

CITY OF CALHOUN
Regular City Council Meeting
Depot Community Room
109 South King Street
June 15, 2009 -7:00 P.M.

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

Also: Eddie Peterson, City Administrator
Garry Moss, Police Chief
Jerry Crawford, Water/Sewer Director
William P. Bailey, Attorney
Andrea Bramlett, Utility Finance Director
Amy Atkinson, Chairperson, City School Board
Matt Barton, Member, City School Board
Don Hood, Finance Director, City School System

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
 - A. Councilman Crowley gave the invocation.
2. Mayor Palmer led the Pledge of Allegiance to the United States Flag.
3. Councilman Crowley made a motion to approve the proposed agenda. Councilman Hammond second the motion. All voted aye.
4. Mayor Palmer asks that the approval of minutes dated June 8, 2009. Councilman Hammond made a motion to approve both sets of minutes. Councilman Denmon second the motion. All voted aye.
5. **Mayor's Comments:**
 - A. Mayor Palmer stated that the regular Council meeting of June 22, 2009 was rescheduled to June 15, 2009 due to the annual Georgia Municipal Association meetin scheduled for June 20-23, 2009.
6. **Old Business:**
 - A. Mayor Palmer opened Old Business with a summary of the 2009-2010 budget process for the City of Calhoun and the City School Board. The Budget process began March 4, 2009 and covered many required items prior to adoption. There has been Two public hearings, advertisements in the Calhoun times, several Mayor and Council work sessions, and many hours of work by department heads. Mayor Palmer also

commended the School Board for their dedication and hard work during this difficult economic time. Mayor Palmer asked if there were any other comments from anyone.

- a. **Councilman Crowley made a motion to approve the 2009-2010 respective budgets for the City of Calhoun General Government and Utility Division. Councilman Denmon second the motion. All voted aye.**
 - b. **Councilman Hammond made a motion to accept and approve the 2009-2010 City of Calhoun School Board Budget as presented. Councilman Crowley second the motion. All voted aye.**
 - c. **Mayor Palmer read the City of Calhoun Budget Resolution which referenced Exhibits "A", "B", and "C" as part of the Resolution. Councilman Crowley made a motion to approve the Budget Resolution. Councilman Edwards second the motion. All voted aye. (Copy attached)**
- B. Mayor Palmer had the second reading for a beer package license for La Costena Mini Market with Cleopatra Alvarez of 710 Riverside Drive, NW Calhoun, Georgia. The beer package store would be located at 609 North Wall Street. The earliest date for a public hearing is July 27, 2009.
- C. Mayor Palmer had the second reading of a taxi license request for Migul a Catalan, of 200 South Line Street, apartment 122, Calhoun, Georgia. The business will be known as Old American Taxi at a location of 910 North Wall Street. **Councilman Crowley made a motion to approve the taxi request contingent upon a physician's recommendation that Mr. Catlalan's health issues would not affect his ability to safely transport paid passengers. Councilman Denmon second the motion. All voted aye.**
- D. **Councilman Hammond made a motion to approve the utility charge off list presented by Director Cornwell for \$123,432.75. Councilman Denmon second the motion. All voted aye.**
- E. **Councilman Denmon made a motion to approve the amended Utility Fee Schedule Resolution. Councilman Crowley second the motion. All voted aye. (Copy attached)**
- F. **Councilman Crowley made a motion to approve the amended General Fund Fee Schedule Resolution as amended. Councilman Denmon second the motion. All voted aye. (Copy attached)**

7. New Business:

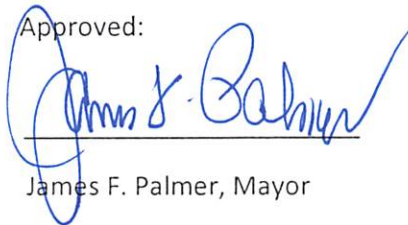
- A. Echota Baptist Church request a block party, July 23, 2009 from 5:00 p.m. until 10:00 p.m., beginning at the mailbox located near the front steps of the church and continuing to the stop sign on Short North Wall Street. This configuration would allow for emergency vehicles access from two directions if needed. This block party has been approved in the past for the Friday night vacation bible school celebration. Councilman

Hammond made a motion to approve the request. Councilman Crowley second the motion. All voted aye.

- B. Councilman Crowley made a motion to deny a block party street closure request by Mr. Tony McMillian at 171 Fox Hall Drive in Forest Heights due to the absence of another means to access the adjoining properties with emergency vehicles because Fox Hall Drive is a dead end street. Councilman Edwards second the motion. All voted aye.
- C. A request was compiled by the City of Calhoun General Government and Utility Division to close certain bank accounts due to combining accounts, inactivity, and other house cleaning requirements. Councilman Crowley made a motion to close the requested bank accounts. Councilman Hammond second the motion. All voted aye.

- 8. Annexation: No request.
- 9. There were no additional items on the agenda.
- 10. There were no work reports by Cornwell or Peterson.
- 11. Attorney Bailey requests the Mayor and Council to discuss a possible litigation against the City of Calhoun. Councilman Hammond made a motion to go into executive session to discuss one item only concerning this possible litigation with Strack, Inc. Councilman Crowley second the motion. All voted aye.
- 12. Councilman Hammond made a motion to move out of executive session into regular session. Councilman Crowley second the motion. All voted aye.
- 13. Councilman Crowley made a motion to accept the \$131,730.00 settlement proposal by Strack, Inc. Councilman Denmon second the motion. All voted aye.
- 14. Councilman Crowley made a motion to adjourn the Council meeting. Councilman Denmon second the motion. All voted aye.

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson, City Administrator

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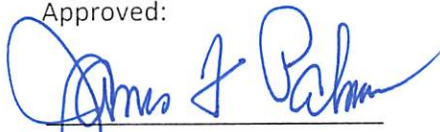
EXECUTIVE SESSION MINUTES

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


Also: Eddie Peterson, City Administrator
William P. Bailey, Attorney

1. Mayor Palmer opened the meeting.
2. Mayor Palmer explained that Strack, Inc. had contracted with the Calhoun Utilities Division to provide certain labor, equipment, materials, engineering, and the other requirements to provide a sewer line from west area of I-75 to an east area of I-75 in conjunction with what is known as the Belmont Sewer Replacement and Extension project in Calhoun, During the process adverse conditions were encountered by Strack, Inc. and subsequently changes were made in the project scope. Strack, Inc completed the project in April 2009 and made a request to the Calhoun Utilities Division for an equitable adjustment of \$327,464.74. Calhoun Utilities rejected the Strack, Inc. request for equitable adjustment. After negotiations Strack, Inc proposed a settlement amount of \$131,730.00.

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:

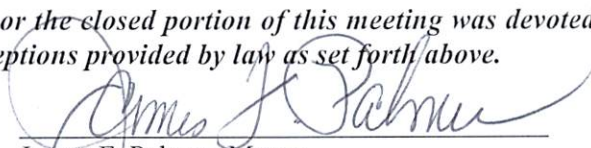
At the meeting held on June 15, 2009 the City Council's Executive Session voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows (Check or initial, as appropriate :)

- 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 15th day of June, 2009.



Notary Public for the State of Georgia

**My Commission Expires
Dec. 18, 2011**