

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
DECEMBER 17, 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. Mayor Palmer gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Mayor Palmer stated the agenda as proposed had a couple of additions. One an update on the McDaniel Station right-of-way under public comments item b and one item under, items not on the agenda, being a beer & wine package license application for a new owner in January of 2008 at the Shell station located off of Hwy 53 East. Mayor Palmer asked if there were any other amendments. Hearing none, Councilman Crowley made a motion to approve the agenda as amended. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
4. Councilman Hammond made a motion to approve the minutes of the December 10, 2007 regular City Council Meeting as written. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
5. Mayors Comments:
 - A. Mayor Palmer reminded the Council of the Mayor's Day conference and the training associated with the conference. Those dates being January 25-28.
 - B. Mayor Palmer stated he wished to take the opportunity to wish all the citizens and businesses within the community a very Merry Christmas and a Happy New Year.
 - C. Mayor Palmer asked Mayor Pro Tem Potts to review zoning hearing scheduled January 14, 2008 at 7:00 P.M.
 1. Zoning and Annexation request of Four Star for two lots on Kelley Court across from the property recently annexed by Pat Rasbury for C-2 zoning.

Public Hearings and Comments:

A. Mayor Palmer stated the purpose of the hearing was to review and adopt the Comprehensive Plan that has been through many phases and has included a large amount of community input. He stated the proposed plan has been submitted to the Coosa Valley Regional Development Center and also to the Georgia Department of Community Affairs and has been approved by both. He stated the Comprehensive Plan is in conjunction with an overall countywide plan that includes all municipalities. Mayor Palmer stated there is a portion that goes with the Comprehensive Plan that being House Bill 489. He stated his recommendation would be for the adoption of the Comprehensive Plan contingent upon the conclusion of the negotiations regarding House Bill 489 with the Gordon County Commission and the other cities. He stated this is all one process and at the time the City of Calhoun and Gordon County signed a contract for the development of the plan with MacTech they were unaware of the state deadline for the plan would be extended until mid 2009. He stated in order for the plan to be useful to the community at this point, he would ask the Commission to move forward with House Bill 489 in order for the plan to be completed and available for official use.

- Following discussion, Councilman Crowley made a motion to adopt the 2007-2027 Comprehensive Plan contingent upon the conclusion on the negotiations on House Bill 489 which is a part of the entire process. The motion was second by Mayor Pro Tem Potts with Councilman Crowley, Mayor Pro Tem Potts, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.

B. Mayor Palmer stated the intersection improvements on McDaniel Station Road which not only includes local participation but DOT funding would definitely be an improvement for safety. He stated there have been over 9 lives lost and many injured at this intersection in the past few years. He stated the condemnation for the right-of-way had been concluded in Superior Court and based upon those findings there was an award of \$437,000 for the right-of-way property. He stated his recommendation would be this cost to be shared equally by the City of Calhoun and the Gordon County Commission Board and that should appeals extend that price range to a higher level, the County would be obligated to fund the remaining portion up to \$650,000.

- Following discussion by the Council, Councilman Hammond made a motion to approve the payment for the initial half of the road right-of-way cost as outlined by Mayor Palmer with the understanding that the City would not be obligated for additional funding until a price exceeded \$650,000. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.

7. Old Business:

A. Mayor Palmer gave a second reading to the Glendy's Taxi license renewal request of Lilia Haygood.

- Following review, Councilman Crowley made a motion to approve the renewal request for 2008. The motion was second by Mayor Pro Tem Potts with Councilman Crowley, Mayor Pro Tem Potts, Councilman Denmon, and Councilman Hammond voting affirmatively, motion carried.

B. Mayor Palmer gave a second reading to the request for Alcohol License Renewals for 2008.

1. Patterson Wilson Enterprises d/b/a Too Tall Paul's for Ricky Patterson for a beer package license located at 119 Kelly Court.
 2. Mia Inc. d/b/a Atlanta Gate Restaurant for Jamil Abraham for Beer and Wine pouring license located at 203 Richardson Road Suite 10.
 - Mayor Pro Tem Potts made a motion to approve the renewal for 2008. 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. Mayor Palmer stated there was a first reading of Food Lion for the change of Manager and for their renewal request for 2008 for beer and wine package. He stated the new manager had received the State renewal license and had thought the process was complete. Based upon additional calls from the City for paperwork to be returned, it was not received in time for two readings. Mayor Palmer stated due to the management changes and under these special circumstances, he would ask the Council to consider renewing the manager change and alcohol license renewal for 2008 with only one reading.
 - Councilman Hammond stated he would make a motion to approve the manager change and the renewal request for 2008 for Food Lion with Nelda Dorsey as the authorized agent and waive the second reading since there have been no legal issues as acknowledged by the police department regarding this applicant. 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 read a Proposed Resolution regarding the changing of authorized signatures for utility bank accounts with the effective date of January 1, 2008.
 - Following review Councilman Crowley made a motion to adopt the Resolution. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried. (Exhibit B)
 - C. Mayor Palmer read a Resolution regarding signers for the general government bank accounts with an effective date of January 1, 2008.
 - Following review Mayor Pro Tem Potts made a motion to adopt the Resolution. The motion was second by Councilman Hammond with Mayor Pro Tem Potts, Councilman Hammond, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried. (Exhibit C)
 - D. Mayor Palmer read a proposed Resolution regarding the appointment of budget officers for the general government and utility government effective January 1, 2008.
 - Following review Councilman Denmon made a motion to adopt the Resolution appointing budget officers for both general and utility departments. The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley, Councilman Hammond, and Mayor Pro Tem Potts voting affirmatively, motion carried. (Exhibit D)
 - E. Mayor Palmer reviewed a proposed Resolution regarding the appointment of records retention officers for the general government area and the utility government area effective January 1, 2008.
 - Following review Councilman Hammond made a motion to adopt the Resolution. The motion was second by Councilman Denmon with

Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried. (Exhibit E)

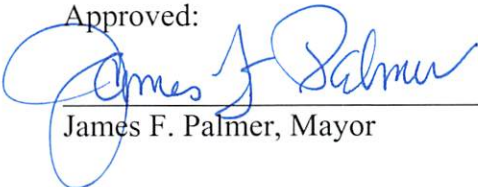
- F. Mayor Palmer reviewed a proposed Resolution appointing a new secretary to the City's pension plans effective January 1, 2008.
- Following review Mayor Pro Tem Potts made a motion to adopt the Resolution appointing a new secretary of the City's pension plan. The motion was second by Councilman Hammond with Mayor Pro Tem Potts, Councilman Hammond, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried. (Exhibit F)
- G. Mayor Palmer gave a first reading of an annexation and zoning of C-2 application for approximately 7 acres off Belwood Road south of Gordon County's property. The request by D&D Investment Properties Inc. Mayor Palmer stated the earliest date for a public hearing would be February 11, 2008.
- 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.
9. Other Written Items not on the Agenda:
- A. First reading of a beer & wine package license application of L.A. Kyrillos, LLC. with Hanna Soliman as authorized agent for the location of the Food Mart # 530 at the Shell station located off of Hwy 53 East # 921. Mayor Palmer stated the application was eligible for a second reading on January 14, 2008 at 7:00 P.M.
10. Work Reports:
- A. Kelly Cornwell, Director of Utilities:
- Director Cornwell stated he has a proposed MEAG contract for the sale for one year of 3,058 KW capacity reserves on the City's generator at a price of \$22.05 per KW. He stated the contract would be through December 31, 2008 and it would be to the City of Norcross. He stated this would add to additional revenue that the City is receiving for almost a total of \$500,000 this next year for these types of sales.
 - Following discussion, Councilman Hammond made a motion to authorize the agreements for the sale of 3,058 KW reserve capacity to the City of Norcross and to authorize the Mayor to sign the contracts. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
- B. Eddie Peterson, Director of Public Safety / Public Works: NONE
11. Mayor Palmer stated at this time the swearing in ceremonies for elected officials for the year 2008-2011 would begin.
- Cathy Harrison, City Administrator/Clerk gave the oath of office to James F. Palmer for Mayor. (Exhibit A)
 - Mayor Palmer gave the oath of office for City Councilman George Crowley for the term of 2008-2011. (Exhibit A)
 - Mayor Palmer gave the oath of office to Councilman Al Edwards for the term of 2008-2011. (Exhibit A)
 - Mayor Palmer gave the oath of office to School Board Member Tony Swink for the term of 2008-2011. (Exhibit A)

- Mayor Palmer gave the oath of office to School Board Member Matt Barton for the term of 2008-2011. (Exhibit A)

Mayor Palmer stated the swearing in ceremony was held at this time since the charter calls for the taking of oaths 60 days from the election and since the January meeting was mid month, it was appropriate for the ceremony to take place at the end of the last December meeting, however the effective date will be January 1, 2008. Mayor Palmer congratulated each of the elected officials.

12. Mayor Palmer stated at this time he would like to offer a Resolution honoring Mayor Pro Tem Potts who has very capably served as a Councilperson and as Mayor Pro Tem. Her service period overall was for 8 years. The Resolution was reviewed and accepted by the Council. Mayor Palmer stated he would like to take the opportunity to make a few brief comments. He stated he and Mayor Pro Tem Potts had traveled back and forth to training sessions over the years and had become friends while discussing City business and planning various changes that needed to be made citywide. He stated he is hopeful that Mayor Pro Tem Potts will continue to be involved in the Downtown Development Authority and other committees that she has served on so capably. Mayor Pro Tem Potts received a standing ovation. (Exhibit G)
13. Mayor Palmer and Mayor Pro Tem Potts stated at this time they wished to provide recognition also for the City Administrator who would be leaving office at the end of the month and that as a way of recognizing her they knew she had over the years tried to find grant funds and other non public funds to frame the John Brown photos that had been left in her trust. They stated that since she was unable to do so they had partnered with the Historic Preservation Group and had framed several of the John Brown photos in her honor and those were placed at the Depot.
13. Mayor Pro Tem Potts made a motion to adjourn the meeting. The motion was second by Councilman Hammond with Mayor Pro Tem Potts, Councilman Hammond, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Cathy Harrison, City Administrator

“Exhibit B”

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun has separated the general and utility government divisions for operational purposes; and

WHEREAS, the City will establish two primary bank pooling accounts for operations, in addition to all other special accounts; and

WHEREAS, there will be a need to establish those who will be authorizing to open & close accounts and move and invest funds according to policy,

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby authorize two of the group to sign on the following accounts: Utilities Pooling Account; Utility Reserve-Investment Funds; New Service Funds; Telecommunications Fund; Electric; Water-Sewer Funds; Deposit Funds; Special Project Funds; Special GEFA/SRF Funds; Grant Funds; and Sinking Fund Accounts. The approved signers being Kelly Cornwell, Ray Dudkowski or James F. Palmer.

The effective date being January 1, 2008.

ADOPTED this the 17th day of December, 2007.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator/Clerk

“Exhibit C”

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun has separated the general and utility government divisions for operational purposes; and

WHEREAS, the City will establish two primary bank pooling accounts for operations, in addition to all other special accounts; and

WHEREAS, there will be a need to establish those who will be authorizing to open & close accounts and move and invest funds according to policy,

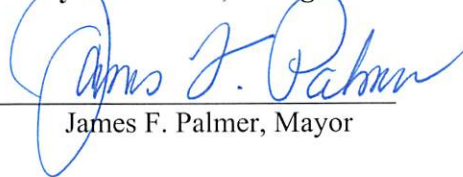
NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby authorize two of the group to sign on the following accounts: General Pooling Account; General Reserve Investment Funds; Special Police Funds; Golf; Recreation; Hotel-Motel Fund; Revolving Loan Fund; Calhoun Recreation Authority; Solid Waste; SPLOST Accounts; Special Grant Funds; School Tax Accounts and Special School Reserve Funds for Bond Retirement. The approved signers being Eddie Peterson, Linda Brookshire or James F. Palmer.

BE IT FURTHER RESOLVED, the persons authorized as signers on the payroll account are: Eddie Peterson, Kelly Cornwell or James F. Palmer.

The effective date being January 1, 2008.

ADOPTED this the 17th day of December, 2007.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator/Clerk

**CITY OF CALHOUN
CALHOUN, GEORGIA
ADOPTION RESOLUTION**

City of Calhoun Comprehensive Plan 2007-2027

WHEREAS, the Mayor and Council of the City of Calhoun, Georgia have completed the 20 year comprehensive plan update, *City of Calhoun Comprehensive Plan 2007-2027*, hereinafter referred to as "the Comprehensive Plan."

WHEREAS, the Comprehensive Plan was developed in conjunction with the *Gordon County Comprehensive Plan 2007-2027*, a 20-year plan update that addresses Gordon County and the municipalities of Fairmount, Plainville, Ranger, and Resaca.

WHEREAS, the Comprehensive Plan provides a coordinated and comprehensive plan of the long-term vision and priorities for growth and development in the City of Calhoun.

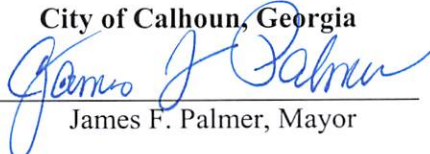
WHEREAS, the Comprehensive Plan was prepared according to the Standards and Procedures for Local Comprehensive Planning effective May 1, 2005 and established by the Georgia Planning Act of 1989.

WHEREAS, the minimum public hearing requirements prescribed by the Comprehensive Plan and state law have been met.

WHEREAS, the Mayor and Council of the City of Calhoun, Georgia find that the Comprehensive Plan further the purposes of promoting the health, safety, prosperity, aesthetics and general welfare of the present and future residents of the City of Calhoun.

BE IT THEREFORE RESOLVED, that the Mayor and Council of the City of Calhoun, Georgia does hereby adopt the 20-year comprehensive plan update, *City of Calhoun Comprehensive Plan 2007-2027*.

Adopted this the 17th day of December, 2007.

City of Calhoun, Georgia
BY: 
James F. Palmer, Mayor

Attest:


Cathy Harrison, City Administrator/Clerk

“Exhibit D”

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun prepares an Annual Operating Budget, and updates its Five Year Capital Plan on an annual basis, and

WHEREAS, the City of Calhoun has split its operation into two governmental divisions, General and Utility; and

WHEREAS, there is a need for two Budget Officers,

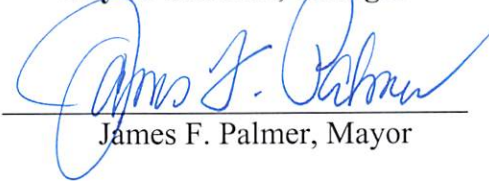
NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby appoint Kelly Cornwell as Budget Officer for the Utility Division and Eddie Peterson as Budget Officer for the General Division.

BE IT FURTHER RESOLVED, the Budget Officers are authorized to establish a Budget to Actual Reporting Schedule for Department Heads and Elected Officials.

The effective date being January 1, 2008.

ADOPTED this the 17th day of December, 2007.

City of Calhoun, Georgia


James F. Palmer, Mayor

Attest:


Cathy Harrison, City Administrator/Clerk

“Exhibit E”

**CITY OF CALHOUN
CALHOUN, GEORGIA
RESOLUTION**

WHEREAS, the City of Calhoun must meet the State guidelines regarding records retention;
and

WHEREAS, the City of Calhoun has split its operation into two divisions, General and Utility;
and

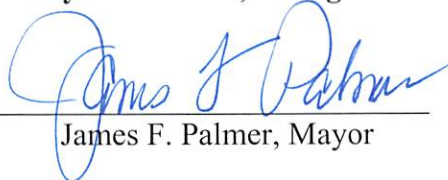
WHEREAS, the management of both divisions must educate and require all departments within
their divisions to maintain official records according to the requirements,

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun
hereby appoint Kelly Cornwell or his designee as the Records Retention Officer for the
Utility Division and Eddie Peterson or his designee as the Records Retention Officer for
the General Government Division.

The effective date being January 1, 2008.

ADOPTED this the 17th day of December, 2007.

City of Calhoun, Georgia


James F. Palmer, Mayor

Attest:


Cathy Harrison, City Administrator/Clerk

“Exhibit F”

**CITY OF CALHOUN
CALHOUN, GEORGIA
RESOLUTION**

WHEREAS, the City of Calhoun has two funded Pension Plans, a 401(a) Defined Contribution Plan that was “frozen” on June 30, 2003, and the Defined Benefits Plan opened on July 1, 2003 and managed by the GMA Benefits Group; and

WHEREAS, the City of Calhoun provides a 457(b) Deferred Compensation Plan funded by City employees; and

WHEREAS, the 401(a), 457(b) and the Defined Benefits Plan requires the designation of a Pension Secretary for the Pension Committee to handle the day to day activity for these plans, and

WHEREAS, the City has an unfunded plan for nine remaining retired individuals that must be budgeted each year,

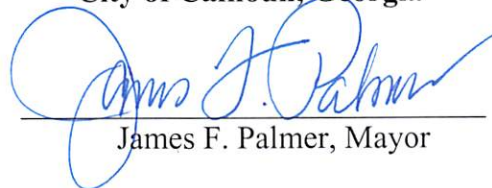
NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby appoints Eddie Peterson or his designee to fill the position of Pension Secretary.

BE IT FURTHER RESOLVED, the Mayor and Council hereby authorizes the current Secretary to file the change of status with the proper officials at the Georgia Municipal Association Benefits Group.

The effective date being January 1, 2008.

ADOPTED this the 17th day of December, 2007.

City of Calhoun, Georgia


James F. Palmer, Mayor

Attest:

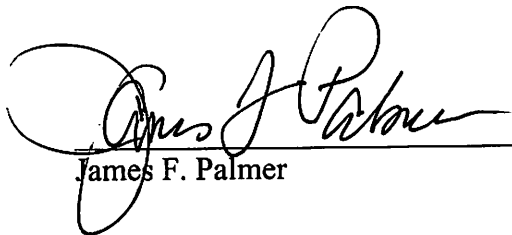

Cathy Harrison, City Administrator/Clerk

"Exhibit A"

**CITY OF CALHOUN
2008 OATHS OF OFFICE FOR
CITY OFFICIALS**

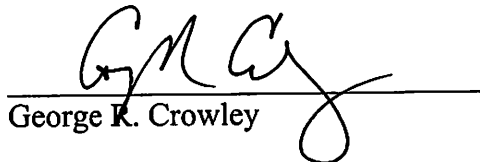
"I, James F. Palmer, do solemnly swear (or affirm) that I will truly perform to the best of my abilities the duties of Mayor, by adopting and enforcing such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of the City of Calhoun and the common interest thereof."

THIS, the 17th day of December, 2007.


James F. Palmer

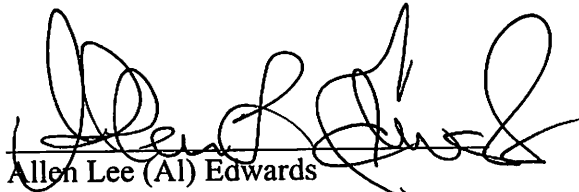
"I, George R. Crowley, do solemnly swear (or affirm) that I will truly perform to the best of my abilities the duties of City Councilman, Post 1, by adopting and enforcing such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of the City of Calhoun and the common interest thereof."

THIS, the 17th day of December, 2007.


George R. Crowley

"I, Allen Lee (Al) Edwards, do solemnly swear (or affirm) that I will truly perform to the best of my abilities the duties of City Councilman, Post 2, by adopting and enforcing such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of the City of Calhoun and the common interest thereof."

THIS, the 17th day of December, 2007.


Allen Lee (Al) Edwards

**CITY OF CALHOUN
2008 OATHS OF OFFICE FOR
CITY OFFICIALS**

“I, Matt Barton, do solemnly swear (or affirm) that I will truly perform to the best of my abilities the duties of School Board Member, Post 4, by adopting and enforcing such measures as in my judgment shall be best calculated to promote the general welfare of the City School System.”


THIS, the 17th day of December, 2007.


Name



“I, Anthony (Tony) Swink, do solemnly swear (or affirm) that I will truly perform to the best of my abilities the duties of School Board Member, Post 5, by adopting and enforcing such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of the City School System.”

THIS, the 17th day of December, 2007.


Anthony / “Tony” Swink