

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST
JULY 27, 2009 7:00 P.M**

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

ALSO: Linda Brookshire, Assistant City Administrator
William P. Bailey, City Attorney
Garry Moss, Police Chief
Kelly Cornwell, Director of Utilities
Larry Vickery, Electric Superintendant
Jerry Crawford, Water/Sewer Director
Ray Dudkowski, Customer Service Manager, Calhoun Utilities

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Hammond gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Councilman Edwards made a motion to amend the proposed agenda. Councilman Hammond second the motion with all voting affirmatively, motion carried.
4. Councilman Hammond made a motion to approve the minutes of June 15, 2009 and July 13, 2009 of the regular City Council meetings. Council Denmon second the motion with all voting affirmatively, motion carried.
5. **Mayor's Comments:** None
6. **Public Hearings and Comments:**
 - A. Mayor Palmer read a request for a beer package license by Cleopatra Alvarez, authorized agent for La Costena Mini Market located at 609 North Wall St.
 - Mayor Palmer opened the public hearing.
 - Mayor Palmer asked if there were in questions/comments.

- Gary Goins of Forgiven Ink located at 609 North Wall St. Suite # 4, asked to speak. He stated that his business, located next door to Ms. Alvarez's market, was a family oriented business and his children stayed at the shop sometimes and he did not want any problems from people drinking. He stated that he already had problems with empty bottles being left in the parking lot.
 - There were no further comments.
- The public hearing was closed.
 - a) Councilman Crowley explained that the application was for a beer package store, that there would be no beer consumed on the premises and made a motion to approve the license. No second was received and the motion died.
 - b) Mayor Palmer asked for a motion. Councilman Hammond stated that due to the risks to the public that the speaker, Mr. Goins, had presented and that since there was no one present to represent the licensee, Ms. Alvarez, he made a motion to deny the request for a beer package license. The motion was second by Councilman Denmon, with Councilman Edwards voting affirmatively, motion carried.

7. Old Business:

- A. Mayor Palmer gave second reading of a request from Hermelindo J. Davila, 90 East May St. Calhoun for a Taxi License.
 - Mayor Palmer stated the earliest date for a public hearing is set for August 10, 2009.
- B. Mayor Palmer gave second reading of a request from Maximiliano C. Soriano, 1116 South Wall St. for a Taxi License.
 - Mayor Palmer stated the public hearing is set for August 10, 2009.
- C. Mayor Palmer gave the second reading of a request from Jason B. Marshall, for Beer Pouring License for 165 Outlet Center Dr. Ste # 5. DBA Dawg Pound.
 - Mayor Palmer stated the public hearing is set for August 10, 2009.
- D. Mayor Palmer gave the second reading of a request from Balkishan Soni, 767 Hwy. 53 E, Calhoun for Beer, Wine and Liquor package License.
 - Mayor Palmer stated the public hearing is set for August 10, 2009.

E. Mayor Palmer gave the second reading of a request from Dilip S. Patel, 100 hwy. 53 SE, Calhoun for Beer, Wine and Liquor package License.

- Mayor Palmer stated the public hearing is set for August 10, 2009.

F. Mayor Palmer gave the second reading of a request from Derrick Williams, 119 Kelly Ct., Calhoun for a beer and liquor license.

- Mayor Palmer stated the public hearing is set for August 10, 2009.

8. New Business:

A. Mayor Palmer read a resolution to create the Northwest Georgia Regional Commission and ratify the territorial boundaries of the Commission.

- Councilman Hammond explained that the purpose of the Commission is to help as a funding arm to local governments in receiving federal and state money as well as with planning and economic development. He then made a motion to approve the resolution. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

B. Mayor Palmer read a resolution to assess initial dues to the county and city governments comprising the Northwest Georgia Regional Commission.

- Councilman Crowley made a motion to approve the resolution. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.

C. Mayor Palmer read a request by Vicki Spence, United Way Executive Director, for permission to have the Unity Run.

- Councilman Edwards made a motion to approve the request. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

D. Mayor Palmer read a request by Racemark International, through the Georgia Department of Community Affairs, for a \$300,000 operating capital loan through the Calhoun Revolving Loan.

- Councilman Crowley stated that the Appalachian Regional Commission had approved Racemark International for a \$200,000.00 loan at 2% interest based on updated financial reports. He also stated that the Calhoun Revolving Loan Committee recommends approval of a loan of \$300,000.00 for operating capital at 2% interest rate for 10 years. Councilman Crowley then made a motion to approve the request. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.

- E. Celeste Chattam, business owner in Calhoun, spoke regarding the growing number of yard sales being held on commercial property, especially on the weekends. Ms. Chattam explained that these extra yard sales were harmful to the local merchants who had established businesses with operating costs whereas these yard sale vendors do not have any operating costs. Ms. Chattam also proposed the idea that the City require that yard sales be permitted with a limit on the number allowed in a year.
- Mayor Palmer explained that the City did already have an ordinance in place that did prohibit yard sales on commercial property. He also stated that some of the yard sales in question were actually being held on non City property.

9. Annexation and Zoning changes:

- A. Mayor Palmer gave the second reading of a request from Larry Mulkey/Garland Cook for annexation and zoning change of property located at 1405 Hwy. 41 N. from A-1 to C-2. The acreage is 0.55.
- Mayor Palmer stated that the public hearing is set for September 14, 2009.

10. Other written items not on the agenda:

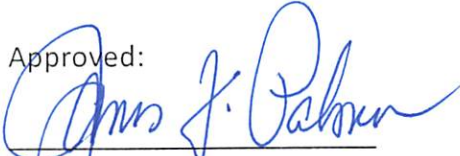
- A. Councilman Hammond made a motion to declare the following four vehicles in the police department as surplus and to be placed for sell on Gov Deals.
- 1999 Ford Expedition
 - 1995 Nissan Passport
 - 2005 Nissan X-Terra
 - 1999 F150 4x4 truck
- The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

11. Work reports:

- A. Kelly Cornwell, Director of Utilities, presented the bids for the Brittany Drive Water Treatment Plant concrete clear wall project. Based on the recommendation of Peoples & Quigley Engineers, Mr. Cornwell recommended the low bid from Precon Corporation in the amount of \$512,471.00.
- Councilman Crowley made a motion to approve the low bid by Precon Corporation. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.
- B. Kelly Cornwell, Director of Utilities, presented the bids for two vertical turbine pumps and recommended the low bid made by Kesco, Inc in the amount of \$44,650.00.


- Councilman Crowley made a motion to approve the bid made by Kesco, Inc. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.
- C. Kelly Cornwell, Director of Utilities, presented the bids for the CDBG West Calhoun water and sewer line replacement project and recommended the low bid made by C & S Construction in the amount of \$889,069.00.
- Councilman Denmon made a motion to approve the low bid made by C & S Construction. The motion was second by Councilman Edwards with all voting affirmatively, motion carried.
12. Attorney Bill Bailey stated that there was no need to move into executive session but as part of the CDBG Grant West Calhoun project he requested the approval for the city to purchase the property located at 116 McConnell Rd for \$12,338.00 from Tracy Upshaw.
- Councilman Edwards made a motion to approve the purchase of the property located at 116 McConnell Rd. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.
13. Councilman Hammond made a motion to adjourn. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Linda Brookshire, Assistant City Administrator

RESOLUTION

A RESOLUTION TO ASSESS INITIAL DUES TO THE COUNTY AND CITY GOVERNMENTS COMPRISING THE NORTHWEST GEORGIA REGIONAL COMMISSION

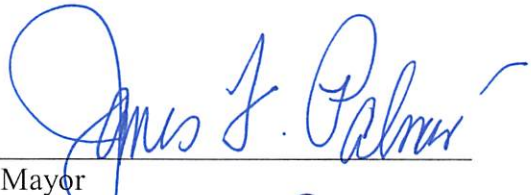
WHEREAS, on July 16, 2009, County and City elected officials representing local government jurisdictions comprising Region 1, pursuant to Section 2 of Georgia House Bill 1216, approved the creation and ratified the initial territorial boundaries, of the Northwest Georgia Regional Commission; and

WHEREAS, the creation of the Northwest Georgia Regional Commission will enable this organization to receive funding from various Federal and State agencies for community and regional planning, community and economic development, and human development, pursuant to O.C.G.A., Section 50-8-35; and

WHEREAS, most of these Federal and State funds will require local cash matching funds, that will be provided through a per-capita dues assessment to member jurisdictions, pursuant to Article 2 of Georgia House Bill 1216, O.C.G.A., Section 50-8-33.

NOW, THEREFORE, BE IT RESOLVED by the local governments comprising the Northwest Georgia Regional Commission that the annual minimal dues assessment will be \$1.00 per capita, based on the U. S. Census Bureau estimated population for the year in which the dues are assessed.

Adopted this 27th day of July, 2009.



Mayor



Attest: City Administrator

RESOLUTION

A RESOLUTION TO CREATE THE NORTHWEST GEORGIA REGIONAL COMMISSION AND TO RATIFY THE TERRITORIAL BOUNDARIES OF THE NORTHWEST GEORGIA REGIONAL COMMISSION

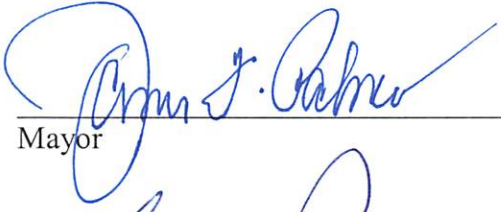
WHEREAS, on July 16, 2009, County and City elected officials representing local government jurisdictions comprising Region 1, pursuant to Georgia House Bill 1216, initiated proceedings to create the Northwest Georgia Regional Commission; and

WHEREAS, the initial territorial boundaries of the Northwest Georgia Regional Commission, pursuant to Section 2 of Georgia House Bill 1216, shall be made up of the Counties of Bartow, Catoosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Haralson, Murray, Paulding, Pickens, Polk, Walker, and Whitfield; and

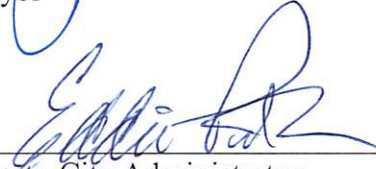
WHEREAS, pursuant to Section 2 of Georgia House Bill 1216, the Council for each Regional Commission shall ratify said boundaries to be eligible for funding from the Georgia Department of Community Affairs, pursuant to the Official Code of Georgia Section 50-8-33.

NOW, THEREFORE, BE IT RESOLVED that the CREATION OF THE NORTHWEST GEORGIA REGIONAL COMMISSION and the RATIFICATION OF THE TERRITORIAL BOUNDARIES OF THE NORTHWEST GEORGIA REGIONAL COMMISSION are approved and attested by the elected officials, as indicated and attached hereto.

Adopted this 27th day of July, 2009.



Mayor



Attest: City Administrator