

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
SEPTEMBER 27, 1999, 7:00 P.M.**

**MINUTES**

**PRESENT: James F. Palmer, Mayor  
Ronald H. Woods, Mayor Pro Tem  
John D. Shelton, Jr., Councilman  
Henry E. Holland, Councilman  
Ray M. Denmon, Councilman**

**ALSO: William P. Bailey, City Attorney  
Kelly Cornwell, Director of Utilities and Public Works  
Eddie Peterson, Assistant Director of Utilities and Public Works  
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
  - a. Councilman Holland gave the Invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the September 13, 1999 regular City Council meeting were approved as written.
4. Mayor's Comments:
  - a. Mayor Palmer announced that United Way has leased space at the Depot and has recently relocated.
  - b. Mayor Palmer read and the Council approved a resolution honoring Gayle Quinn for 30 years of dedicated service with the Police Department. Mayor Palmer presented a framed copy of the resolution and a watch to Ms. Quinn and expressed appreciation for her efforts toward self-improvement and dedication to the Police Department.
  - c. Mayor Palmer reminded the Council of MEAG District Meeting on October 5, 1999 at Cartersville, Georgia from 6:00 until 9:00 P.M.
  - d. Mayor Palmer reminded the Council of GMA District Meeting on October 18, 1999 at noon in Rome.
  - e. Mayor Palmer reminded the public of the City's general election on November 2, 1999 at the Recreation Department on River Street from 7:00 A.M. until 7:00 P.M.
  - f. Mayor Palmer recognized Sandra Long for her work on the June 30, 1998 Comprehensive Annual Financial Report, which had been submitted to the Government Finance Officers Association and had received certification. He commended Ms. Long for her dedicated efforts, stating that the City has received the certification all but one year since 1990. He stated that one year, Ms. Long had mandated work on another vital area and was unable to meet the submittal dates in order to gain certification for that one year.
  - g. Mayor Palmer announced public hearings scheduled for October 11, 1999:
    - 1) A request for rezoning of C-2 and annexation by Bob and Carol Nance for lots 10, 11, 39 and 40 of Sky Way Subdivision, which adjoins other property owned by Mr. and Mrs. Nance north of Nance Road on U. S. 41 North.
    - 2) A request for new zoning and annexation by Oothcalooga L.L.L.P., Raymond King, for a 100 by 400 foot lot at 1334 ½ Highway 41 South, south of Grady Burger rental building on Executive Drive. The request is to zone the front part of the lot, 100 by 210 feet on U. S. Highway 41 as R-1 and the back portion, 100 by 190 feet as C-2. (Back part joins another commercial lot owned by Oothcalooga L.L.L.P., which fronts on Executive Park Drive.)
    - 3) A request by Bobby Shepherd for a change from R-2 to C-2 zoning for a house and lot located on North River Street.

- 4) The zoning change request of Tecron, Inc. The request is for rezoning of approximately 17.8 acres located south of Wexford Subdivision, east of Valley View Subdivision and north of Woodland Hills Subdivision, from A-1 to R-1 zoning.
5. Public Hearings and Comments:
- a. Mayor Palmer reopened the public hearing on the City's proposed sign ordinance and asked Attorney Bailey to review the ordinance. Attorney Bailey reviewed the findings and purposes of the ordinance:

**ARTICLE X. SIGN ORDINANCE**  
**SECTION 10.1 FINDINGS AND PURPOSES**

"We, the Mayor and Council of Calhoun find that there presently exists 76.91 miles of roads, streets, highways and interstate highways within the city limits, of which 12.77 miles are part of the primary highway system and 5.2 miles are part of the interstate highway system.

We find that there are presently 21 outdoor advertising signs currently erected along and visible from I-75 and more than 10 outdoor advertising signs currently erected along and visible from the primary highway system, which passes through the City.

We find that a sign is, by its very nature, designed to draw an individual's attention to that sign. This characteristic makes signs a valuable medium of communication. However, this same characteristic can distract motorists and pedestrians, thus creating traffic hazards.

We find that the clutter created by an excess in number, size and height of signs creates distraction to travelers and negatively impacts the general appearance of an area. Signs may lessen the aesthetic qualities of an area and intrude upon the residential character of an area.

We find that signs must be regulated to insure that they are structurally safe and sound and free of all hazards.

We find that proper regulation is necessary to limit the negative impact of signs while encouraging the positive and constructive uses of signs.

The purposes of this Ordinance are: to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to protect the public traveling along primary and interstate highways from distractions, from aesthetic desecration and from nuisances all associated with the proliferation of signs in a concentrated area along said highways; to minimize the possible adverse effects of signs on nearby public and private property; to regulate signs by zoning district, size, height, location on a lot, number, methods of construction, maintenance and illumination; and to protect the health, safety and welfare of residents, visitors and businesses in the City of Calhoun. This Ordinance is not intended, and shall not be applied in any manner, to control the message or content of the message on any sign allowed under this Ordinance and the laws of the State of Georgia. This Ordinance is intended to regulate signs in the city limits of Calhoun while showing full deference to the right to engage in constitutionally protected speech."

- 1) Attorney Bailey stated the ordinance clarifies signage within the city limits, both on the Interstate and primary roads, as well as in the downtown area.
  - 2) There were no comments from the general public.
  - 3) Mayor Palmer stated the primary purpose of amending the sign ordinance was to clarify and to stress safety as it relates to signs. Mayor Palmer stated at this time he would close the hearing and entertain a motion to adopt the ordinance as presented.
  - 4) Following discussion, Mayor Pro Tem Woods made a motion to waive the fourth reading and to approve. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- b. Fire Chief Lenny Nesbitt reviewed the City's efforts to become Y2K ready, as follows:
- In April and June 1998, personnel attended educational courses about the Y2K problem and possible plans to meet the challenge. In April 1998, city management met with a representative from Source Computing, Inc. and the

city attorney to discuss the impact and risks associated with the year 2000 problems.

- Purchasing policies have changed, effective July 1, 1998, to include year 2000 readiness on bid specification and purchase orders.
- Management determined our goal of having the City of Calhoun ready for the year 2000 during the third quarter of 1999.
- In May 1998, a committee was established with representation from each city department to begin the inventory process.
- In April 1998, the City of Calhoun contracted with Source Computing, Inc. to begin year 2000 conversion of current utility billing programs. This work is now being tested and completed. The City issued RFPs for financial and utility software in early 1999. The City Council selected two vendors and approved payment for fiscal year 1998-1999 and 1999-2000.
- The City has contracted Y2K testing and repairs of existing hardware and other software, with a completion date of August 30, 1999.
- The City has developed and will develop further contingency plans, based on the results of testing, vendor and supplier questionnaires and the readiness of our systems. These will allow the City of Calhoun to continue to operate in the event of a computer system failure within our municipality or within any system with which we interact.
- The City is preparing plans for manual operation of the water and waste water facilities as an alternate method of service delivery.
- The City is monitoring the year 2000 status of our vendors, suppliers and other entities that may have an impact on the ability of the City of Calhoun to provide services.
- The City of Calhoun is closely monitoring the progress of potential impact of institutions and companies that fail to become year 2000 ready.
- For functions beyond the control of the City of Calhoun, efforts are underway to minimize the potential impact to the City, citizens, vendors and customers.
- The City of Calhoun and Gordon County have reviewed and upgraded coordinated emergency plans.
- The City began implementation of financial software in June 1999 and the new system will be 100% Y2K ready.
- The City will begin implementation of the utility software in October 1999, with full conversion being planned for March 31, 2000.

Chief Nesbitt commended the Department Heads for their work in this area, stating that it had been a team effort. Mayor Pro Tem Woods stated that there had been tests for electrical readiness through Southern Company and through MEAG. Kelly Cornwell stated the City would also have the turbine generator, which would be available in case there were any power outages through our primary supplier, MEAG. Chief Nesbitt also stated that on October 13, 1999, a statewide drill will take place and the City of Calhoun will participate.

6. Old Business:

- a. Following review of a resolution regarding approval of the lease-purchase agreement with the Calhoun First National Bank, the low bidder for the loader and fire truck financing, Mayor Pro Tem Woods made a motion to approve the resolution and to authorize the Mayor to sign all necessary documents. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

7. New Business:

- a. Councilman Holland stated he, the City Administrator, the Human Resource Director, and Ms. Long had met on several occasions with the pension plan provider and trustee, AmSouth, to review the present investment fund types and to consider adding additional funds. Also, the group had reviewed the present type of record keeping and based upon the current fee structure, would recommend a change to Daily Elect record keeping, which would allow employees to have immediate access to the pension plan in terms of information and making changes in their investment fund type by telephone. Councilman Holland stated that at this time, he was not prepared to make a final recommendation on the additional investment fund types. However, he would recommend the Council approve the

Daily Elect record keeping, in order that the City of Calhoun may secure a timeframe for the conversion process. Following discussion, Councilman Holland made a motion to approve and to move forward with the amendment of the pension plan for the Daily Elect record keeping and to authorize the trustee and administrator of the plan to move forward with this action. The motion was seconded by Councilman Denmon, with Councilman Holland, Councilman Denmon, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried. Mayor Palmer asked Councilman Holland to have his recommendation regarding investment fund types ready for the October 11 Council meeting.

- b. Mayor Palmer stated the City Council had been forwarded copies of the proposed City-County Service Delivery Agreement as it relates to House Bill 489. He stated the Council had an opportunity to review the proposed agreements and to determine if there were any areas in which they felt additional discussion was needed. He said some of the primary areas were recreation and fire protection. He asked the Council to continue to review these and to have a direction available for the Mayor in terms of signing the necessary documents within the next few days.
  - c. A first reading was given of an amusement license request of Celeste M. Chattam for 307 Court Street for 15 arcade machines and 1 bumper pool table. Councilman Denmon made a motion to set the second reading and public hearing for October 11, 1999 at 7:00 P.M. The motion was seconded by Councilman Holland, with Councilman Denmon, Councilman Holland, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried.
  - d. Mayor Palmer stated that Chief Mitchell had requested an additional \$800.00 for a printer for the Investigation Division of the Police Department from the Special Police Fund. Councilman Shelton stated the funds were in addition to the upgrade of hardware and software for the Police Department and were needed. Following discussion, Councilman Shelton made a motion to approve the request, second by Mayor Pro Tem Woods, with Councilman Shelton, Mayor Pro Tem Woods, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
  - e. Mayor Palmer stated as it relates to the first draft of the proposed agreement between the City of Calhoun and Peachtree Natural Gas, the draft had been reviewed by the City Attorney, Administrator Harrison and Director Cornwell and that it would be reviewed again with Peachtree Natural Gas for proposed changes to the contract and would be reviewed extensively at the next Council Meeting.
8. Other written items not on the agenda:
- a. Attorney Bailey stated the City of Calhoun had recently purchased property adjoining the Calhoun Times property from the Roach Estate for the pedestrian pathways. In order for the Roach Estate to have access to their remaining property, it would be necessary for the City to provide fee simple title for an easement providing ingress and egress over the recently purchased property. Following discussion, Councilman Shelton made a motion to approve the proposed easement and to authorize the Mayor to sign the necessary document. The motion was seconded by Mayor Pro Tem Woods, with Councilman Shelton, Mayor Pro Tem Woods, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
9. Work report of Director of Utilities and Public Works, Kelly Cornwell.
- a. Director Cornwell provided a copy of a brochure, which will be mailed to each of the City's water customers in accordance with EPD. The brochure states the source of the City's water and gives information regarding the treatment of the water and the location to call regarding additional information. He stated these brochures will be in the mail within the next few days.
  - b. Director Cornwell stated the City of Calhoun is receiving several road widening projects from the County, which is making it necessary for water lines and sewer lines, and in some cases electric lines, to be relocated, which is becoming extremely expensive and time consuming in a very busy construction period. He stated at this time, they have been notified of the widening of Plainville Road, which is approximately a two-mile project; also, Newtown Road, Belwood Road and Cash Road, which is a three-mile project.

10. Work Report of Eddie Peterson, Assistant Director of Utilities and Public Works:
  - a. Assistant Director Peterson stated the City is moving forward with its finalization of plans for the pedestrian trail and stated it would be necessary for a public hearing to be held. He stated the engineer had recommended the public hearing be held on October 7, 1999 at 3:00 P.M. Following discussion, Mayor Pro Tem Woods made a motion to set the public hearing at that date and time. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
  - b. Assistant Director Peterson stated the Piedmont Street project is moving forward with curb and gutter installation. Following this will be the removal of the sub-base and replacement of aggregate stone to provide a proper base, and then paving.
  - c. Peterson stated the City began work on the poles and the loops to install the Red Bud and College Street intersection signal light.
11. Mayor Palmer asked if there was any need to move to Executive Session. There was none.
12. Councilman Holland made a motion to adjourn, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

Approved:

Submitted:

  
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James F. Palmer, Mayor

  
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Cathy Harrison, City Administrator

RESOLUTION

WHEREAS, the City of Calhoun desires to enter into a multiyear lease purchase contract with The Calhoun First National Bank ("CFNB") for the acquisition of a VOL L70C Wheel Loader and a Central States Custom 1500 GPM Pumper and specified loose equipment, mounted on an HME 1871P medium four-door chassis ("Equipment"), pursuant to the provisions of Official Code of Georgia Annotated Section 36-60-13; and

WHEREAS, such an arrangement as described above is in the best interests of the City of Calhoun.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Calhoun, and it is hereby resolved by authority of same, that the City of Calhoun is authorized to enter into a multiyear lease purchase contract with CFNB to acquire the Equipment.

BE IT FURTHER RESOLVED that the Mayor and City Administrator/Clerk of the City of Calhoun are hereby authorized and directed to execute and deliver to CFNB the Municipal Lease Agreement attached hereto and incorporated herein, and such other documents as may be necessary to acquire the Equipment and complete the transaction approved herein.

ADOPTED, this 27<sup>th</sup> day of September, 1999.

ATTEST:

Cathy Harrison  
CATHY HARRISON,  
CITY ADMINISTRATOR/CLERK

CITY OF CALHOUN

BY:

James F. Palmer  
JAMES F. PALMER, MAYOR

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