

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
OCTOBER 22, 2007 7:00 P.M.**

MINUTES

**PRESENT: James F. Palmer, Mayor
Lorene Potts, Mayor Pro Tem
Ray Denmon, Councilman
George Crowley, Councilman
David Hammond, Councilman**

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Denmon gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Councilman Crowley made a motion to approve the agenda with two minor changes. The first to include a report from Mayor Pro Tem Potts regarding Harvest Fest and second a report from Mayor Palmer regarding DOT Acknowledgements. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.
4. Councilman Hammond made a motion to approve the minutes of the October 8, 2007 Regular City Council Meeting as written. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
5. Mayors Comments:
 - A. Mayor Pro Tem Potts stated that she, Administrator Harrison, and Mainstreet Director Roland attended the GMA District One Meeting in Chickamauga and found the meeting to be very informative. Tom Gale of GMA gave a review of legislation that would be on the forefront for 2008, House Resolution 900. She stated that Senator Mullis from the area also made some very appropriate comments regarding the proposed legislation and the importance of staying in touch with your state elected officials.
 - B. Mayor Palmer reminded the public of the City General Election on November 6, 2007 from 7:00 A.M. until 7:00 P.M. at the Calhoun Recreation Department. He stated advanced voting will be at the County Election Commission Office at the County Annex on October 29 until November 2 from 8:30 A.M. until 5:00 P.M. each day.
 - C. Mayor Palmer reminded the public of the GMA Mayor's Motorcade to Northwest Regional Hospital on December 4, 2007. The ceremony will begin at 10:00 A.M.

at the hospital. Anyone that desires to send a gift to a patient may leave it at City Hall by December 4, 2007.

- D. Mayor Palmer announced Halloween will be celebrated for children from 5th grade and under on October 31, 2007 from 4:30 P.M. until 9:00 P.M. He asked all motorists to be aware of children on the sidewalk and crossing city streets.
- E. Mayor Palmer reviewed a Resolution recognizing Kelly Cornwell for thirty years of service. Mayor Palmer and Council members expressed appreciation to Kelly Cornwell for his productive years of service and gave a request that he continue in his service as Utilities Director.
- H. Mayor Palmer asked Mayor Pro Tem Potts to review the zoning hearings scheduled for November 12, 2007 and December 10, 2007.

November 12, 2007

- 1. Annexation and zoning request of R-1 for Kevin J. Santori for a house and lot at 453 Thornwood Place.

December 10, 2007

- 2. Annexation request for approximately 4 acres off of Hwy 53 East for C-2 zoning by Grado, Inc.
- I. Mayor Pro Tem Potts stated Harvest Fest will be celebrated on Saturday October 27 from 10:00 A.M. until 5:00 P.M. She stated there are 30 vendors available and music will be provided. She asked the public to attend.
- J. Mayor Palmer expressed appreciation to Harold Linnenkohl the retiring commissioner for the Department of Transportation. He stated he appreciated his years of productive service. Mayor Palmer stated he received a letter from Mr. Linnenkohl that indicated DOT would begin surveying for making improvements on Hwy 41 to provide a three lane road from Line Street to the intersection at Red Bud. This would include two service lanes and one turning lane. The section from Red Bud Road going north to the overhead bridge; it would be four lanes with a turning lane. He stated surveying and engineering will begin on the project.

6. Public Hearings and Comments:

- A. Mayor Palmer provided a second reading of the proposed ordinance regarding guidelines for drought conditions and water conservation.
 - Mayor Palmer opened the public hearing and asked the City Attorney to review the proposed ordinance.
 - Attorney Bailey stated he had draft the proposed ordinance along EPD guidelines for drought conditions and water conservation, however he allowed the Director of Utilities the authority to make those restrictions stronger and more prompt should conditions in our immediate area be different from those statewide. He stated the ordinance also contains penalties for failure to follow the guidelines and that the fine structure would apply to those residents living within the City since those would go through the City Municipal Court, however, residents that live in the unincorporated area would not be fined but would have water disconnected if they failed to meet the drought restrictions.
 - Mayor Palmer asked if there were any comments from the public or from members of the council, there were none and the hearing was closed.
 - Councilman Crowley made a motion to wave the third and fourth readings and to approve the proposed ordinance. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
 - Attached Ordinance No. 865

7. Old Business:

- A. Mayor Palmer stated the recreation department had received a notice from Ben McCormick that he would not be able to complete his term that would expire on June 30, 2011.
- Mayor Palmer stated on behalf of the Council Members that he wished to express appreciation to Mr. McCormick for his service on the Recreation Commission. Mayor Palmer stated the Recreation Commission had provided three names that had expressed interest in serving on the Commission; however, one member has taken a job out of the community and will not be available to serve on the Commission.
 - Following review, Mayor Pro Tem Potts made a motion to appoint Dickie Goswick to fill the unexpired term until June 30, 2011. The motion was second by Councilman Hammond with Mayor Pro Tem Potts, Councilman Hammond, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.

8. New Business:

- A. Administrator Harrison stated the City of Calhoun has grown tremendously over the last few years and that it is her recommendation and that of Director of Utilities, Kelly Cornwell, that the Mayor and Council review and consider increasing the threshold for fixed assets infrastructure to \$20,000.00 and for other fixed assets to remain at \$5,000.00 for reporting and depreciating purposes.
- Administrator Harrison stated this is an item that will need to be reviewed periodically as the city continues to grow. She also requested the action be retroactive to July 1, 2006 in order for the current year that is in the reporting process to be reported under those conditions.
 - Mayor Palmer asked if there were any questions or comments regarding the proposal.
 - Councilman Hammond made a motion to approve the request and to increase the threshold for fixed assets, specifically infrastructure to \$20,000.00, with other fixed assets to remain at \$5,000.00 for reporting and depreciation purposes. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
- B. Mayor Palmer stated that Alan Cunningham of the Civil Air Patrol had filed a request for a Veterans Day Parade for November 10, 2007 at 2:00 P.M. with a walking parade beginning at the South Wall and Maple Street intersection and continuing north on Wall Street to the BB&T City Park.
- Mayor Palmer stated if the request is approved that it should be subject to DOT approval.
 - Following review, Mayor Pro Tem Potts made a motion to approve the request for a Veterans Day Parade on November 10, 2007 at 2:00 P.M. along the route as designated. The motion was second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.
- C. Mayor Palmer gave a first reading of a taxi license request of William L. Simpson doing business as Ambassador Taxi Service with a business office located at 377 Richardson Road, Suite 5.
- Mayor Palmer stated that a second reading could be held on November 12, 2007.

9. Other Written Items not on the Agenda: NONE

10. Work Reports:

A. Kelly Cornwell, Director of Utilities

- Director Cornwell stated developer LP Owens had extended the City sewer line on Highway 41, 2,260 feet at a cost of \$191,800.00. He stated this was in reference for the location of Nourison. He stated the line had been installed by a private contractor and inspected by the City and now the developer wishes to donate the line and to request a refund of a connection fee made within the first twelve months to offset the extension cost per current city policy. He stated that Nourison had paid a connection fee within the twelve month time frame at a cost of \$44,845.00. Director Cornwell stated at this time the City has formal documents for accepting these extensions, however, Attorney Bailey has agreed to draft the formal document.
- Based upon the information presented, Councilman Crowley made a motion to approve the acceptance of the 12-inch sewer line on Highway 41 for 2,260 feet at a cost of \$191,800.00 and to authorize the Director of Utilities to provide a refund to Mr. Owens in the amount of \$44,845.00 according to current city policy. He stated this would be subject to the outlines and guideline of a formal document that will be prepared by Attorney Bailey. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.


B. Kelly Cornwell, Director of Utilities

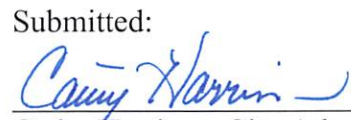
- Director Cornwell stated the City of Acworth currently has an agreement with the City of Calhoun that authorizes Acworth to have 5 megawatts of peaking power from the City's generator through the year May 2012. He stated Acworth is proposing that a second agreement be put in place that will be established at the expiration of the current agreement and will continue forth until December 31, 2029 with a change in rates based upon a longer period of time.
- Following discussion Councilman Hammond made a motion to approve the extension of the agreement with Acworth regarding 5 megawatts of peaking power from the City's generator that will be extended from May 2012 until December 31, 2029 according to the rates as reviewed by Director Cornwell.
- Following discussion Councilman Hammond made a motion approving the agreement and authorizing Mayor Palmer to execute. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.

C. Kelly Cornwell, Director of Utilities

- Director Cornwell stated that in reference to water that for the 12month period of October 2006 thru September 2007, the Calhoun – Gordon County area is 22 inches short of rainfall, however for the past immediate 24 months the community is 34.47 inches short. He stated the northern part of the state is in the middle of the most severe drought in our history.

- D. Eddie Peterson, Director of Public Safety / Public Works
- Eddie Peterson stated on October 8, 2007, the Mayor and Council had authorized the Director of Public Safety, Fire Chief, and Deputy Fire Chief to work with Fox and Brindle contractors to reduce their proposal for an addition to Fire Station #2. He stated during that review, it became evident that the joining of the two buildings would not allow the proposal submitted by Fox & Brindle to be reduced to meet the budget, however, he stated he felt if a free standing building was constructed out of different materials that it could be built with an increase of approximately 30% in size and would allow the City to hire an architect to draft plans for the proposal. He stated it would be his recommendation to cancel the authorization of October 8, 2007 and to move forward with advertising for a public works project to build a separate free standing building instead.
 - Following discussion Councilman Hammond made a motion to cancel the proposal accepted on October 8, 2007 from Fox & Brindle and to move forward with the advertising and re-bidding of the proposed freestanding building. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
- E. Eddie Peterson, Director of Public Safety / Public Works
- Director Peterson stated the recreation department will be hosting regional soccer and football playoffs due to the improvements of its facilities. He also stated the pavilion is under construction and should be completed in approximately 4 weeks, however, within the next few weeks; the playground on the 58 acre park will be officially dedicated!
11. Mayor Palmer asked if there was any need to move to Executive Session. The response was negative.
12. Mayor Pro Tem Potts made a motion to adjourn, second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.

Approved:

James F. Palmer, Mayor

Submitted:

Cathy Harrison, City Administrator