

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
AUGUST 13, 2007 7:00 P.M.**

MINUTES

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

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance and gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Councilman Hammond made a motion to approve the agenda with one item being listed under other written items not on the agenda. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
4. Councilman Crowley made a motion to approve the minutes of July 23, 2007 as written for the Regular City Council Meeting. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.
5. **Mayors Comments:**
 - a. Mayor Palmer informed the Council and Public that the filing of the Signature Community Grant application had been made and made on time. He expressed appreciation to the Committee composed of residents of West Calhoun and local professionals for their valuable assistance in compiling the application.
 - b. Mayor Palmer informed the Council of the short and long term projects that are being proposed by management for the Comprehensive Plan. He asked that those be reviewed and a date be set for the next public hearing. He requested the date of September 10, 2007 @ 7:00 P.M. Mayor Pro Tem Potts made a motion to set the date of the public hearing to that date and time. 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 administered the oaths for the Election Superintendent and Assistant Election Superintendent, Cathy Harrison and Eddie Peterson, and he administered the oath for Deputy Registrar to Eddie Peterson. Mayor Palmer also informed the public that qualifying for city elections will begin on August 27 and

will close on August 31. Mayor Palmer also reviewed those posts that will be up for election. Those being:

1. The office of Mayor.
 2. The Council positions currently occupied by Lorene Potts & George Crowley.
 3. Two School Board positions currently occupied by Al Edwards and Tony Swink.
- d. Mayor Palmer reminded the council of a request for a beer and wine pouring license for Maya, Inc d/b/a Atlanta Gate Restaurant for 203 Richardson Road Suite 110 with Jamil Abraham as the authorized agent. He stated the public hearing would be held on August 27, 2007 @ 7:00 P.M.

5. **Council Comments:**

a. Mayor Pro Tem Potts gave the June reports as follows:

1) The Street Department:

- o Ran Storm Water Maintenance Plan on July 20
- o Checked all grates and lines within the City
- o Based and poured 7,000 square feet of 8 inch wide sidewalk around the new playground equipment at the 58 acre Recreation Park. The rubberized material and mulch will be installed next week.
- o The Street Department crews trenched ditches, laid pipes, and ran wire for irrigation systems with the aid of personnel from the golf maintenance department over a 10 acre field located on Hwy 136 near the boat ramp. The area will be used as practice fields next summer when the grass is established well enough to withstand play.
- o Hauled 221 single axle dump truck loads of topsoil for the final cover and grassing on the new Hwy 136 practice field.
- o Hauled 5 tandem loads of soil to the Civil Air Patrol mobile building at the airport.
- o Dug out and poured 30 feet of roll over curb and gutter on Yellow Jacket Drive to increase the radius into the football field parking lot.

2) The Parks and Maintenance Department:

- o Picked up litter, mowed, and maintained fountains at all city departments and parks
- o Completed maintenance jobs for City Hall, BB&T Park, Municipal Court, Police CID, and the Library.
- o Moved Eddie Peterson to City Hall and moved Customer Service to the new Line Street Annex Building
- o Completed setting footers and pouring concrete for the new recreation pavilion.
- o Primed and painted over 300 metal parts used for construction on the new pavilion.
- o Repaired the roof on the Street Inspection building.

4) Cemetery Department:

- o Supervised the opening and closing of 12 grave sites
- o Sold 23 new grave spaces
- o Contractors set 6 new monuments

- 5) Animal Control:
 - o Responded to 100 customer calls.
 - o Issued 2 fines for leash law violations

- 6) Safety Committee:
 - o Discussed a topic of working in hot conditions and provided information to each department.
 - o Inspection the Recreation Department on July 16
 - o There were 4 workers comp cases during the month

Mayor Pro Tem Potts stated that Saturday night August 18, 2007 will be the final concert in the park for this season and there will be two groups making a presentation. She asked all to come out and enjoy.

b. Councilman Denmon stated:

- 1) The Water Treatment Plant Facility:
 - o Pumped a daily average of 12.069 MGD the Brittney Drive plant produced 30% of the City's potable water.

- 2) The Waste Treatment Plant:
 - o Treated a daily average of 5.395 MGD, with an average BOD effluent of 5, average suspended effluent of 11, and an average COD effluent of 58.

- 3) The Water Construction Department:
 - o Changed out 17 new meters
 - o Repaired 47 leaks
 - o Installed 6,240 feet of 6-inch PVC water line
 - o Set 79 meters
 - o Received 33 calls at the shop
 - o Responded to 449 request for locates
 - o Called in 63 locates for the city's work
 - o Received a total of 187 miscellaneous calls

- 4) The Sewer Construction Department:
 - o Provided 12 sewer connections during the month.
 - o Repaired 20 sewer services.
 - o Repaired 2 manholes
 - o Inspected 4 sewer services for a total of 580 feet.
 - o Provided 276 locates for developers and others.
 - o Repaired 1 lift stations.
 - o Responded to 3 after hour calls.
 - o Cleaned 24 lines totaling 8,400 feet.
 - o Opened and inspected 42 manholes

- 5) The Sludge Department:
 - o Applied 2,032 cubic yards of waste.

- 6) Building Inspection Department:
 - o Issued 29 permits for a total of \$877,000 for new construction.

c. Councilman Crowley stated:

1) The Electric Department:

Long Term Projects Under Construction:

- They continued to upgrade the older clarifiers and thickeners under construction at the Waste Treatment Plant. The project is approximately 80% complete.
- Phase II of the System Loss Program for is in engineering.
- The System Reliability Project will begin this fall with new equipment already received.

Projects and Maintenance Under Construction:

- The annex building has been remodeled and rewired.
- Installed temporary service at the new Recreation Annex.
- The Avalon Estates Subdivision is near completion.
- A temporary electric service for Liberty Tire Recycling (Tires, Inc) has been installed.
- The electric service for the Calhoun First Presbyterian Church expansion is complete.
- Calhoun OBGYN Associates on Curtis Parkway electrical service is complete.
- Transformer installation on Salem Road pump station is complete.
- New projects for Magnolia Plaza and Willowbrook are under construction.
- New primary wire has been installed at Shaw Industrial D-5 area to support expansion later in the fall.

Projects in Engineering and Design:

- Engineering is in process for Kobelco

Work Orders in Process or Completed for June:

- Street and security lighting – 30
- New business and maintenance – 50
- After hours trouble callouts – 18
- Issued 14 permits
- Performed 40 inspections
- Set 9 meters
- Purchased 34 million KWH in July

The City Electric department in the month of July set an all time high peak demand of 75,000 KWH and the city's combustion turban generator has been operating during the month at times of peak electrical usage.

2) Telecommunications Department:

- Completed a new 21 line between Calhoun and Rome for the Rome offices of Star Matthews.
- Started work on the new 21 line to the new county fire station and jail on north 41.
- Signed agreement to provide service to Pawn Mart, Inc.
- Moved Customer Service computers and phones to the new Utility Administration Building
- Opened 26 and closed 17 work orders
- Opened 16 and closed 15 trouble calls

d. Councilman Hammond reviewed the following reports:

1) The Police Department:

- Made 612 cases with 7 DUI's & 75 Speeding
 - Collected \$81,971.00 on fines
 - Issued 5,963 warnings
 - Responded to 43 highway accidents
 - Responded to 24 private property accidents
 - Provided 100 escorts
 - Filed 1,777 incident reports
 - Responded to 332 alarms
 - Patrolled 49,761 miles
 - Responded to 5,456 calls from 911
 - Issued 3 parking citations
- 2) The Fire Department:
- Responded to 55 calls for service, including 8 fire incidents
 - Responded to 10 emergency medical calls
 - Responded to 14 hazardous conditions incidents
 - Responded to 5 miscellaneous service calls, 3 good intents, 19 false alarms, and 1 special incident
 - Received and responded to 73 calls for after hour's utility request during the month.
 - Painted 742 fire hydrants.
 - Completed in house training for all fire fighters on state required core skills
 - Completed all station and vehicle maintenance.
- 3) Fire Inspection Department:
- 6 annual, 6 new business, 9 requested inspections, 7 follow up, 25 consultations, 1 plan review
 - Provided training for 20 people at the George Chamber Resource Center
 - Attended 1 pre-construction meeting
 - Attended a GA state Fire Symposium
 - Attended a LECC meeting

Councilman Hammond made a motion to declare a 1998 Ford Windstar van serial # 2FMDA5147WBB72820 and a 1996 Ford Crown Victoria serial # 2FALP71W6T135080 as surplus property and to authorize the two items to be sold on Gov Deals. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.

6. **Zoning and other Public Hearings:**

- A. Mayor Palmer stated at this time the public hearing on zoning matters would be held. The public would have an opportunity to make pro and con comments with a ten minute maximum time limit and with each person speaking having filed a financial disclosure statement five days prior to the hearing if required. He asked that each person provide their name and address. Mayor Palmer made an inquiry to determine if any elected official has filed or needed to file a disclosure statement regarding any ownership or special interest in the agenda item. There were none. Mayor Palmer stated that the land use maps are on display at the Council Chambers for both the Zoning Advisory Board and the City Council hearings and the Council members have a copy of the Zoning Minutes from the latest Zoning Advisory Board Meeting.

1. Cheviot Hills Property, LLC, agent for Harmony Road Development to change zoning of 10.23 acres from C-2 to R-2 at 1401 Dews Pond Road was given.
 - Mayor Palmer stated this request had been withdrawn
 - Mark Molleson who resides in the City of Calhoun asked if the matter could be brought back up without notification to adjoining property owners.
 - Attorney Bailey stated the request to withdraw ended this application and any additional consideration would require a new application be filed with all the notifications being provided.
2. Annexation and Zoning request of 312 Land Co., LLC for three small tracts joining the 29 acre site off Hwy 53 East behind Kentucky Fried Chicken. The request also includes zoning of C-2 and a request to rezone one small tract from R-2 to C-2.
 - Mayor Palmer opened the public hearing.
 - Harrison confirmed that notices to the adjoining property owners, signs on the property, and notices to the local legal organ had been completed.
 - Mayor Pro Tem Potts stated the Zoning Advisory Board had heard this matter on August 9 and based upon the fact the original 29 acres had been annexed and zoned C-2 and the additional properties that had been purchased by the owners would allow a larger entrance way into the property and the Zoning Advisory Board had made a motion to recommend the Mayor and Council approve the request.
 - Mayor Palmer inquired if there were any additional comments by the applicant, the public, or the City Council. There were none.
 - The hearing was closed
 - The findings of the Mayor and Council were:

(1) The three tracts of property join other City property and are eligible for annexation.
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- Mayor Pro Tem Potts made a motion to annex the three small tracts that join the 29 acres off of Hwy 53 East by 312 Land Co., LLC. The motion was second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.
- The findings of the Mayor and Council regarding the zoning of the three small lots and the request to rezone the property for one small tract from R-2 to C-2 were:

1) The zoning proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby properties.
(2) The zoning proposal will not adversely affect the existing use or usability of the adjacent or nearby properties.
(3) The property to be effected by the zoning proposal has a limited economic use as currently zoned.
(4) The zoning proposal will result in a use that will cause additional use of existing streets and facilities.
(5) The capital cost for improvements will be born by the developer.
(6) The zoning proposal as presented is in conformity with the policy and intent of the land use plan.

- (7) There are no other existing or changing conditions affecting the use and development of the property.
- (8) There are no other factors relevant to balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of the property.

- Mayor Pro Tem Potts made a motion to approve the request for C-2 zoning of the three newly annexed tracts and to rezone the one small tract from R-2 to C-2. The motion was second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.

3. A zoning variance request of 18 feet on the East side of South Calhoun Baptist Church for expansion due to growth was given.

- Mayor Palmer opened the public hearing
- Harrison confirmed that notices to the adjoining property owners, signs on the property, and notices to the local legal organ had been completed.
- Mayor Pro Tem Potts stated the matter had been heard by the Zoning Advisory Board on August 9, 2007 and based upon the facts that the church needed to expand and they had purchased property on the West side, would reduce the parking space on the Eastside and have only a drive that the Zoning Advisory Board had recommended approval.
- The findings of the Mayor and Council were:

- (1) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- (2) The application of this ordinance to the particular piece of property would create a hardship to the church due to its growth and membership and inability to expand.
- (3) There are no conditions peculiar to this particular piece of property.
- (4) Relief if granted would not cause substantial detriment to the public good or impair the purpose and intent of the ordinance.

- Mayor Pro Tem Potts made a motion to approve the request for a variance of 18 feet on the Eastside of South Calhoun Baptist Church for an expansion due to growth. The motion was second by Councilman Hammond with Mayor Pro Tem Potts, Councilman Hammond, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.

7. **Other Hearings and Public Comments:**

1. Mayor Palmer opened the public hearing on the Amendment to Code Section 78-62 (a) regarding Solid Waste: limbs, brush, and etc.

- Mayor Palmer asked Eddie Peterson to review the proposed Amendment.
- Eddie Peterson stated the current code isn't very clear regarding special waste such as limbs, leaves, and etc and that he worked with the Street Superintendent for sometime to come to a reasonable limit of pick-up that his crew and equipment were capable of providing. He

stated the limbs and debris should be no more than 26 cubic yards; that this is a pile 6 feet high and 12 feet wide and that the leaves should be unbagged. He said this would give clear definition to everyone so there are no misunderstandings and everyone would be treated in the same manner.

- Mayor Palmer asked if there were any comments or questions, there were none.
- Councilman Hammond made a motion to wave the third and fourth readings and to approve the amendment to the code Section 78-62 (a). The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried. Ordinance # 863.

8. **Old Business: None**

9. **New Business:**

1. Mayor Palmer stated there was a request by the Calhoun Housing Authority to fill two vacancies on the Housing Authority Board. He stated these vacancies occurred through expiration of terms for Wilson Baxley & Larry Roye. He stated both have served for several years and provided excellent service over the years for the Housing Authority.
 - Mayor Palmer stated the Housing Authority had provided the Mayor and Council with several names for consideration.
 - Councilman Crowley made a motion to approve the recommendation of Rhonda Massingil and Billie Erwin for the board membership to the Calhoun Housing Authority. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
2. Mayor Palmer stated there were traditional parade permits filed for the North Georgia Regional Fair Parade on September 8, 2007 @ 11:00 A.M. for the traditional route and the Calhoun Christmas Parade for December 13, 2007 @ 7:00 P.M. for a special extended route.
 - Mayor Palmer stated that if these are approved they should be subject to DOT approval.
 - Councilman Denmon made a motion to approve both parade permits subject to DOT approval. The motion was second by Councilman Hammond with Councilman Denmon, Councilman Hammond, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
3. Mayor Palmer stated there was a taxi license request of Hermelindo J. Davila with a request for approval at the earliest date. He stated the earliest date for the matter to be reheard would be August 27, 2007.
 - Mayor Palmer stated a commercial address for the business would need to be secured by that date.
 - Councilman Denmon made a motion to set the public hearing for August 27, 2007 @ 7:00 P.M. The motion was second by Mayor Pro Tem Potts with Councilman Denmon, Mayor Pro Tem Potts, Councilman Hammond, and Councilman Crowley voting affirmatively, motion carried.

4. Mayor Palmer stated the Recreation Department has three vehicles they wish to declare as surplus property. He stated these vehicles had been used to their fullest extent, and they may not even be salvageable enough to list on Gov Deals and may need to be sold for parts. He asked for the council to consider.
 - Councilman Denmon made a motion to declare the following vehicles as surplus property and to authorize the vehicles to be sold for parts or to be sold on Gov Deals as determined appropriate. Those vehicles were:
 1. 1995 Ford F-150 serial # 1FTDF15Y2SNB41307
 2. 1995 Ford F-150 serial # 1FTEF15N4SNB27578
 3. 2000 Ford Ranger serial # 1FTYR10V7YTB08748The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.
5. Mayor Palmer stated the Water and Sewer Construction Department has also determined the following equipment is ready for a declaration of surplus property. He stated those items are:
 1. 1992 Ford F-150 serial # 1FTDF15N0NNA95597
 2. 1995 Ford F-150 serial # 1FTEF15N6TLA71852
 3. 1986 Ford F-800 Dump truck serial # 1FCXF82K7HVA00467
 4. 1 Club Car purchased used in 1997 serial # EG8845159939
 5. 1990 Club Car Carryall serial # F9105286490
 6. 2 Marloe model PEIIIW Piston Pumps approximately 35 yrs of age serial # 4893C2 & 489003
 7. 1996 New Holland Ford backhoe 555E 4x4 serial # 03001260
 - Councilman Hammond made a motion to declare the property as surplus and to authorize it to be sold on Gov Deals. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
6. Mayor Palmer gave a first reading of annexation and zoning request of C-2 for approximately 1 acre at Kelly Court off of South Wall Street by James P. and Shelly J. Rasbury as owners. He stated the earliest date for public hearing would be October 8, 2007 @ 7:00 P.M.
 - Mayor Pro Tem Potts made a motion to set the public hearing for that date and time. The motion was second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.
7. Request of Taxi Bienvenido, Luis Santana to change the business address to 307 Court Street.
 - Mayor Palmer stated the request may be approve or denied and the property is properly zoned.
 - Councilman Crowley made a motion to approve the change of address for the taxi license. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.
8. Mayor Palmer gave a first reading of annexation and zoning of C-2 for approximately 3.167 acres on Mauldin Road by Stanley Simpson. Mayor Palmer stated the earliest date for a public hearing would be October 8, 2007 @ 7:00 P.M.

- Councilman Crowley made a motion to set the public hearing for that date and time. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.

10. **Other Written Items Not on the Agenda:**

Mayor Palmer stated the City had received a request to name the drive that goes into the recreation department off of River Street. He stated the City had received three recommendations and at the work session the Council members had felt the name of Recreation Drive was most appropriate.

- Following discussion Mayor Pro Tem Potts made a motion to name the street into the recreation department, Recreation Drive. The motion was second by Councilman Crowley with Mayor Pro Tem Potts, Councilman Crowley, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.

11. **Work Reports:**

a. Kelly Cornwell, Director of Utilities

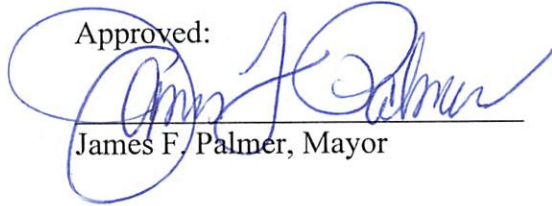
- Kelly Cornwell stated the generator had run 33 hours during the previous month and it assisted the City in meeting the peak electrical demand during the month in which a new high of 75,000 KW of peak demand was set.
- Kelly Cornwell stated the City had received a proposal from a reputable company regarding automatic meter reading equipment. He stated this would be a opportunity for the City to install the latest technology and that it would be the advanced meter reading method in which you would be able to read meters at any time from your computer as opposed to drive by's. He stated it would take approximately 6-7 months for the new metering towers and etc. to be installed. He stated the new equipment would allow the city the ability to detect leaks, would reduce meter reading personnel, would allow the electric department to determine were outages are very quickly. He stated it would be a win/win for the system and if the improvements of the City of Calhoun's metering are equal to that of other communities, with the offsetting expenses and the additional revenues from more sales, it will pay for itself in a very short time. He stated he will have a formal presentation for the package in the near future.
- Kelly Cornwell stated he had received a request from the construction company, Wright Brothers Construction Company Inc., that is providing the work for DOT on replacing the bridge on Hwy 136. He stated the contractor wishes to borrow dirt from the city from the property recently purchased to fill in for an area until such time as their construction is complete. The dirt would need to be removed and it could be replaced in another area and compacted which will actually provide the city with a larger buildable area. He stated the construction period would be 12 – 18 months. Following review Councilman Crowley made a motion to authorize the contract. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
- Kelly Cornwell stated the contractor for the Folsom Road Project, Vinland had requested the City provide sewer services for their new facility and they were willing to pay for the pump station and pressure line to extend from

Sonoraville School to their property near the end of Folsom Road. He stated the City had taken bids for the project. There were 3 bids; one from Ellis Contracting, Inc for \$579,645.00, BRI Utility Construction, Inc for \$656,322.63, and C&S Construction for \$846,805.00. He stated the engineering department had reviewed the bids and determined the low bid of Ellis Contracting, Inc was complete and they also determined they had provided work on the Pine Chapel Road water main project previously and he had found their work to be very good and he would recommend awarding the contract to Ellis Contracting, Inc for \$579,645.00, provided the letter of credit for that amount of money is received. Based upon this information, Councilman Crowley made a motion to award the low bid of \$579,645.00 to Ellis Contracting, Inc for the Vinland Project on Folsom Road, subject to the receipt of a letter of credit. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.

- b. Eddie Peterson, City Administrator in Training
 - Eddie Peterson stated his report was included with the City Administrator and he would recommend the LARP list be reviewed by each and anyone that has another street to be added to let him know shortly.
12. Mayor Palmer stated it was necessary to move to Executive Session to discuss real estate matters.
 - Councilman Hammond made a motion to move to Executive Session for discussion of Real Estate. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
13. Councilman Hammond made a motion to move back to general session. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
14. Mayor Palmer stated the two tracts of real estate that were discussed
 - A proposal for the City to purchase 1.6 acres that is currently owned by the estate of Frank Mays that is located on the southwest corner of the Utilities Administration Building property for an amount of \$25,000.00. Following discussion, Councilman Crowley made a motion to authorize the City to move forward with the purchase of the property subject to clear title opinion and to verification of the acreage at the price of \$25,000 if all items were clear. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
 - Mayor Palmer stated Stanley Simpson had filed a request to donate 10.3 acres of property behind the property he has filed for annexation, to the City as use for recreational or green space. Mayor Palmer stated the property has a lake located thereon and it had been appraised for \$27,325.00. Following discussion Mayor Pro Tem Potts made a motion to accept the donation at the appraised price of \$27,325.00, the motion was second by Councilman Denmon with Mayor Pro Tem Potts, Councilman Denmon, Councilman Crowley, and Councilman Hammond voting affirmatively, motion carried.

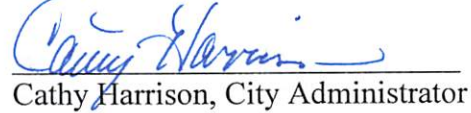
- Councilman Denmon made a motion to authorize the City Attorney to provide Mr. Simpson a gift letter of \$27,325.00 for the donation. The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried.
15. Councilman Hammond made a motion to adjourn, second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator

**STATE OF GEORGIA
COUNTY OF GORDON
CITY OF CALHOUN**

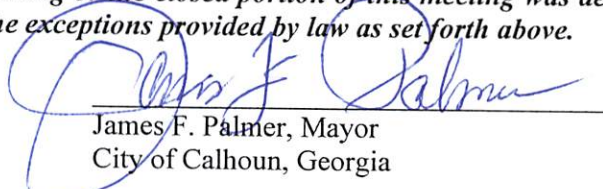
AFFIDAVIT REGARDING CLOSURE OF OPEN MEETINGS


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 August 13, 2007 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.


James F. Palmer, Mayor
City of Calhoun, Georgia



Witness

Sworn to and subscribed to before
me this 13th day of August, 2007.



Notary Public for the State of Georgia



**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
AUGUST 13, 2007 - 7:50 P.M.**

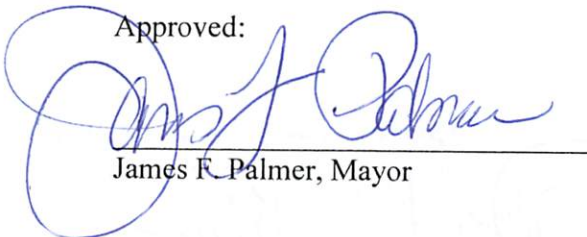
EXECUTIVE SESSION MINUTES

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

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

1. Mayor Palmer opened the meeting.
2. Mayor Palmer stated the purpose of the discussion was to discuss two real estate matters.
 - A proposal for the City to purchase 1.6 acres that is currently owned by the estate of Frank Mays that is located on the southwest corner of the Utilities Administration Building property for \$25,000.00. The Council discussed the pros and cons.
 - Mayor Palmer stated Stanley Simpson had filed a request to donate 10.3 acres of property behind the property he has filed for annexation, to the City as use for recreational or green space. Mayor Palmer stated the property has a lake located thereon and it had been appraised for \$27,325.00. The Council discussed pros and cons.

Approved:


James F. Palmer, Mayor

Submitted:


Cathy Harrison, City Administrator