

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST.
December 20, 2010 7:00 PM**

MINUTES

PRESENT: James F. Palmer, Mayor
George R. Crowley, Mayor Pro Tem
David Hammond, Councilman
Al Edwards, Councilman
Matt Barton, Councilman

ALSO: Eddie Peterson, City Administrator
Kelly Cornwell, Director of Utilities
William P. Bailey, City Attorney
Garry Moss, Calhoun Chief of Police
Lenny Nesbitt, Calhoun Fire Chief
Jerry Crawford, Director Water/Sewer
Larry Vickery, Superintendent of Electric Dept.
Linda Brookshire, Human Resources Director
David Lankford, Calhoun Police Officer
Adam Kilgore, Calhoun Police Officer

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
 - A. Mayor Palmer gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Mayor Palmer asked to add a Group Health Reimbursement Arrangement Resolution and a presentation by the Governors Office of Highway Safety. Councilman Crowley made the motion to approve the agenda with the requested amendments. Councilman Barton seconded the motion, all voted aye, motion approved.
4. Councilman Barton made a motion to approve the minutes of December 13, 2010 of the regular City Council meeting. Councilman Hammond made the second all voted aye, motion carried.
5. **Mayor's Comments:**

- A. Mayor Palmer explained that the City would change Employee Group Health Insurance in January 2011. The new policy will include a Health Reimbursement Arrangement (HRA) with Blue Cross Blue Shield of Georgia. Mayor Palmer read the resolution, Councilman Hammond made a motion to approve the resolution, Councilman Barton seconded the motion, all voted aye, motion approved. (Copy attached)
- B. Mayor Palmer explained that City offices would be closed on December 24th, 27th for Christmas and December 31st for the New Year Holiday.
- C. Mayor Palmer asked Councilman Hammond to make a presentation to the Calhoun Police Department. Councilman Hammond recognized Chief Garry Moss and the entire Calhoun Police Department for being honored with the Governor's Office of Highway Safety Mountain area Traffic Enforcement Network II Agency of the Year for Northwest Georgia.
- D. Mayor Palmer expressed his wishes to everyone for a Merry Christmas and a Happy New Year.

6. Public Hearings:

- A. Mayor Palmer read the request a Beer-Wine-Liquor pouring from Jeff Silvers, manager D/B/A Dawg Pound at the location of 165 Outlet Center Drive, Suite #5, Calhoun.
 - o Mayor Palmer opened the public hearing
 - o Mayor Palmer asked if there were any questions/comments
 - o There were no comments
 - o The public hearing was closed
 - o Councilman Crowley made a motion to approve the request, the motion was seconded by Councilman Barton all voted affirmatively, motion carried.

7. Old Business:

- A. Mayor Palmer read the second and final reading of a Pawn License renewal request.
 - ✓ Joseph Summerfield for Lendit LLC, Gold-N-Guns.
 - ✓ Tracy Young, for Titlemax of Calhoun, Inc.

Councilman Hammond made the motion to approve the request, Councilman Crowley seconded, all voted aye, motion approved.

B. Second and final reading of a Taxi Cab License renewal request.

- ✓ Jose Manual Lima-Alveno, Emanuel Taxi
- ✓ Olga Moss-Deleon, Los Buenos Amigo Taxi

Councilman Crowley made the motion to approve the request, Councilman Edwards seconded, all voted aye, motion approved.

C. The second and final reading of the following codes mandated by the Ga. Department of Community Affairs:

- 2006 International Building Code with GA Amendments
- 2006 International Fuel Gas Code with GA Amendments
- 2006 International Mechanical Code with GA Amendments
- 2006 International Plumbing Code with GA Amendments
- 2008 National Electrical Code with GA Amendments
- 2006 International Fire Code with GA Amendments
- 2009 International Energy Conservation Code with GA Amendments

- 2006 International Residential Code with GA Amendments
- 2008 National Green Building Standard with GA Amendments
- 2006 International Property Maintenance Code
- 2006 International Existing Building Code

Councilman Hammond made the motion to approve the action, Councilman Crowley seconded, all voted aye, motion approved.

D. Mayor Palmer read the second reading of an annexation and zoning request of R-1 by Andrea Holland, owner, for the location of 156 Little Pine Drive Calhoun. The date for the public hearing is set for Feb. 14, 2011.

E. Mayor Palmer read the second reading of a Beer Package License request from Patsy Colleps, manager, for Chevron Food Mart, at a location of 549 Hwy. 53, Calhoun. The date for the public hearing is set for Jan. 10, 2011.

8. New Business:

A. Mr. Russell Pass spoke to the Mayor and Council concerning

aggressive traffic safety enforcement of the Calhoun Police Department. Mr. Pass stated that he appreciated the efforts and the courtesy of the Calhoun Police Departments Officers, but he was concerned about the number of times he had been stopped in the past, concerning various traffic violations. Mayor Palmer explained that he understood Mr. Pass's concern, but there was a bigger picture and lives saved and accidents prevented is the primary goal of Calhoun's traffic enforcement efforts.

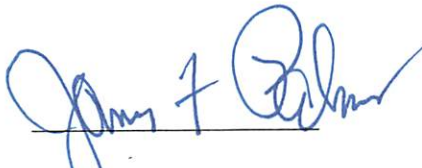
9. Other written items not on the agenda: None

10. Work Reports:

- A. Kelly Cornwell, Director of Utilities
- B. Eddie Peterson, City Administrator

11. Councilman Barton made a motion to adjourn. Councilman Hammond made the second with all voting aye, motion carried.
12. Councilman Hammond made a motion to go into executive session to discuss a personnel and a real estate matter, Councilman Barton seconded the motion. All voted aye, motion approved.
13. Councilman Crowley made a motion to return to general session, Councilman Barton seconded the motion, all voted aye. motion approved.
14. Councilman Hammond a motion to adjourn, second by Councilman Crowley, all voted aye, motion approved.

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson
City Administrator

Date DEC. 20, 2010

**MAYOR AND COUNCIL RESOLUTION ADOPTING THE
HEALTH REIMBURSEMENT ARRANGEMENT (HRA) OF
CITY OF CALHOUN**

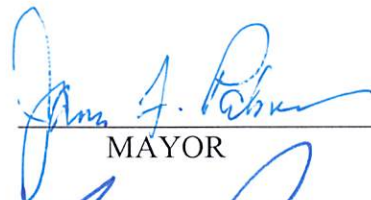
By action of the Mayor and Council of the City of Calhoun taken DECEMBER 20, 2010, the following resolutions are duly adopted:

NOW: THEREFORE, BE IT RESOLVED that the Mayor and Council does hereby adopt the Plan to be known as the City of Calhoun Health Reimbursement Arrangement (HRA), substantially in the form presented to this Mayor and Council, which is effective as of January 1, 2011, a copy of which Plan is attached hereto and made a part of the minutes; and

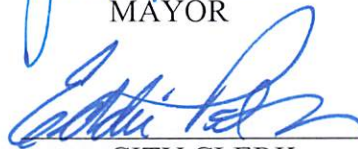
RESOLVED, that LINDA BROOKSHIRE is/ are hereby appointed to constitute the Plan Administrator of such Plan and to have such powers and duties as are set forth in the Plan; and

RESOLVED the full power and authority and hereby conferred upon the Mayor or Pro Tem Mayor of the City of Calhoun to execute amendments to such Plan within the general intent and purpose thereof in order that the Plan shall continue to qualify under the provisions of Section 105 of the Internal Revenue Code of 1986, as amended.

IN WITNESS THEREOF, I have signed this Resolution this 20TH day of DECEMBER, 2010.



MAYOR



CITY CLERK

CITY OF CALHOUN
CITY COUNCIL MEETING
EXECUTIVE SESSION
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
DECEMBER 20, 2010 – 7:45 P.M.

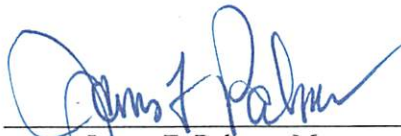
MINUTES

PRESENT: James F. Palmer, Mayor
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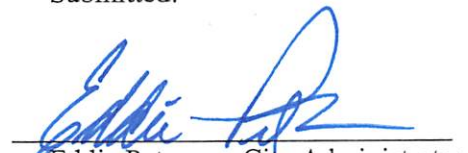
1. City Attorney Bailey explained that property owned by the City of Calhoun located at 328 West Line Street, Calhoun, Georgia is leased by Mapco express, Inc., and has an existing lease which will expire on March 13, 2011. Mapco Express, Inc. has informed the City of Calhoun that they do not intend to renew the lease. The Mapco Express, Inc. home address is 7102 Commerce Way Brentwood, TN 37027.
Attorney Bailey was instructed to begin the process of determining property ownership and title. Mr. Peterson was instructed to begin evaluation of any environmental responsibility and potential liability associated with the existing infrastructure.
2. The Mayor and Council discussed the final applicants for the position of Calhoun Recreation Director. Kimberly Townsend was a unanimous choice for the position. Linda Brookshire was asked to conduct background checks on Ms. Townsend and if there are no problems offer her the position.
3. There were no votes taken in executive session, and no other items discussed and the Executive Session was adjourned at approximately 8:00 P.M.

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson, City Administrator

**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 12/29/10 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. [O.C.G.A §50-14-3(4)]
- 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.

Rita S. Colston
Witness

James F. Palmer
James F. Palmer, Mayor

Sworn to and subscribed to before
me this 29th day of
December, ~~1999~~ 2010.

Judy Craig
Notary Public for the State of Georgia
exp 8/22/12