Chappell, Malcolm Fain and David Mitchell attended the Georgia Recreation and Parks Association conference during the week of November 7-10, 2016 in Athens. A total of 50 hours of continuing education were obtained by staff attending educational sessions.

B. Councilman Barton gave the November report as follows:

**1) Police Department**

- Made 314 cases with 7 DUI's
- Fines collected by Municipal Court - \$46,418
- Issued 402 warnings
- Investigated 49 highway accidents, 30 private property accidents
- Provided 92 escorts
- 1,637 incident reports
- Responded to 317 alarms
- Miles patrolled: 49,859
- Responded to 4,233 calls for service by E-911

**2) Municipal Court and Probation**

- Total Court cases- 246
- Court cases dropped- 54
- Number of Bond forfeitures- 178
- Number of Probation cases- 73
- Failure to appear- 23
- Subpoenas served- 13

**3) Fire Department- Suppression**

- Responded to 199 calls for service for the suppression division, with 12 fire incidents.
- Responded to 116 medical service calls.
- Responded to 8 hazardous conditions incidents.
- Responded to 12 false alarms or false calls, 33 good intent.
- Assisted with two fire extinguisher classes.

**Training Division**

- Department completed 976 hours of training.
- Training consisted of: hazardous materials, pump operations, aerial operations, and hose line advancement.

**4) Fire Inspection Department**

- 93 total reported activities/inspections which included 18 annual inspections, 5 new business inspections, 21 requested inspections, 25 follow-up or re-inspections, and 21 consultations.
- Assisted with the child car seat check at Walmart installing 87 seats in two days with CFD, CPD, GCFD, and GSP participating.
- Conducted fire safety programs.

**5) Downtown Development Authority**

- The DDA director attended a Business Engagement Committee meeting; a CVB Tourism meeting and a Young Professionals meeting. The DDA held its regularly scheduled board meeting. The Historical Preservation Commission held its monthly meeting. There were 3 COA approvals and 1 façade grant approval.
- The DDA held its fourth Twilight Thursday. Six downtown businesses participated in the event. The Young Farmers & DDA hosted Farm/City week November 17th-November 20th. There was a proclamation signing, breakfast for farmers, a free showing of Babe at the GEM Theatre, local farm tours for high school students and more. November 20th was the annual open house, lighting of the Christmas tree & pictures with Santa. There were a record number of people in attendance. Riverview Baptist Church held a live nativity in the mini park and the Gordon County Antique Tractor & Engine Club gave tractors rides downtown. All the downtown retailers stated that it was a successful open house with most saying it was the best year yet for sales.

**C. Councilwoman Palazzolo gave the November report as follows:**

**1) Street Department**

- Completed 22 shop and 20 street department work orders.
- Installed 5 new street signs.
- Inspected and maintained 103 miles of streets and storm drainage.
- Repaired utility cuts and pot holes using approximately 15 tons of asphalt.
- Began the annual leaf clean up around town.

**2) Cemetery Department**

- Performed routine maintenance on Fain and Chandler Cemetery.
- Supervised the opening and closing of 9 grave sites.
- Sold 9 new grave spaces.

**3) Parks Department**

- The Parks Department grounds crew picked up litter, hauled garbage to the dump, and maintained records at records room.
- Maintained approximately 19 miles of sidewalks, 29 islands, and 42 other designated places in the City.

- Helped with the Downtown Christmas decorations.
- The building and maintenance crew performed routine maintenance on designed city buildings and all fountains.

**4) Animal Control**

- Housed 22 dogs and 8 cats
- Number of dogs adopted: 9
- Number of cats adopted: 0
- Number of dogs rescued: 0
- Number of cats rescued: 7
- Number of dogs reclaimed by owner: 4
- Number of dogs euthanized: 1
- Number of cats euthanized: 0
- Number of warnings given: 25
- Number of bite cases: 1
- Citations issues: 4

**5) Court Services and Enforcement**

- 11/4/16- The following streets were maintained by inmate trash detail: Richardson Rd, Executive Drive, and South Industrial Blvd – 27 Bags
- 11/11/16 - Pine St, Elm St, Crest Dr, Gallman Ave & Powell St – 36 Bags
- 11/18/16 - Curtis Pkwy, Cherry Hill, Victory Dr, cut through behind the old pig to Victory Dr, Woodland Cir, Harmony Church Rd – 27 Bags
- 11/25/16: East Line St, Barrett Rd, Pisgah Way, Springdale Dr, Briarwood Dr, High Point Dr & Ivy Ln. – 38 Bags
- Total bags of trash collected by inmate detail was 128.
- Also, assisted various City Departments that may need help, such as code enforcement, police, city court, city hall, recycling, and others.

**6) Calhoun Recycling Center**

- Partnership with Calhoun School Systems- Calhoun schools are bringing the center plastics 1 and 2, mixed paper and OCC. OCC-4,500 lbs, plastics- 600 lbs, mixed paper- 1,400 lbs.
- Calhoun Elementary School has also entered into a contest with many other schools collecting soft plastic. These plastics are your trash bags, "Wal-Mart bags" etc. The company hosting this contest is TREX Flooring and will be awarding the winning school with a park bench made of these soft plastics. The contest runs until Earth Day, 2017.

<i>Item</i>	<i>Weight</i>	<i>Sale</i>
<i>Plastic (1 &amp; 2)</i>	10,520 lbs.	\$789.00
<i>Aluminum Cans</i>	N/A	N/A
<i>Glass</i>	N/A	N/A
<i>Steel Cans &amp; Scrap</i>	3,840	\$153.60

<i>OCC</i>	20,280 lbs.	\$912.60
<i>Mixed Paper</i>	18,140 lbs.	\$598.62
<i>Total</i>	53,040 lbs.	\$2,553.82

**Curbside Pick-up pilot program:**

	Week 3	Week 4	Week 5	Monthly Total
Bags	91	114	101	312
Aluminum	8 lbs.	9 lbs.	7 lbs.	24 lbs.
Steel	11 lbs.	11 lbs.	12 lbs.	34 lbs.
Plastic (1 & 2)	59 lbs.	71 lbs.	64 lbs.	194 lbs.
OCC	101 lbs.	98 lbs.	148 lbs.	347 lbs.
Mixed Paper	277 lbs.	355 lbs.	278 lbs.	910 lbs.
Total	456 lbs.	544lbs.	509 lbs.	1,509 lbs.

7) **Safety Committee**

- o Safety topic- safely managing stress
- o Safety Inspection- Water Treatment Plant
- o Vehicle Accidents: 0
- o Workers Compensation: 0

8) **Library**

- o There were 10,728 library card holders, 6,086 library visitors, and 5,476 total circulation.
- o There were 111 story time attendance, 59 adult program attendance, 84 digital new users, 171 e-books, 177 audio books, 1,542 computer logins, and 10,545 Facebook visits.
- o Free English classes are offered on the first Saturday of every month (10:00-12:00) at the Calhoun-Gordon County Library.

D. Mayor Pro Tem Hammond gave the November report as follows:

1) **Electric Department**

- o Construction continues at the new 1st Bank of Calhoun.
- o Construction continues on providing permanent power to the new Family Savings and Credit Union on Curtis Parkway.
- o Construction continues on Apache Mills expansion.
- o LED street lights replacement from City hall to Hwy 53 has begun.
- o Liberty Tire Expansion is in Electrical Engineering.
- o The City of Calhoun's Electrical load for November was 32,759,000 kilowatt hours. This is 1,834,406 more than last year, but 2,663,918 less than the record set in November 2013.

Work orders in process or completed

- o Newly created- 111
- o Completed and closed- 110

Consisting of:

- Capital construction- 5
- Street and security lighting-26
- Distribution Maintenance-12
- Outages/trouble calls- 22
- Meter maintenance/replacement- 12
- New customer meter sets- 12
- Electric locate tickets processed- 245

**2) Telecommunications Departments:**

- Installed one new internet circuit.
- Added 75 megabit to existing internet customer.
- Completed installation and began testing new phone trunk line for city phones.
- Customer access equipment replacement project is 34% complete.
- Completed project to replace customer T1 circuits with Ethernet circuits.
- Started project to upgrade financial software to latest version. Plan to have completed by middle of February 2017 for next budget season.
- Ordered and received conduit and fiber for Brittany Well project.
- Opened 24 and closed 28 work orders.

**3) Geographic Information Systems:**

- Worked with Engineering Department to run water modeling sessions.
- Mapped new county fire hydrant locations.
- Updated water meter data and physical building addresses for Billing Department.
- Updated Zoning map.
- Added new fire pre-plan for buildings for Fire Department.
- Updated Cemetery layer.
- Updated City and GIS web sites.

**4) Northwest Georgia Regional Commission**

- The Regional Commission (RC) oversees 15 counties and 51 cities in Northwest Georgia that helps to reallocate federal dollars to various programs that benefit the citizens such as meals on wheels, workforce training, community planning, area on aging, and community and economic development.
- Gordon County's unemployment rate for October 2016 is at 5.3% and the State's is at 5.2%. The regional unemployment rate is now 5.3%. Whitfield County is 5.7%, Murray County is 6.8%, Floyd County is 5.6%, and Bartow is 4.9%. The average annual wages for Gordon County is the second highest in manufacturing counties and Gordon County is the sixth highest in the region at \$37,567. This can be contributable to the strong manufacturing base in our community and the other counties higher than Gordon are metro area counties.

**5) Tom B. David Airport**

- The Airport is an authority supported by both Gordon County and the City of Calhoun. The airport is the 7<sup>th</sup> largest permanent based aircraft airport in the state of Georgia. There are currently 118 airplanes based at the airport. The six counties that have more aircraft have populations of 150,000 or greater, where Gordon County only has 56,000. The airport has a 6,000 foot runway, where most others only have 5,000. Therefore, our airport can handle larger corporate jets for local industry. Also, the airport will receive 90% in Federal funding to build a parallel taxiway that will enable the airport to handle more traffic in and out. Future expansions will allow the airport to grow even more and grow the positive local economic impact. Finally, the Airport Authority is looking at expansions of corporate hanger space and long term plans for the airport. Future expansions will allow the airport to grow even more and grow the positive local economic impact.

**7. Public Hearings and Comments:**

- A. Mayor Palmer opened a public hearing of an annexation and zoning request of C-2 for 0.46 acres at a location of 106 Erwin Street by GAH Properties, LLC. (Ronnie Holbrook).
  - Administrator Peterson stated that all advertising requirements have been met.
  - Councilwoman Palazzolo stated that the Zoning Advisory Board meet on December 8<sup>th</sup>. The ZAB recommended that the annexation and zoning requests be approved.
  - Mayor Palmer asked for comments. There were no public comments and the public hearing was closed.
  - Councilwoman Palazzolo made a motion to approve the annexation request for 106 Erwin Street containing 0.46 acres. Councilman Barton gave a second with all voting aye, motion approved.
  - Councilwoman Palazzolo made a motion to approve the zoning request of C-2 for 106 Erwin Street. Councilman Hammond gave a second with all voting aye, motion approved.
  
- B. Mayor Palmer opened a public hearing for a beer and wine pouring license request by Jose L. Estrada D/B/A: El Sol Restaurant at a location of 188 W. C. Bryant Parkway.
  - Administrator Peterson stated that all advertising requirements have been met.
  - Mayor Palmer asked for comments. There were no further comments and the public hearing was closed.
  - Councilman Hammond made a motion to approve the beer and wine pouring license request. Councilman Barton gave a second with all voting aye, motion approved.

- C. Mayor Palmer opened a public hearing for a beer and wine package license request by Krupal Patel D/B/A: Any Salvage Groc & Tobacco at a location of 637 Oothcalooga Street.
- Administrator Peterson stated that all advertising requirements have been met.
  - Mayor Palmer asked for additional comments. There were no further comments and the public hearing was closed.
  - Councilman Hammond made a motion to approve the beer and wine package license request. Councilwoman Palazzolo gave a second with all voting aye, motion approved.

**8. Old Business:**

- A. Mayor Palmer stated, "Recently we had something come before the Council on November the 14<sup>th</sup> that was passed by the Council and I gave great consideration to and decided at that time that it was not in the best interest of the City. At that time I did something to my knowledge that hasn't been done in the City before and that was to veto something that was passed by the Council. So with that knowledge, Councilman Hammond asked for it to be placed on the agenda for the opportunity to override that veto. It has been well documented in the minutes on two different occasions. It is well documented in the paper, Calhoun Times, almost word for word what was said in those meetings. Anybody who might be interested can certainly look at the paper or get the information from the Calhoun website as it concerns my reasoning as well as other reasoning's, and I invite you to do so. After tonight, it will be perhaps too late to do anything else about it, but I would welcome any questions or comments. I have been very fortunate; I have talked with many concerned citizens, rate payers, industry leaders, as well as meeting people on the street, phone calls, office visits, I have had employees that have come to me with sharing their concerns. There has been an awful lot of interest on this particular item. It also concerns industrial and economic development in my opinion. With that veto I was asked and you have to do a written explanation. This written explanation is very short, and like I say there are other places you can find this such as the City website or the newspaper. I would once again encourage you to look at those, but at this time we had one member who was absent at the meeting, so I will once again read the veto statement. 'It is with great concern that I have come to the conclusion that I must veto an action of the Calhoun City Council. My love for the City and the hope for its future requires that I take this action. I do not take this action lightly, as I am not aware of any other veto occurring. I know that I have never taken this action. The Council, by a 3 to 1 vote, has taken action to reorganize City government and eliminate the position of General Manager of Utilities. I see nothing to be gained and much to lose with the proposed structure. Calhoun Utilities is and has been well managed with skilled and technically competent leadership with revenues in excess of \$62,000,000.00. The financial stability is dependent on continuously monitoring the wholesale billing, the efficient management of assets, and stable practices that maintain our excellent financial position. The utility assets and infrastructure are the community's economic engine, now and into the future. The loss of professional leadership and the loss of a system that is proven to work will not help retain existing industry or attract new industry. This loss would be harmful to economic development. To say that uncertain and unproven changes are 'to modernize' or 'to

streamline' an already successful and well recognized organization does not answer the question as why the changes are specifically good for our community, citizens and customers. There are many other reasons not listed here and after careful consideration of all I hereby veto the ordinance approved by the City Council on November 14, 2016.' With that, we have two people on the agenda who would like to address the Council and we will begin with Mr. George Crowley." Mr. Crowley stated, "Thank you to the Mayor and Council for letting me speak to you again tonight. What I wanted to do is not go through all the things that I went through last time since that took a long time, I am not going to do that again. What I would like to do is two things basically. First is to not override this veto that the Mayor has issued. Next, offer you a second option that might appeal to you. I know this is a concern to the community and I think they have not been well informed of why this is something good. We have talked a lot about why this is not good for the community and not good for our City. What I ask of you is to uphold the veto and then have some public hearings and we can go and see some folks, the industrial development authority folks are here, and talk to them and tell them exactly why you think this is a good idea and what we should do about it. This was brief tonight, but that is what I would ask you to do. Thank you." Mayor Palmer stated, "Also on the agenda is Mr. Bill Watkins." Mr. Watkins stated, "Good evening everybody. My name is Bill Watkins and I am speaking on behalf of Apache Mills concerning the elimination of the general manager of utilities position for the City of Calhoun. I am currently the maintenance manager and a project engineer for Apache Mills, and I have had 10 years of prior experience in textile engineering with my previous employers Shaw and Beaulieu in Dalton. I have been currently employed by Apache Mills for the past 20 years, and have been involved with numerous utility projects involving Larry Vickery and the City of Calhoun Utilities Department. I've been involved with several project interactions with other utilities in the past, and the City of Calhoun Utilities Department is by far the best experience due to the personnel organization and leadership. I want to say I appreciate the Council desire to hear from the public on the recent veto of the organizational structure change of City Government. In particular with the elimination of the utilities general manager position. I will limit my dissertation so that many others may speak on this important subject as well, with many of the same talking points. I will state that I respectfully disagree with eliminating the position and will explain why. I won't dwell very long on this point, but many people here know Larry Vickery and know he is a person of high integrity, honesty, and without question a real role model as an individual and professional. He is an individual very competent in the engineering field and at solving problems. I have worked with Larry during our many expansions and found him very willing to work with you, planning to meet your needs now and for the future, resulting in savings and increased revenue for Apache and the City. It would have been more difficult to sustain our rate of growth the last 10 years without his assistance. It is an honor to consider him a colleague. I was quite honestly surprised when I read the Calhoun Times articles covering the Council's discussions about the elimination of the utilities director position, which Larry holds. I believe that the leverage and expertise Larry has with his years of experience will not be fully utilized if he is not in this role. His association with MEAG has been one that has greatly benefitted the City of Calhoun in the past, present, and will in the future. I wanted to discuss some of the reasons behind the elimination of the job that have been presented. Reason number one, 'eliminating the position and reorganizing the government is a good way for younger people in place within different City departments to step up and

move the City forward'. I believe that young people grow from experience they generate. Sure they are impatient and ready to move up the career ladder. I can relate to that, but they can learn from great leaders and mentors with lessons they would otherwise learn the hard way. If future leader development is a major issue, I couldn't think of a better mentor or person to model your career after than Larry Vickery. They will get their chance to move up. Another reason, 'we are going back to a system that we have had in place here in Calhoun when we had the height of our growth in industry'. I can't think of any reason of why you wouldn't need a competent director or general manager to help plan for future growth and help steer through state bureaucracies and maintain the purest of state and federal regulations to encourage growth. Another reason, 'We need simplicity. What we are going to do here is, we are going to have one person at the top'. My opinion here is there needs to be one person at the top of an organization, but within a government organization is not legislative and needs to be run similar to a corporate structure. Reason number four, 'and all of these young leaders will grasp that change and move forward with it. We won't miss a beat'. I don't know if the City will miss a beat or not, but why risk the mistakes that can be seen coming. Reason number five, 'There needs to be one person at the top'. There is a lot to be said for structure if not to top heavy. I am all for lean management in operations, but a person is needed who directly supervises and coordinates engineering and utility activities. That might not be the expertise of the Council members. The director reports to the Council members with his technical insight and his explanation of the details concerning important decisions. The director is needed to provide support to the City and State. The question you have to ask is: does Calhoun want the Council to directly run the utilities department without a person of Larry's caliber providing guidance and assistance? And to summarize, any reports I ever read through Larry's leadership the City has saved hundreds of thousands of dollars and has helped grow the City's utility infrastructure to accommodate growing demands of power, sewage service, and water. He has used his association with MEAG and other government entities to help achieve many of these goals. These are tangible savings, not to mention the many intangible savings directly resulted from accommodating local and relocating industries and growing the number of available jobs. That is a considerable return on investment for the City and the director of utilities salary many times over. I would like those voting in favor of this change to reconsider today's vote. Consider the future to be further founded upon those that brought you to this point and to further develop that which will bring the City of Calhoun to that future. Thank you again for putting this on the agenda tonight and considering our opinion. Thank you." Mayor Palmer stated, "With those comments, it has always been the position of myself and the Council to allow anybody else to speak that may be in favor or opposed to the organizational change, the organizational structure and in favor or opposed to the veto. At this time I would ask if anybody else would like to speak and if you would come forward and state your name and give your address." Doug Hall of 101 Jackson Street stated, "Mr. Mayor, I hope the veto does get passed, I meant unpassed. I think Larry is doing a good job, and I think we need somebody to go over there." Mike Dent of 232 Hillcrest Drive stated, "I have been a resident in this City for about six years now. I moved here and it's a wonderful place to grow up and live. I married a lady from here and decided to stay. I can't think of any kind of wholesale change I'd want to see right now, because I'm very satisfied with what we have. When we start talking about making these kind of changes, you have to ask yourself the question, 'Why are we really doing it?' I know we've got people,

respectfully, saying it's for the future growth, and that's great, we need to grow. At the same time, we need to know what effect it is going to have. We are talking, I have heard \$60 million, I have heard \$80 million, I have heard \$90 million at times. Have we had a study done, a formal study done to see what this would do? When you are talking this kind of money, then we should have real numbers, a real study by professional people to get their opinion. Not because so and so says we need to change this to make change. We need to really look at this. I suggest we continue to look at this and have a formal study done, hire someone out there that does this for a living to say 'Ok, Larry Vickery you have used up your time here and we don't need you anymore. Thank you for the great job you have done.' If that is the case. Or they say, 'He has done such a good job and there is a place for him going forward.' Then let's look at that. Why make a change when you don't have to? This is a wonderful community; we don't need to change it. Larry is a good person. I respect all of you. I have never been in here before. I am overwhelmed from what I am hearing from you. Let's give it a chance, let's get a formal study going so we can make the right decision. Thank you." Trey Pierson of 317 Caverns Drive stated, "I am a life-long member and I am in support of this change. Larry Vickery is not going anywhere. Larry Vickery is retiring in 2017. Is that correct Larry? You announced that you are going to retire. He is going to be here for a year. I think that Eddie Peterson and Paul Worley are very competent and can take the reins and go forward with what we have. Like I said, Larry is going to be here for a year for his mentorship; we'll have his expertise until he retires. There's a plan in place; and you, from Apache Mills; it is lean management. It is a part of lean management and that's a good thing. Thank you." Flipper McDaniel of 655 Amakanata Road stated, "I didn't come prepared to speak, but I am going to. To me, this isn't about Larry Vickery. To me, this is about this department and having a competent person to manage and lead that department. I by no stretch say that Eddie Peterson and Paul Worley are incompetent in doing that; they certainly have a skill set that is to be commended. What I would ask you is to carefully consider when you are selecting somebody and making this kind of change in our community, somebody that has the knowledge of the complexities of that position, because that's not just a business administration position. David, Jackie, some of you on the Council, you well know the complexities of that position and managing everything to go on with that department, especially the acquisition and purchase of wholesale power cost and the ongoing attributes of that. I would just like for you to carefully consider this fight, and push-and-pull, back-and-forth on the City Council that you seem to be in and see if it really, truly is better for the City of Calhoun or better for a select few on this Council. Thank you." Mayor Palmer asked for anymore comments. Mayor Palmer stated, "I would ask for a vote concerning the override of the veto and that is ordinance number 955 concerning Chapter 2 Administration and Chapter 70 Personnel: Organizational structure and administration of municipal operations and departments." Mayor Pro Tem Hammond stated, "Before we get to the motion and vote; is there anyone else on the Council that wants to say anything before I do? Because of course I will have a few words to say." Councilman Barton stated, "I want to add something. George, we have been talking about this for 10 months and we have had public sessions to talk about it; this is not overnight. Just to point out too; there are 52 cities in MEAG and out of the 52 cities, 94% have the management that we are going to. Out of the top 10, half of them don't have a utility director. So the sky is not falling; this is not a radical change. I don't think it's going to be detrimental to the City of Calhoun. As Jimmy said, we've had many people contact

us. Thanks to the articles of Jerry and Ken and the paper itself and Facebook; I have had more people come up to me and it is great to have the engagement. I wish more times people would come, but it hasn't changed my mind, and I do appreciate everybody coming, but that is my point of view." Mayor Palmer stated, "If I may make just one comment on that. On the 50 MEAG cities, I would say approximately 40 of those; well they may have the structure we are talking about with one person at the top, but the thing you have to realize is in that structure they have a director of utilities, which under the thing we are talking about, it eliminates that position of the director of utilities." Councilman Barton stated, "Just to add, the information that I have shows only seven of the 52." Mayor Palmer stated, "The Electric Cities of Georgia if you will get their handbook out, it will list those, I went through that about a month ago, and I think there is like 40, 41 or 42 of those cities have a director of utilities. Of the ones that don't, one of them has a population of 450; one of them has a population of 800, and two or three more that had a population of 2,500 or less. Larry does that sound reasonable to you." Mr. Vickery stated, "Well, I did take a look at that myself only because questions had come up. Of about the 14 cities that are relatively similar to us; half of them have a director of utilities. The others have a manager form of government. As a matter of fact several of them have a director of utilities and a manager form of government. Some of them have commissions; I think three or four of them had separate commissions that operated utilities. To say a manager form of government is a standard, without recognizing the application to the size of the utility, the size and population of the community and the history. Many of them have had manager forms of government, which is a legislative form of government, and some of them have had those for 75 years. LaFayette, Georgia has had a manager form of government for 75 years." Councilman Barton stated, "And just to add to, Larry is retiring, and also Mr. Peterson is retiring a few months after Larry. Maybe about five or six months after Larry. With that opportunity, depending upon who applies for the job, but Paul Worley would have a real good chance of moving up, then the next assistant city manager has a likely chance of being someone from utilities. So it could be someone like Jeff Defoor or Jerry Crawford or someone else from that area. That would be a high priority for us. So we will have one with expertise in utilities to help run the City. All the department heads right now are top notch. We are not going to lose anything." Councilwoman Palazzolo stated, "I have heard from several community messages, text messages, on the street, and they are in favor. They feel like we need to change, we need to move forward. We have a lot of opportunities that we are facing; when you look at the growth that's happening in Emerson, like you said earlier, we are between Chattanooga and Atlanta and we have to be prepared for that. I do think that we have very competent people, and I think we have a very competent Council. I'm still in favor of it." Councilman Edwards stated, "I haven't said a whole lot during this whole process. I was the lone dissenting vote. I just want everybody to know, whether an employee of the City, a rate payer of the City, a tax payer or a young person just trying to learn a little about what is going on, or whatever brings you here. Whether I vote for or against, the bottom line is speaking for myself and I think I can speak for everyone up here, at least to some extent, we are going to make it work whatever way we go. The comments I have heard, and I have had more comments, I served 12 years on the school board and this is my ninth year in on City Council. So in the 21 years I've done this, I've had more comments about this situation than probably everything else combined. Definitely by far more people have called me or stopped me on the streets to comment and I would say eighty

percent or more of the comments have been more folks worrying about why we are running Larry off than really being concerned over what the organizational structure is. It is a great thing that there is that many people concerned with Larry, and Larry deserves that kind of concern, because he is a good person and he does a good job for us in the capacities, most recently as the director of utilities, but prior to that in the electric department. So yes, I would absolutely be running and screaming in opposition were we just trying to run Larry Vickery off, but I don't think that's the case at all. As it has been mentioned a couple of times, Larry is planning on retiring about this time next year so some of these things would be happening, you know if not right now, sometime between now and then. Obviously it would have to be a lot earlier in that process from when Larry leaves in December, and not say in November we need to replace Larry. You can't do it that way either. All that being said, so there's no question or confusion when it comes time to vote, I'm going to stick to, you know I voted one way, I will continue to vote that way just to not have it seem like I can't make up my mind. But regardless of what we do or don't do, I'm going to do everything I can to make it work. I am going to work with these other folks up here. Every one of the five of us were elected to represent this community; and so everybody may not always agree on what the best way to go about representing the community is going to be. And when we don't agree, that's fine. We'll discuss it and come to some consensus. Maybe if I am still opposed to it, if the three other folks all vote that we are going to do it, then ok, I can be opposed to it until that vote is taken. From that moment forward, I'm going to do everything I can to make it work. That is the commitment I will make to the four of you and I know Jimmy's feelings on it. Anybody who gets this second hand here going forward, we are going to make it work. If all else fails, there's nothing to say we can't change it back. If you don't want to have to go through that process again, but if it doesn't work, if we can't make it work, if we see that three to one voted for it, but the three were wrong, and if they can see that and admit to it at some point in the future, yes you hate to see us lose the time. Especially if we lose any money in the process or the ability to serve our customers, our citizens, we don't want any of that to happen. So hopefully it won't come to that, but if we just can't make it work, we can always go back and do it or tweak it in some other direction." Mayor Pro Tem Hammond stated, "Thank you Al. I would like to take a few moments to share my thoughts and some of you know them, some of you don't want to know them and that is fine, you didn't have to pay to be here. Many thanks to the youth leadership group. You are seeing government in action. And sometimes it is like making sausage, it's not something you really want to see. But this is a debate we have been having for almost a year, 10 months. We didn't take it lightly, but we did realize, and I mentioned this to the youth leadership earlier, that we are losing eighty-three percent of our managers. That is what is going to happen. The baby boomer generation, the largest employed generation, is retiring. Larry has turned in his notice; he's leaving in a year. Danny Stephens with the water department is leaving in February. We have a lot of great managers who will be leaving. How do you deal with that in industry? You have a succession plan, and when you have to make a change because of change in personnel, then you see if there is a better way to be lean, as you were talking about. How to have a straighter line of management. This is not an invention of this Council, this is something that goes on all over America. I want to thank all of the people in the audience that are here tonight. You know I have been here going on 13 years and sadly there is usually just three or four people here. When we are doing \$89 million dollar budgets, usually there is just two or three people

here. It is good to know that you care and whether you care pro or whether you care con. I've enjoyed talking to the public and hearing both of those points of view. And we talk about the Industrial Development Authority, I have met with every one of the Industrial Development Authority members except for one. I met with Kenny last year, and I met with most of the others this year. I wanted to hear their concerns, because Apache is a valuable customer here in Calhoun, Georgia. As is Mohawk and all the other industries and commercial applications. And the only thing I heard from the Industrial Development Committee was 'you are going to lose a wise person with Larry Vickery.' And I agree, we are. We are going to lose a wise person, but we are taking the steps with a trained person. Paul Worley has been with the city for many years and he has risen through the ranks and has accepted responsibility in his role now and his role in the future. In this organizational structure, if it passes in a few minutes to override the veto, Paul will be the assistant manager. Al Edwards and I do not necessarily agree on this one thing, but Al and I met today with Larry Vickery in his office. Larry is going to be with us for one more year. In that one more year, Paul and Larry are going to share an office and they are going to do two things. One, Larry is going to mentor Paul on how to do economic advancement in this community. Will Paul be as good as Larry Vickery? He's going to be a whiz kid if he is, because normally that's wisdom and it takes 30 to 40 years, but he will be better at the end of next year than he is right now because of Larry's wisdom. Larry has agreed to stay on the MEAG Board and represent the City of Calhoun, not just through this year, but through the next year where his tenure stays. He's going to represent the City of Calhoun on Industrial Development. Kathy, Larry is going to be with you as you negotiate with new industry. And he's going to be teaching Paul as he does those negotiations. And Larry has agreed, that if the City of Calhoun needs to hire him as a consultant after he retires, he will be willing to come back to help advance that wisdom deficit that we have. So, Larry is a great man. This has never been about Larry Vickery. It made a good talking point, but that is really all it was. It is a succession plan in leadership and we are going to do that in a lot of places. Eddie is leaving as we said earlier in two years. Garry is leaving as Chief of Police in another year. We have a lot of people leaving, but look at these young people. We've got a lot of young people who are above the average. Paul will be the first manager in the history of Calhoun to have a Master's degree in Public Administration. That is what we will expect out of all you young people; advanced degrees, exposure, and training that will make you excellent for the future. Hopefully, you can come back to Calhoun and take some of these jobs. Now let me say one more thing to my peers up here. In particular to Jimmy Palmer, and I said this the first time we spoke. I appreciate his passion, it is real. We do not always agree and that is not a bad thing. But he believes in what he believes and he gets out and tries to inform everybody in the public so that more people will engage. We have engagement here, you can see it. Now we do have a \$59 million dollar enterprise which is water, sewer, and electrical. It needs to run in a business fashion and that's where you bring in professional managers in to do that, but don't ever fool yourself into thinking it is a business, it isn't. It's a monopoly. Monopolies historically make so much money that the government breaks them up. You remember the Carnegies, the Vanderbilts, and the Rockefellers. If you want to buy government treated water in Gordon County, it comes from the City of Calhoun. You want to use your sewage facilities so it doesn't go into a septic tank and if it goes into a sewage treatment, it comes from the City of Calhoun. And if you live and operate or have a business inside the electrical grid, that is a territorial agreement that we didn't

establish, but does exist; you can only buy it from the City of Calhoun. We still have to manage that wisely. The other part of the job, I told you there were two parts. This is where Larry, Eddie and Paul will work together. We are going to put a professional planner on staff. This Council at last year's budget, appropriated the funding to do that. There is nothing stopping us from taking those qualifications and making them fit as many of these needs in the community, whether it be industry retention, industry growth, economic development, quality of life, whatever it be; we are going to find a professional to be in that management group to lead that. And Larry is going to head this up as one of his other responsibilities as we grow. I mentioned a couple of weeks ago and I figure I will be quoted sooner or later by somebody. The sky is not falling. It's just going to be another way of doing business. I know it was kind of referred to as this is a power struggle. I am thankful for you the students, I am thankful for you the citizens, I am thankful for my peers up here that have to make these tough choices. I am thankful for my family that is supportive of me as we have these little discussions that interrupt their quality of life. I have no aspirations to be the Mayor of Calhoun. I'm about to have my first grandchild in January and that grandchild lives in Indianapolis, Indiana. So my tenure on the Council won't last forever and you have heard me say many times, it shouldn't. Nobody should be here forever. I'm a strong advocate of term limits. This Council unanimously voted on a resolution to put term limits on the ballot for you the citizens to decide. Yes this goes back to national politics, and it is not working for me, I am sorry, I would like to see it do better. It is not going to happen from the top down, so ok, let's try to make it happen from the bottom up. And maybe next year in the election, when Matt Barton and I are up for election, you will have an opportunity to choose that. And we've got some people out here that will probably choose to step up and run against Matt and I, and that's great. If you the voter have choices, what's wrong with that? Not one thing; that is a great thing. This is hopefully not a decision that will cause friction and hard feelings. I have served here for 13 years and have been on the negative side of the vote many times. I stated my thought process and my opinion, the science behind it and why I believe that way. We took a vote on it and we moved on. That's what I'm going to do on this one. I hope everybody else will do that, and we will continue to work together for the betterment for this community and for you the citizens. Not only keeping your taxes low; that is what we should do, but keeping the rates that you pay for water and sewer and electrical, keeping those as low as possible. I appreciate the opportunity to debate this, and to the staff that is represented here, I know this has been disruptive for you. I know uncertainty causes confusion. We are going to move ahead as quickly as we can. Get back in order and move on with the business of communicating the needs of this city, and taking care of those needs as you so beautifully do. Mr. Mayor it is with that comment that I make a motion to overturn the veto." Councilman Barton seconded the motion. Mayor Palmer stated, "I appreciate that. A lot of the comments and a lot of the things David said I totally agree with. They were well said and well spoken. But to me, 90 percent of it shows the reason that we need a utility manager. It has nothing to do with Larry Vickery, it has nothing to do with the fact that he has worked there for the number of years that he has and worked with so many industry leaders and industrial development that are sitting in the audience in here out of concern today. Once again I appreciate you being here, but this job continues and what we are doing here tonight turns a professional person in utilities with 40 years of experience over to highly respected people in general government, not in utilities, they have no experience in

utilities and running utilities in the day to day things, that works with Apache and works with many of the industry leaders; works with the economic development. The position is, in my view, extremely important, and to take Mr. Vickery, with this 40 years of experience and make him a professional planner over downtown development authority, code enforcement, business license and permits, building permits and building inspection; seems to me like a waste of his talents. And to expect him to do this 40 hour a week job, at the same time, trying to teach two beginners the utility business, doesn't exactly seem right to me. With that said, I vetoed it and we have a motion to override the veto." Councilwoman Palazzolo stated, "Mr. Mayor, I have one question. Who was in Larry Vickery's position before him?" Mayor Palmer stated, "Kelly Cornwell and before that, it was Jim Hobgood." Councilwoman Palazzolo asked, "And Mr. Cornwell, what was his profession? Did he have the same knowledge that Larry Vickery did when he came into that position?" Mayor Palmer stated, "He came from the electric department." Councilwoman Palazzolo state, "He did come from the electric department. How long was he at the electric department?" Mayor Palmer stated, "And Mr. Hobgood graduated from Georgia Tech as an engineer and so he was there before that and Mr. Owens was way before my time." Councilman Barton stated, "Just to comment on that, Larry will be doing what you said, but implementation will take six plus months. So, he want be doing planning in January, he will still be doing the same job. He will be the utility director for at least six months, so he is not moving directly into the planner." Mayor Pro Tem Hammond stated, "Well he is just going to be involved with the recruitment of the planner. He will not be running the planning department. We have to do a candidate search and find a qualified individual; and that is what we are going to be doing and that is when we will be moving on." Mayor Palmer stated, "I guess I get lost in that conversation. At one time it was said that Mr. Vickery would be taking over the planning department. I think that is the way at least I understood it and with the appointments, how does the-" Attorney Govignon stated, "I would state that in one of my original drafts it was under the current operational budget of 2016-2017, so there were not any new changes or positions in that budget. There was a push to push this ordinance through before the end of the year. Realistically, the new positions and the funding of those positions, as Councilman Barton pointed out, will not be able to transition until we actually approve the 2017-2018 budget. And that is a point I have made several times." Mayor Palmer stated, "I am not questioning that, I am just trying to get clarity on my own. With the appointments at the beginning of the year, what will Mr. Vickery appointment be?" Attorney Govignon stated, "Well, that comes to another interesting question for another day in the fact that technically under the charter the appointments are made every two years with the sitting of a new Council. So, I don't have a good answer to that, but I can get you one. Now, I will say in my place, I have drafted previous drafts where it would transition with the next fiscal budget, because I think it makes better sense that way. That being said, I don't have a good answer to you there because, by the charter there is not supposed to be appointments until the sitting of a new Council." Mayor Palmer stated, "That might have slipped through, you bringing it to our attention before." Attorney Govignon stated, "Several of the drafts I had the effective date to begin with the next fiscal budget. Now, that was removed by the vote of the Council; that was in there on several occasions. Ultimately, that is the real plan and effectively what would have to happen. This will not be a transition overnight. It is not physically or fiscally possible. I would state legally that place, and that is what I have pointed out on several occasions when

asked." Mayor Palmer stated, "I have a motion do I have a second?" Councilman Barton seconded the motion. Mayor Palmer asked for all those in favor. Councilman Hammond, Councilman Barton, and Councilwoman Palazzolo voted aye. Mayor Palmer stated, "That is three votes and three votes is what it takes to override the veto." Attorney Govignon stated, "Yes sir, pursuant to the charter." Mayor Palmer stated, "And so with that, the veto is overridden; and congratulations on assuming the responsibilities of a \$62 million dollar budget as we move forward."

- B. Mayor Palmer stated the next agenda item was a proposed resolution regarding recognition of employer/employee relationship between the Northwest Georgia Regional Library System and the Calhoun-Gordon County Library. Attorney Govignon stated he had received more proposed changes from the NGRL concerning the resolution. These proposed changes were not even in the original resolution submitted by the NGRL legal counsel. Additional phone calls and request for changes occurred throughout the afternoon. Attorney Govignon stated that the Mayor and Council had a copy of his red line version of the resolution with his suggested changes, and Attorney Govignon asked for the Council to go ahead and consider signature and execution of the resolution. The NGRL was submitting financial numbers for inclusion, but that is not what this resolution is about and doesn't need to be included. This issue has been ongoing for several months now. Councilman Barton made a motion to approve the resolution presented by Attorney Govignon. Councilman Hammond gave a second with all voting aye, motion approved.

**9. New Business:**

- A. Mayor Palmer read a road dedication request by Shelley C. Hall as Executor of the Estate of Shelba S. Hall for JW Plaza Drive. This is the new road built next to the Harbin Clinic on Curtis Parkway. Mayor Palmer stated that the City Street Department had inspected and confirmed that the street has been built to City street specifications. Councilman Hammond made a motion to accept the dedication of JW Plaza Drive as a City street. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
- B. Administrator Peterson reviewed the submission of Fiscal Year 2016 4<sup>th</sup> quarter budget amendments. Some of the items included legal spending, which was affected by a Federal lawsuit Walker vs the City of Calhoun, which questions the constitutionality of monetary bail. Under revenues, the insurance premium tax collected \$125,000 more than the original budget. Interest revenues came in at \$105,000 more than the budgeted amount because of the change in investment strategy. In total revenues the City received \$433,000 more than budgeted. The 2005 SPLOST was utilized for some Fire Department infrastructure. In taxes and loans with the Calhoun City School System, which flows through the Council; there were land transfers and site improvements. The last item of note is the hotel/motel tax which increased \$137,000 over budget due to an increase from 5% up to an 8% tax rate. There are two new hotels and a possible third hotel in the planning stages. Councilman Hammond made a motion to approve the budget amendments. Councilman Barton gave a second with all voting aye, motion approved. (amendment with descriptions attached)
- C. Mayor Palmer stated with the implementation of the new personnel ordinance, it creates the need to hire a new City Clerk. Councilman Hammond made a motion to

authorize the advertisement to hire for the position of City Clerk. Councilman Barton gave a second with all voting aye, motion approved.

- D. Councilman Edwards gave the Revolving Loan Advisory Committee report concerning a loan application by Nikki Clance and Daniel Jastram D/B/A: Body Design by Nikki at a location of 355 South Wall Street. The RLF has \$515,423 in cash, and the fund has a total of almost \$2.5 million in assets. The Committee met on December 9<sup>th</sup> and recommended the loan request be approved. Councilman Edwards made a motion to approve the \$90,000 loan application request subject to the first lien on the real estate as collateral. Councilman Barton seconded the motion with all voting aye, motion approved.
- E. Mayor Palmer stated that the Wastewater Treatment Plant is requesting that the existing lime silo which was installed in 1970, be declared as surplus and sold as scrap metal. The structure is not compatible with the proposed Calcium Hydroxide feed system and due to the very limited space available the existing structure needs to be removed. The process could be handled the same as the removal of the two small water tanks sold as scrap metal in 2014. The process would be: Advertise for contractors for purchase and removal of the structure. Councilman Barton made a motion to declare the lime silo as surplus. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
- F. Mayor Palmer conducted the first reading of a building height variance for North Georgia Hotel Developers at a location of 1007 E Hwy 53 SE. The applicant is requesting to exceed the maximum building height of 50 feet per the zoning code and to allow a proposed hotel building up to a height of 70 feet. The ZAB will meet on January 5<sup>th</sup> and the public hearing will be on January 9<sup>th</sup>.
- G. Mayor Palmer conducted the annual Business License renewal reading for Taxi Latino. Councilman Hammond made a motion to approve the renewal request. Councilwoman Palazzolo gave a second with all voting aye, motion approved.

**10. Other written items not on the agenda: None**

**11. Work Reports: None**

- 12. City Attorney Govignon stated that there was a need to go into executive session with the grounds being attorney/client privilege due to possible litigation [O.C.G.A. 50-14-2] concerning the Red Bud Road interchange lighting. Councilman Hammond made a motion to go into executive session. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
- 13. Councilman Hammond made a motion to adjourn the executive session. Councilman Barton gave a second with all voting aye, motion approved.
- 14. Councilman Hammond made a motion to return to regular session. Councilman Barton gave a second with all voting aye, motion approved. Councilman Hammond made a motion to move forward with the recommendation to take the Red Bud Road interchange lighting issue to the Public Service Commission to obtain clarity. Councilman Barton gave a second with all voting aye, motion approved.

15. Councilman Hammond made a motion to adjourn the regular session. The motion was seconded by Councilman Barton with all voting aye, motion approved.

Approved:

Submitted:



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James F. Palmer, Mayor



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Paul Worley, City Clerk

**STATE OF GEORGIA  
COUNTY OF GORDON  
CITY OF CALHOUN**  
**AFFIDAVIT REGARDING CLOSURE OF OPEN MEETINGS**

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, James F. Palmer, Mayor, who in his capacity as Chairperson or the person presiding over a City Council meeting of the City of Calhoun and after being first duly sworn, certifies under oath and states to the best of his knowledge and belief the following:

At its meeting held on 12-12-16 the Council's Executive Session voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows (Check or initial, as appropriate:)

- Discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action, dismissal, periodic evaluation or rating of a government officer or employee. [O.C.G.A §50-14-3(6)]
- Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceedings or settlements. [O.C.G.A §50-14-2]
- Discussing the future acquisition of real estate, authorize negotiations to purchase, dispose of, or lease property. [O.C.G.A §50-14-3(b)]
- Staff meetings for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A §50-14-3(1)]
- Tax matters made confidential by state law. [O.C.G.A §50-14-2]
- Inspection of physical facilities under the jurisdiction of the City Council. [O.C.G.A §50-14-1(a)(2)]
- Meeting with a governing body, officer, agent or employee of another agency at a location outside the geographical jurisdiction of the City Council at which no final action is taken. [O.C.G.A §50-14-1(a)(2)]
- Other (Explanation and citation to statutory authority required:)

*I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to matters of official business or policy within the exceptions provided by law as set forth above.*

Paul Walley  
Witness

James F. Palmer  
James F. Palmer, Mayor

Sworn to and subscribed to before  
me this 28 day of  
November, 2016.



Misty Caudle  
Notary Public for the State of Georgia