

CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST.
October 25, 2010 7:00PM

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
William P. Bailey, City Attorney
Garry Moss, Calhoun Chief of Police
Jerry Crawford, Director Water/Sewer
Lenny Nesbitt, Calhoun Fire Department Chief

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
 - a) Councilman Al 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 Crowley second the motion with all voting affirmatively, motion carried.
4. Councilman Barton made a motion to approve the minutes of October 11, 2010 of the regular City Council meeting. Councilman Crowley made the second with all voting affirmatively, motion carried.
5. **Mayor's Comments:**
 - a) Mayor Palmer reminded council and public of a variance request from Charles Faulkner IV & Taunya Faulkner for a location of 327 Saddlebrook Drive, Calhoun, for the side of the property line, from 10' to a 5' setback from a garage/pool house that would be too close to the lot line and would violate the existing setbacks. The public hearing is set for November 8, 2010.
 - b) Mayor Palmer reminded council and public of an annexation

request and zoning of R1-B from Shawn Brown for At Home Investments, at a location of 121 Thomas St., Calhoun. The public hearing is set for November 8, 2010.

- c) Mayor Palmer recognized Scout Troop 39, Scout Master Rodney Mathis, and the support parents for their dedication and willingness to be involved in Scouting and helping the Scouts become informed citizens.
- d) Mayor Palmer mentioned the Tom B. David Fly In which occurred on October 23, 2010. The annual event hosted by the Airport staff, Henderson Aviation and the Civil Air patrol drew 500 visitors and attracted 100 visiting aircraft. Twenty five families took their first airplane or helicopter flight and 50 children took their first airplane ride.
- e) Mayor Palmer also mentioned that Halloween would be celebrated on Saturday, Oct. 30, 2010 from 5:00 until 9:00. The 5th Annual Harvest Fest will be held on Saturday, October 30, 2010 in downtown Calhoun between the hours of 10:00 a.m. and 4:00 p.m. Friends of the Library will also provide hardback and paperback books for sale during the day.
- f) Mayor Palmer reported that he had received US Census information which indicates that Calhoun had a 74% population count. This is a higher percentage than the State of Georgia. Mayor Palmer thanked the citizens for their involvement in the 2010 census.
- g) Mayor Palmer thanked the Calhoun Finance Director, Alicia Stewart and the Utility Finance Director, Andrea Bramlett for the recent recognition of the 2009/2010 FY Comprehensive Annual Financial Report. The Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association each year for outstanding CAFR's.

6. Public Hearings:

- a) Mayor Palmer read the request for a manager change for R & R Grocery located at 400 West Line Street, Calhoun.
 - o Mayor Palmer opened the public hearing
 - o Mayor Palmer asked if there were any questions/ comments

- There were no comments
- The public hearing was closed
- Councilman Crowley made a motion to approve the request, the motion was seconded by Councilman Hammond all voted affirmatively, motion carried.

7. Old Business:

- a) Mayor Palmer read the second reading of a Wine package license request by Vilius V. Patel, manager, D/B/A A Knight Hi Tech, at a location of 295 West Line Street, Calhoun. The public hearing is set for November 8, 2010.

8. New Business:

- a) Mayor Palmer read the first reading of a Taxicab License request from Jose A. Salaices, D/B/A Charrits's Taxi, at a location of 820 No. Wall Street, Calhoun. Mayor Palmer set the public hearing for November 8, 2010.
- b) Calhoun City Attorney, Bill Bailey, reviewed the changes in the City of Calhoun Personnel Ordinance. Mr. Bailey stated that final revisions would be provided by November 8, 2010.

9. Other written items not on agenda: None

10. Work Reports:

- a) Kelly Cornwell, Director of Utilities
 - 1) Mr. Cornwell ask if the Mayor and Council wanted to adopt a forgiveness policy for customers who have had significant water leaks on the property owners side of the water meter. Councilman Crowley made a motion to approve the new policy. Councilman Hammond seconded the motion. Councilman Edwards asked questions regarding Bethlehem Baptist Church and their water leak and possible rate adjustment. Councilman Hammond withdrew his second to the last motion. After some discussion Councilman Barton asked that the issue be tabled for further study.
 - 2) Mr. Cornwell explained that Dr. Joann Meadows, 105 Woodridge Drive, request that she be allowed to use a

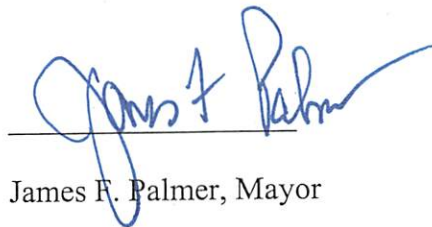
water system pump house, which is located on her property, for her purposes. Mr. Cornwell stated that the pump house was installed 40 plus years ago and there was no easement or ownership documentation. He also explained that the pump house was no longer viable, and was not, and would not, be part of the Calhoun water system in the future. (Attachment) Councilman Hammond made a motion to abandon the pump house, after certain safety and water system precautions were taken and Dr. Meadows could use the structure as she deemed necessary. Councilman Baton seconded the motion all vote affirmatively, motion carried.

b) Eddie Peterson, City Administrator

- 1) Mr. Peterson reported on the cash report for the general fund and all City related accounts for the first quarter of the 2010/2011 fiscal year. Councilman Edwards made the motion to approve the report, Councilman Crowley made second, all vote affirmatively, motion carried.

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

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson
City Administrator

Bailey & Govignon

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MEMO TO: EDDIE PETERSON, CITY ADMINISTRATOR

FROM: WILLIAM P. BAILEY, CITY ATTORNEY *WPB*

**RE: PUMPING STATION ON RESIDENTIAL
LOT OF DR. JOANN T. MEADOWS**

DATE: OCTOBER 26, 2010

To supplement the minutes of the October 25, 2010 City Council meeting please make this memo a part thereof.

The pumping station located on the residential lot of Dr. Joann T. Meadows is no longer a part of the City water system. The pump is non-functional and the water lines no longer needed. The pump station exists on an easement. I can find no deed or easement to the City since 1950. The easement must have been obtained by prescription.

Georgia Law provides at O.C.G.A. Section 36-37-6(g) in pertinent parts as follows:

“the governing authority of any municipal corporation is authorized to sell and convey parcels of narrow strips of land, so shaped or so small as to be incapable of being used independently as zoned or under applicable subdivision or other development ordinances, or as streets, whether owned in fee or used by easement, to abutting property owners where such sales and conveyances facilitate the enjoyment of the highest and best use of the abutting owner’s property without first submitting the sale or conveyance to the process of an auction or the solicitation of sealed bids; provided, however, that each abutting property owner shall be notified of the availability of the property and shall have the opportunity to purchase said property under such terms and conditions as set out by ordinance.”

Dr. Meadows’ property abuts the pump station on all four sides.

Based on the foregoing, I suggest the City execute and deliver to Dr. Meadows a quit claim deed in the form attached upon the payment of \$1.00 after the equipment in the pump house is removed and the water lines are closed.

SECTION A - SELLER'S INFORMATION (Do not use agent's information)				SECTION C - TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME City of Calhoun, Georgia				Exempt Code If no exempt code enter NONE	Govt/NonProfit Public Corp
MAILING ADDRESS (STREET & NUMBER) P.O. Box 248				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$10.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Calhoun, GA 30703-0248 USA		DATE OF SALE 11/2/2010		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B - BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S LAST NAME Meadows	FIRST NAME Gwendolyn	MIDDLE Joann		3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 105 Woodridge Drive, N.W.				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Calhoun, GA 30701 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D - PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY GORDON		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER CG31A 068	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT 14th/3rd	ACRES	LAND LOT 153 and 154	SUB LOT & BLOCK 18 Woodridge E ...*
SECTION E - RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE		PLAT BOOK	PLAT PAGE

ADDITIONAL BUYERS
None

...* This symbols signifies that the data was to big for the field. The original values are shown below.
SUB LOT & BLOCK: 18 Woodridge Estates