

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
APRIL 26, 1999, 7:00 P.M.**

MINUTES

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

ABSENT: Ray 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 April 12, 1999 regular city council meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer stated that Councilman Denmon was absent from the meeting due to his duties with the National Guard.
 - b. Mayor Palmer expressed sympathy to the family of Mr. G. V. Cate. Mayor Palmer stated Mr. Cate had provided years of service to the Calhoun-Gordon County area, specifically serving as superintendent of the city school system for a number of years.
 - c. Mayor Palmer expressed appreciation to the Council and staff members who attended the GMA district meeting in Cartersville on April 21, 1999. He extended appreciation to Mayor Doyle Penson, who currently serves as president of the first district of GMA, as host of the meeting.
 - d. Mayor Palmer stated the first budget hearing for the 1999-2000 fiscal year would be held on May 10 at 7:00 P.M.
 - e. Mayor Palmer announced a public hearing for the beer and liquor pouring license request of Rebecca L. Quarles for the El Rayos Mexican Restaurant to be located at 360 Piedmont Street, former site of the Madison's Steak House, would be held on May 24, 1999 at 7:00 P.M.
 - f. Mayor Palmer announced the following zoning hearings scheduled for May 10, 1999 at 7:00 P.M.
 - 1) New zoning of C-2 and annexation request of William C. Price, Jr. for Price Floor Covering on South Wall Street.
 - 2) New zoning of C-2 and annexation request of Christopher McCracken for property located on the adjoining lot of William C. Price, Jr. on South Wall Street.
 - 3) New zoning of C-2 and annexation of property south of Sonic Drive-In on Highway 41 South for Larry C. Martin.
 - 4) New zoning of R-2 and annexation of approximately 7 acres for Paul Lusk adjoining Forest Height Apartments off Highway 53 West.
 - 5) Zoning change from R-1 to C-N for lot on Metter Street for Lindsay K. Lewis.
 - 6) Zoning change request of Joe M. Stepp, as agent for Ismail and Myrtle Esener, for Tract 4, 1.04 acres north of Echota Baptist Church, south of Red Bud Road, west of College Street, from Industrial to C-2 for retail development. Request includes a variance request to waive the rear setback to the retaining wall currently in place, due to the shape of the lot and to the fact that the property is bound on all sides by streets.

5. Public hearings and comments:

- a. Mayor Palmer introduced Ms. Lori Ethridge, who had submitted a request to the City to adopt a proclamation declaring May 6 as a Day of Prayer. Mayor Palmer read the proclamation, with the Council authorizing the proclamation. The signed copy of the proclamation was presented to Ms. Ethridge. She encouraged everyone to attend the Day of Prayer meeting that would be held at 6:00 in the afternoon on the Courthouse steps.

6. Old business:

- a. A second reading was given of the pawn license request for Roy A. King, Jr. and Stephen Fox for Calhoun Sporting Goods, Inc. on South Wall Street. Mayor Palmer stated the police reports were clear. There were no questions regarding the application. Following discussion, Mayor Pro Tem Woods made a motion to approve the request, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- b. Councilman Holland stated there were two recommendations from the Golf Advisory Commission, as a result of their regular monthly meeting.
 - 1) First was a recommendation to appointment Rick Brown to serve the unexpired term of Thomas J. Brown, Jr. Mr. Holland stated that Mr. Thomas J. Brown, Jr. had been a member of the original commission, and he commended him for his years of service. There were no questions regarding the recommendation. Councilman Holland made a motion to appoint Rick Brown to serve the unexpired term of Thomas J. Brown, Jr., second by Councilman Shelton, with Councilman Holland, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried.
 - 2) Councilman Holland stated the Golf Advisory Commission also recommended the establishment of a new annual pass of \$350.00 per year, for play on Mondays, Tuesdays and Wednesdays (except holidays) at Fields Ferry Golf Course. He stated this was an effort to increase play on the slower days at the course. There were no questions or comments. Councilman Holland made a motion to approve the new annual pass of \$350.00 per year, for play on Mondays, Tuesdays and Wednesdays (except holidays). The motion was seconded by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods and Councilman Shelton voting affirmatively, motion carried.

7. New Business:

- a. A first reading was given of the beer pouring license request of Shadi J. Ibrahim for Lizzi's Deli and Grill Restaurant to be located at 203 Richardson Road. Mayor Palmer stated the minimum and maximum number of days regarding public hearings for alcoholic beverage licenses ranges from a minimum of 30 and a maximum of 45 days, and based on the next meeting day, neither May 24 nor June 14 complies with the minimum and maximum days. Therefore, it was the recommendation of the staff for the public hearing to be set for May 24, 1999 at 7:00 P.M., 28 days from April 26, 1999, 2 days short of the minimum time. Following discussion, Mayor Pro Tem Woods made a motion to set the public hearing for May 24, 1999 at 7:00 P.M., following discussion with the city attorney to verify the ability of the council to depart from the ordinance, based upon the timing, without the necessity of a special meeting. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland and Councilman Shelton voting affirmatively, motion carried.
- b. Harrison reviewed the proposed amendments to the purchasing policy; primarily criteria for consideration of awards to locally owned businesses covered in Chapter 2, as well as legal requirements for advertisements on public works projects covered in Chapter 4, as recommended by the city attorney. Harrison stated that during the work sessions, there was discussion in several areas which would require rewriting of those sections, and based upon the need to rewrite those sections, she would request the amendments be held until May 10, 1999 for consideration for adoption. Following discussion, the Council concurred.
- c. Harrison presented the elected officials with a list of proposed utility charge-offs, in conformance with the audit policy for the City of Calhoun, covering the billing periods in the fiscal year 1997-1998. Harrison stated the request is for charge-off of approximately \$31,955.00, which is 1/11 of 1% of the total billed -

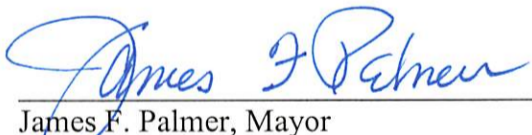
\$28,370,569. She stated that although those items are recommended for charge-off, as per the audit policy, those records are maintained. Each new customer request is reviewed and any new service for one of the charge-off accounts will require that account to be paid prior to reconnection. She stated the customer service department collects between two and three thousand dollars of those accounts per year. Harrison asked that the Council review the list and be prepared for official action on May 10, 1999.

- d. Mayor Palmer asked the Council to consider approving and authorizing the Mayor to sign the certificate of ownership and agreement for local assistance from DOT on four city streets for resurfacing on the LARP Program. Those streets are North Industrial Boulevard, Honeysuckle Drive, Spring Valley Drive, and Victory Drive. Following discussion, Councilman Holland made a motion to approve and to authorize the Mayor to sign, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods and Councilman Shelton voting affirmatively, motion carried.
8. Other written items not on the agenda: **none**
 9. Work report of Kelly Cornwell, Director of Utilities and Public Works:
 - a. Director Cornwell stated the City of Calhoun received the generator and all the parts required for installing. He stated the project should be completed very near the timeline.
 - b. He stated the well project is moving forward, with the filtration requirements to be covered following recommendations of the EPD.
 - c. Cornwell stated the project for the Mill Village area is moving forward. However, there have been several delays.
 10. Report of Eddie Peterson, Assistant Director of Utilities and Public Works:
 - a. Peterson stated the street superintendent and he had conferred on the Piedmont Street project. He stated they would be installing additional drainage, would stabilize the erosion areas, and would apply for a LARP paving contract for Piedmont Street. He stated the County would be assisting the City with some of the work.
 - b. Peterson stated he and Kevin McEntire continued to work on drainage problems in and around the City. He stated the work on King Street has been effective.
 - c. Peterson stated he had been in contact with the State regarding the right-of-way on Redbud Road and College Street, in reference to the signal to be placed at that intersection. He stated he had also received a price of \$59,000.00 for work for curb and gutter, drainage, striping and resurfacing for the work, with only one contractor filing a bid, that being Dalton Paving. He also stated he has been in contact with Joe Stepp regarding additional right-of-way that may be required to complete the project.
 - d. Peterson stated the Executive Park street project is almost complete. He stated it will be an excellent addition to the transportation system for the City of Calhoun, and he stated that since it was a partnership between DOT, the City of Calhoun and a private company, it would be good to have the proper officials to attend to official opening of the project.
 - e. Trail Project: Peterson stated he had been working with Jim Hobgood from the Calhoun Times to acquire some additional right-of-way that would be needed for the trail project. He stated he anticipates a start date of early June.
 - f. Peterson stated the paving for the parking lot at the Recreation Department had been completed. The City was able to save approximately \$2,500.00 by using the County to apply asphalt for the project.
 - g. Peterson stated he continues to work with Chief Mitchell regarding establishing plans for handling the cruising on W. C. Bryant Parkway.
 - h. Peterson stated the weather sirens will not be forwarded to Calhoun-Gordon County prior to the tornado season, due to the fact that the federal government has not released the grant funds necessary for the purchases.
 - i. Peterson stated the City of Calhoun continues to be interested in the development of a Northwest Georgia water group. A draft of the bylaws and proposed budget for the group has been formulated and the group will continue to request funding for part of the study that will be needed for the project from the 2000 legislature.
 - j. Peterson stated he was continuing to work with Kevin McEntire on the River and Court Street intersection for the truck bypass through Calhoun. He stated the

- proposed engineering for the project had been reduced in scope and the price had been reduced to approximately \$31,000.00.
- k. Peterson stated that over the past two years, there have been approximately 15 accidents near the intersection of Line Street and Trammell Street, with probably 12 of the 15 being related to road conditions. Peterson stated he and Kevin McEntire are making plans for a curve sign, installation of a flashing light, and tactical strip for driver attention. These will be forthcoming on Line Street.
 - l. Peterson stated he, Kevin McEntire and Julian James have met at the airport site with Butch Laysonto review the earthwork and paving that would be necessary to reduce the current proposed bid for the new terminal project.
11. Comments of Attorney Bailey:
- a. Attorney Bailey stated the lawsuit regarding the signs on I-75 had been heard before Judge Tom Pope last week. He stated, following the hearing the judge took the matter under advisement and will notify the parties of his decision at a later date. Attorney Bailey state that former elected officials from the City of Calhoun, the former Mayor, W. C. Burdette, and the former Mayor Pro Tem, Edward Lewis, had been most effective in the presentation of the case on behalf of the City of Calhoun. He stated both former officials had excellent recall into the decisions the City had made at that time regarding the adoption of a sign ordinance, and they had provided excellent information in the case. He commended both for their time and dedication and he wished to commend them publicly for their willingness to assist the City in this matter.
12. Councilman Henry Holland stated he wished to commend Kevin McEntire and Eddie Peterson for their continued diligence to find the best solution to the Piedmont Street project. He stated they have tried all avenues to find the appropriate manner in which to handle the project. He commended them for their tenacious actions on this matter.
13. Mayor Palmer inquired if it was necessary to move to Executive Session. There was no need to move to Executive Session.
14. Mayor Pro Tem Woods made a motion to adjourn, second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland and Councilman Shelton voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**CITY OF CALHOUN
GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun utilizes its own Telephone Switch for City services; and

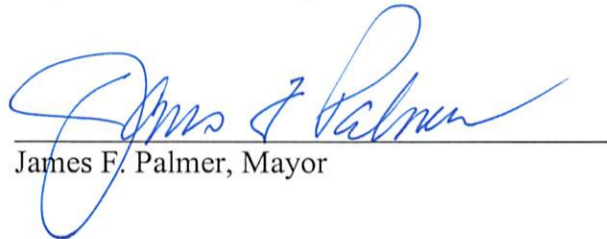
WHEREAS, the City of Calhoun is a responsible steward of service costs for internal telephone service; and

WHEREAS, the City is currently evaluating operating costs for the 1999-2000 budget year;

NOW, THEREFORE, BE IT RESOLVED that the City of Calhoun will provide funding for only one (1) ISDN-PIR service and any additional single analog lines as it may determine operationally necessary.

ADOPTED and made effective this 26th day of April 1999.

City of Calhoun, Georgia


James F. Palmer, Mayor

Attest:


Cathy Harrison, City Administrator

CITY OF CALHOUN,
GEORGIA

PROCLAMATION

WHEREAS, the National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775, and signed into law by President Ronald Reagan in 1988 to be observed on the first Thursday in May; and

WHEREAS, it is eminently fitting and proper that the City of Calhoun, Georgia observe a day in our community when all may acknowledge our many blessings and express gratitude to God for them while recognizing the need for strengthening of religious and moral values in our country; and

WHEREAS, the United States of America is beset with a tidal wave of violence, teenage pregnancies, dysfunctional families, substance abuse, and a host of other problems which are tearing apart our societal fabric; and

WHEREAS, it is no coincidence that these problems are occurring as values of faith are swept from the public arena, replaced by moral relativism, which rejects concepts such as right and wrong and personal responsibility; and

WHEREAS, such a philosophy is at odds with the heritage of Americans, who historically have shared a broad consensus of religiously-inspired transcendent values, even while insisting on religious freedom; and

WHEREAS, the power of prayer, and the power of God through prayer, have been at the core of the shared American experience throughout history;


NOW, THEREFORE, I, James F. Palmer, Mayor of the City of Calhoun, do hereby proclaim May 6, 1999 as A DAY OF PRAYER in the City of Calhoun.

ADOPTED, this the 26th Day of April 1999.

CITY OF CALHOUN, GEORGIA

By: 
James F. Palmer, Mayor

Attest:

By: 
Cathy Harrison,
City Administrator/Clerk