

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST
APRIL 12, 2010 7:00 P.M**

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
Ray Dudkowski, Customer Ser. Mgr.
Garry Moss, Police Chief
Brad Carrick, Telecommunications Mgr.**

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 Hammond made a motion to approve the proposed agenda. Councilman Barton second the motion with all voting affirmatively, motion carried.
4. Councilman Hammond made a motion to approve the minutes of March 22, 2010 regular City Council meeting. The motion was second by Councilman Barton with all voting affirmatively, motion carried.
5. **Mayor's Comments;**
 - A. Mayor Palmer offered his sympathies to the family of Francisco Vasquez, a Calhoun High school student, who drowned in the Oostanaula River on April 2, 2010. The Mayor also thanked all local and state agencies and jurisdictions who assisted in the six day recovery of the body. Also many restaurants, private businesses, and individuals assisted with food, supplies and support during the recovery process.
 - B. Mayor Palmer again expressed the importance of an accurate census count and urged everyone to send their forms in by April 17, 2010.

6. Council Comments

A. Councilman Edwards gave the March reports as follows:

1) Street Department

- Ran brush truck, leaf-vac truck and street sweeper routes.
- Placed 10 new street signs.
- Completed 26 shop and 30 street department work orders.
- Ran storm water maintenance plan on March 5th, 2010 checking all grates and pipes in the city.
- Cleaned out ditches with the grade-all on Stewart Drive in Spring Valley Subdivision.
- Repaired a catch basin that had been damaged on Court St.
- Clear cut steep embankment on Mauldin Rd. at the Soccer Field using chain saws and weed eaters.
- Patched pot holes with cold mix on Laurel Creek Road, Richardson Road and at Tom B. David Airport.
- Repaired spots washed by heavy rain on the walking trail at the 58 Acre Park.
- Assisted the Cemetery crew in working several grave sites at Fain Cemetery.
- Filled in a low spot with top soil behind the sidewalk on College St.
- Repaired a driveway and ditch on West May Street.

2) Cemetery Department

- Performed routine maintenance on Fain and Chandler Cemetery
- Supervised the opening and closing of 11 grave sites.
- Sold 5 new grave spaces
- Worked 30 grave sites

3) Rabies Control

- Housed 22 dogs, and 8 cats.
- Issued 3 warnings leash law violation.
- Answered 58 customer calls

4) Parks Department

- The Parks Department grounds crew picked up litter, hauled garbage to the dump, books from the library and maintained records at records room.
- Kept up maintenance on all equipment.
- Cleaned City Hall at weekly intervals.
- The building and maintenance crew maintained all City fountains

- Performed routine maintenance on all designated City buildings.

5) Safety Committee

- Safety topic: Burns
- Safety Inspections: Street Department
- Accidents- Workers Comp 2
Water Const.
Recreation

Vehicle:
1 Police Dept.

b) Councilman Barton gave the March reports as follows:

1) Water Treatment Plant Facility

- Pumped a total of 302,577,000 gallons of water for a daily average of 9.760,548 gallons.
- The Brittany Drive Treatment Plant produced 38.4% of the City's potable water for the month.
- Rainfall 3.17

2) Waste Water Treatment Plant Facility

- Treated a daily average of 6.18 MGD, with an average BOD effluent of 10, average suspended effluent of 15 and an average COD of 64.

3) Water Distribution

- 6 water connections installed
- 4 water connections changed out with new meter
- 43 water leaks repaired
- Responded to 415 utility locate calls
- 63 utility locates called in for work orders
- 18 emergency utility locates called in for repairs
- Responded to 34 miscellaneous calls

4) Sewer Construction Department

- Serviced 2 sewer service lines
- Repaired 5 sewer manholes
- TV inspected 600 ft. of sewer services
- Completed 310 utility locates
- Responded to 6 customer sewer service calls (5 were on the customer's side)
- Opened and inspected 123 manholes
- Cleaned 8,100 ft. sanitary sewer lines

- Began moving dirt from Bike Trail area, prepared parking lot and gravel road to site.
- Built construction exit at intake for dirt dumping and prepared site area.
- Built road at Big Springs site for electrical line installation and installed a fence.

5) Building Inspection Department

- Issued 32 permits for an estimated cost of \$9,104,549.00. This included no grading permits, 0 new residential, 2 res. Remodeling, 0 new commercial, 0 new industrial, 5 commercial remodeling, 1 residential plumbing, 2 commercial electrical, 4 residential electrical, 5 industrial electrical, 6 sign permits, and 0 NOI.

c) Councilman Crowley gave the March reports as follows:

1) Electric Department

Long Term Projects under Construction

- The utilities construction crews continue to be supported by electric maintenance personnel as needed to complete all remaining Water Dept. and Waste Treatment plant projects and controls.
- Phase II of the System Loss Program for 2009-2010 is progressing. Switching capacitor installations will continue as load begins to recover at Engineered Floors and Shaw Plant 7. The Electric Department has been awarded a Grant jointly with other Georgia cities for the stimulus based "Smart-Grid" Grant and are evaluating a "GEFA Energy efficiency Loan Program" for Electric consumers.
- The Padmount Transformer Inspection Project by Electric Department personnel is continuing.
- The electric AMR Project is progressing with 5021 residential and single phase demand electric meters and three phase meters set through March. Approximately 175 3-phase meters remain to be set.

Projects and Maintenance under construction

- The Pole Replacement project for 2009 has resulted in 80 pole replacements. Approximately 100 additional pole locations have been identified by inspection.
- Planning and design has been revised for the Georgia Northwestern Technical College Phase III. Electric construction is scheduled and design of the service is completed. Relocation of multiple utilities will begin in March.
- The Big Springs electrical project has been started with panel and wiring installation in March. Utility service is anticipated to be installed in mid-March.

- Preliminary Electrical design and engineering is complete and construction has been completed for Engineered Flooring on McDaniel Station Rd. An outdoor campus lighting project is being added and is near completion. The Phase II and Phase III of this project are under construction by the owners. New service facilities design and material acquisition is underway for an anticipated July 2010 completion.
- Shaw Plant 7 restart project and preparations for a return to full operation are slated for April 1st.
- The new Heritage Baptist Church temporary Over Head service construction is complete. Permanent underground facilities will be installed as construction progresses.
- McDonald's on Hwy. 53 renovations continue for an April completion. Electric over head service has been relocated and underground electric service facilities are complete.
- Engineering has begun for DOT upgrade to intersection of Hwy 53 and Hwy 41. DOT estimates are complete.
- Engineering is underway for DOT intersection widening of Red Bud and College Streets. Electric Utility relocation plans have been submitted. A revision has been requested by the Ga. DOT.
- Electrical Construction is in process for widening McDaniel Station Rd for addition of DOT traffic signal. Construction started in October with a completion date of spring 2010. Electric relocation is complete.
- Engineering is near completion for changes needed for upgrade of eleven traffic signals along No. Wall St.(US41) This project is delayed until early 2010. Design estimates are in process.

Work orders in process or completed for February

- Street and security lighting-43
- New business and maintenance-40
- After hours trouble and callouts-10
- City Electrical Maintenance-27
- Meters set-24
- Meter maintenance/replacement-16
- New Customer sets-8
- The Electric System purchased – 25,935,326 Kwh's in March.

2) Telecommunications Departments

- Connected three new Internet customer and started construction on a fourth.
- Coordinated two connections with iWispr for new AMR tower sites.
- Worked with Sensus support to successfully recover data from corrupted hard drive.
- Updated dialing exchange list on city PBX and made changes to reporting database to properly identify the changes.
- Opened 32 and closed 25 work orders.

3) Geographic Information

- Finished linking Wastewater Construction videos to wastewater pipe segments.
- Continue to enter Electric Department changes from work orders.
- Finished mapping water sample site locations
- Continue to match water pipes to valve locations
- Updated parcel zoning changes and annexations.
- Continue to update property addresses.

d) Councilman Hammond gave the March report as follows:

1) Police Department

- Made 679 cases with 5 DUI's.
- Fines collected by Municipal Court - \$74,310.80
- Issued 831 warnings
- Investigated 57 highway accidents, 19 private property accidents
- Provided 85 escorts
- Filed 1,662 incident reports
- Responded to 331 alarms
- Responded to 5,513 calls for service by E-911
- Parking citations issued to 46

2) Fire Department

- Responded to 79 calls for service, 8 fire incidents for damages
- Responded to 39 medical service calls with 34 patients and no deaths.
- Responded to 6 hazardous conditions incidents
- Responded to 3 miscellaneous service calls, 14 false alarms, 9 good intent, 0 severe weather & natural disaster, and no special incident calls.
- Completed all routine duties and training
- Conducted Fire Extinguisher training at Engineered Flooring
- Members cooked for Relay for Life
- All personnel are working required Core competencies
- Assisted with the parade for the National Guard unit returning home

3) Fire inspection Department

- 247 total reported activities/inspections which included 9 annual inspections, 10 new business inspections, 70 requested inspections, 17 follow-up or re-inspections, 5 burn-site inspection, 3 plan review, 1 sprinkler permit issued, 1 Tank Permit and 131 consultations
- Both Inspectors attended the LEPC meeting and Northwest Ga. Fire Investigators meetings.

- Lt. Dooley attended the city safety meeting and completed the monthly city safety report.
- Both Inspectors attended the No. Ga. Officials meeting for changes in the Fuel Gas Code.
- Completed logging of all current TIER II reports on reportable quantities of hazardous storage from Industry in the city

7. Public hearings and Comments:

A. Mayor Palmer read a Beer Package License request by Mariano Velasquez and Pablo Escobar, D/B/A Calhoun Beverage, located at 607 South Wall Street, Calhoun

- Mayor Palmer opened the public hearing
- Mayor Palmer stated all requirements had been made
- Mayor Palmer asked if there were any questions/comments. There were none.
- The public hearing was closed.
- Councilman Hammond made a motion to approve the request. The motion was second by Councilman Barton with all voting affirmatively, motion carried.

B. Mayor Palmer read a Pawn Show License request by Joseph Summerfield , D/B/A Gold N Guns, located at 406 South Wall Street, Calhoun

- Mayor Palmer opened the public hearing
- Mayor Palmer stated all requirements had been made
- Mayor Palmer asked if there were any questions/comments. There were none.
- The public hearing was closed.
- Councilman Crowley made a motion to approve the request.
- The motion was second by Councilman Barton with all voting affirmatively, motion carried.

C. The Mayor read a request for certain amendments and changes within Chp. 82 of Calhoun Code Ordinances pertaining to Streets Sidewalks and other Public Places. Mayor Palmer commented on several changes within the ordinance to reflect improvements and clarifications within the Street Ordinance. Attorney Bailey explained the changes in performance bonding prior to acceptance by the City of streets and right of ways.

- Mayor Palmer opened the public hearing
- Mayor Palmer stated all requirements had been made
- Mayor Palmer asked if there were any questions/comments. There were none.
- The public hearing was closed.
- Councilman Crowley made a motion to approve the request.

- o The motion was second by Councilman Barton with all voting affirmatively, motion carried.

8. Old Business:

- A. Mayor Palmer read the second reading on changes to Chapter 34, Community Development, Article II. Revolving Loan Program. Councilman Crowley explained that the Georgia Department of Community Affairs had authorized Calhoun to make changes in the loan terms and conditions section of the ordinance. Councilman Crowley explained that the ordinance, as written, required all fixed asset and working capital loans to be at a five percent loan rate. During the past several years the market loan rate had dropped into the three percent range. Councilman Crowley stated that the purpose of the Revolving Loan Program was job creation for Calhoun, but with five percent loans, the small business person was looking elsewhere to borrow startup funding. The primary change in the ordinance was to allow the Revolving Loan Fund committee to recommend a loan rate for fixed asset and working capital loans to the Mayor and Council. At this time the Revolving Loan Fund committee felt that a two percent loan was appropriate and has proven to encourage loans and job creation in Calhoun. There being no comments from the public or other Council members the public hearing was set for April 26, 2010.

9. New Business:

- A. Mayor Palmer explained that Mr. Grant Ratliff, a downtown business owner, was absent due to a death in his family and would be placed on the April 26, 2010 agenda to speak to the Council regarding the downtown historic district and signage.
- B. Mr. David Bailey, owner of Bailey's Auto Repair, located at 215 South Wall Street, addressed the Mayor and council concerning enforcement of parking near his business. Mr. Bailey explained that he has operated Bailey's Auto Repair at the current location for the past 32 years and parking for vehicles being repaired was difficult at times. Mr. Bailey felt that Calhoun Police were not consistent with their enforcement of parking tickets. Mr. Bailey asked that he be treated in similar fashion as others in the area. Mayor Palmer explained to Mr. Bailey that parking in downtown Calhoun was an ongoing process and efforts were constantly made to better serve the businesses and customers in the area. Mayor Palmer assured Bailey that Administrator Peterson would be in contact with him and work on a solution to his particular problem.
- C. Mr. Jerry Carter. A business owner on Park Avenue, thanked the Mayor and Council for the work they had done on Park Avenue

in regards to handicapped parking and accessibility. Mayor Palmer again stated that parking and pedestrian access was very important to all parties and the City would continue to look for ways to improve parking in downtown.

- D. Mayor Palmer read the first reading on a Beer Pouring License request by Julio Salazar, Jr. and Julio C. Salazar, Sr., D/B/A El Pollo Agegre, located at 442 Hwy. 53E, Calhoun. He stated the earliest date for a public hearing would be May 10, 2010
 - o Councilman Hammond made a motion to set the public hearing date as May 10,2010. A second was made by Councilman Edwards with all voting affirmatively, motion carried.

- E. Mayor Palmer read the first reading on a variance request by Calhoun Realty and Development Co. for a green belt buffer variance for PRD zoning from 50' to 20' for a location at 233 Regency Lane, Lot 117. He stated the earliest date for a public hearing would be June 14, 2010.
 - o Councilman Crowley made a motion to set the public hearing for June 14, 2010. A second was made by Councilman Edwards with all voting affirmatively, motion carried.

- F. Suzanne Roland, Executive Director of the Calhoun Historic Preservation Commission, request the Mayor and Council to re-appoint Mrs. Martha Clair Adams to the Historic Preservation Commission. This term will expire March 1, 2013.
 - o Councilman Edwards made a motion to approve the request. A second was made by Councilman Hammond with all voting affirmatively, motion carried.

10. Other written items not on the agenda: None

11. Work reports:

- A. Kelly Cornwell, Director of Utilities: None
- B. Eddie Peterson, City Administrator:
Mr. Peterson presented the 2008/2009 Comprehensive Annual Financial Report to the Mayor and Council. The financial statements of all governmental activities, the business type activities, the component unit, and each major fund has been audited by R.M. Dobbs & Company.

12. Attorney William Bailey request the Mayor and Council to go into executive session to discuss property acquisition and a potential litigation involving city property. Councilman Edwards made the motion to go into executive session.

Councilman Hammond seconded the motion.

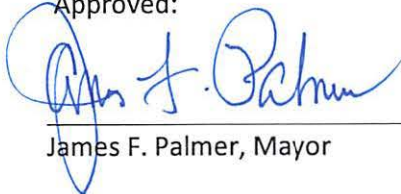
13. Mayor Palmer reopened the regular meeting and stated that a request by Brent Stepp Construction for a corrective deed would be on the April 26, 2010 Council Agenda for discussion.

Mayor Palmer explained that the purchase of 27.146 acres from Julian and Jackie Jones had been discussed in Executive session and it was agreed that the property is needed to provide additional environmental protection, increased security measures, and production assurances associated with Calhoun's well and water plant operations located near Brittany Drive.

Councilman Hammond made a motion to enter into the agreement to purchase 27.146 acres from Julian and Jackie Jones for \$999,000.00 and enter into a lease agreement as described in the Agreement for Purchase and Sale of Real Property (see attached). Councilman Barton seconded the motion. All voted aye. Councilman Crowley was not present for the vote.

14. Council Barton made a motion to adjourn. Councilman Hammond second the motion with all voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson,
City Administrator

CITY OF CALHOUN
Regular City Council Meeting
Depot Community Room
109 South King Street
April 12, 2010 -7:00 P.M.

EXECUTIVE SESSION MINUTES

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

Also: Kelly Cornwell, Director of Utilities
Eddie Peterson, City Administrator
William P. Bailey, Attorney

- A. Mayor Palmer opened the meeting.
- B. Attorney Bailey explained there were two items to address; a corrective deed situation near the junction of Laurel Creek and Meadowbrook Road and the purchase of 27.146 acres of property from Julian and Jackie Jones by the City of Calhoun.

On September 10, 2001 the City of Calhoun accepted ownership and maintenance responsibilities for certain streets in the Villages off of Curtis Parkway. One of the streets accepted was Laurel Creek Road. Near the junction of Laurel Creek Road and Meadowbrook Road Brent Steep Construction Company installed an access gate for residents of the Villages. At the time Stepp Construction was of the understanding that a small section at the terminus of Laurel Creek Road was not part of the deeded 60' R/W to the City of Calhoun. A later survey by Stepp Construction indicated the small section at the terminus of Laurel Creek Road had indeed been dedicated to the City in error. Stepp Construction has request the Mayor and Council to execute a corrective deed for land lying in Land Lot 229 of the 14th District and 3rd Section of Gordon County, Georgia being described as that portion of Laurel Creek Road near Land Lot 204.

The Mayor and Council discussed the possibilities of through traffic being allowed to enter and exit the Villages by Meadowbrook Road. It was a consensus that the intersection of Dews Pond, Meadowbrook Road and Barrett Road was inadequate for any increase in traffic volume, especially the numbers which could be generated during morning and afternoon drive time, with Public Safety being the issue of prime importance. At the present time the gate can be accessed by Calhoun and Gordon County Public safety personnel by a Knox Box mechanism. The Mayor and Council felt that a access mechanism or vehicle route should always be available for the purpose of Public Safety whether a gate is located at the location or not. It was agreed to place this item of business on the April 26, 2010 agenda for official action.

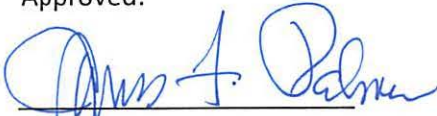
The next item of business was the purchase of 27.146 acres from Julian and Jackie Jones

owners of Big Spring Pure Water, Inc. Council member George Crowley excused himself and left the Executive Session meeting due to Mr. Jones being a customer of North Georgia National Bank.


A general discussion began with Kelly Cornwell explaining the negotiations he had with Julian Jones concerning the proposed purchase of 27.146 acres located in the Land Lots 259 and 262 of the 7th District and 3rd Section of Gordon County, Georgia by the City of Calhoun. The area is located off Big Springs Road SE and McCreary Road SE near the southern end of Dews Pond. The 27.146 acres would include all water rights, improvements, structures, dwellings buildings fixtures and fences on the property. (See attached Agreement for Purchase and Sale of Real Property). The purchase price is \$999,000.00. There will be a commercial lease prepared by the City of Calhoun for an initial term of three years at an annual rental of \$6,000.00 paid monthly at \$500.00 for the use of a bottling facility by Mr. Jones.

After discussions and questions Councilman Hammond made a motion to close the Executive Session and move back into regular session. Councilman Barton seconded the motion. All voted aye.

Approved:


James F. Palmer, Mayor

Submitted:


Eddie Peterson, City Administrator

* Councilman Crowley took part in the Brent Stepp Construction discussion and left the building prior to the Julian Jones property discussion.

**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 July 26, 1999, the City 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.

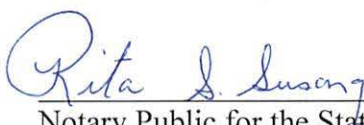


Witness



James F. Palmer, Mayor
City of Calhoun, Georgia

Sworn to and subscribed to before
me this 12th day of
April, 2010.



Notary Public for the State of Georgia

