

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
CALHOUN, GA  
DECEMBER 8, 2008 7:00 P.M.**

**MINUTES**

**PRESENT: James F. Palmer, Mayor  
George R. Crowley, Mayor Pro Tem  
Ray Denmon, Councilman  
David Hammond, Councilman  
Al Edwards, Councilman**

**ALSO: William P. Bailey, City Attorney  
Kelly Cornwell, Director of Utilities  
Eddie Peterson, City Administrator  
Heather Evans, Deputy City Clerk**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Edwards 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. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
4. Mayor Pro Tem Crowley made a motion to approve the minutes of the November 24, 2008 regular City Council meeting as written. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.
5. **Mayors Comments:**
  - A. Mayor Palmer reminded the public of the Mayor's Motorcade to N.W. Regional Hospital to deliver donated Christmas gifts to make sure the patients are remembered. He stated City Hall will receive gifts from donors until the day of the event which is December 16, 2008.
  - B. Mayor Palmer reminded everyone of the upcoming Christmas parade to be held downtown on Thursday December 11, 2008 @ 7:00 pm.
  - C. Mayor Palmer asked everyone to please be cautious during the holiday seasons as the crime rate is rising. He said there are many scams and break-in's during this time of year and to lock doors and leave items unseen. Mayor Palmer asked Police Chief Moss if he has any suggestions to avoid an incident.
    - Chief Moss stated to keep items in the trunk and unseen and watch for followers.
  - D. Mayor Palmer asked Councilman Edwards to review the upcoming Zoning Hearings.

- Councilman Edwards stated the Zoning Public Hearing for January 12, 2008 was as follows and has a Zoning Advisory Board date of January 8, 2008.
  1. A 15' variance request by CGA Global LLC for a set-back of 4.18 acres located on Thomas Street to build a 4500 sq foot office addition.

6. **Council Comments:**

A. Councilman Edwards gave the November reports as follows:

- 1) **The Street Department:**
  - Routine maintenance of brush truck, leave vacuum, and street sweeper routes.
  - Placed 10 new street signs
  - Completed 21 shop and 15 street department work orders
  - Ran storm water maintenance plan on November 7th checking all grates and pipes inside the City
  - Patched pot holes and rough spots on Red Bud Road, East Side School, Calhoun Ave, Laurel Creek Rd, Oothcalooga St, Park Ave, Maplewood Dr, Peters St and Conference Dr using 6.73 tons of asphalt
  - Cleaned out ditched with the grade-all on Florence Ave
  - Graded, hauled stone and cleaned up at the parking pavilion lot for the new bike trail
  - Cut and hauled off large tree in front of the police department
  - Spent several days picking up leaves, brush and debris all around town in preparation for the upcoming Thanksgiving Holiday.
  - Move 3-2000 pound steel plates to the Police / Fire department training tower at Coosa Valley Tech.
- 2) **The Parks and Maintenance Department:**
  - Picked up litter, mowed, weed-eated and cleaned up leaves at all designated areas in the City
  - Performed maintenance on buildings as required
  - Installed Christmas decorations at the Depot and the BB&T park
  - Removed carpet and base-board, cleaned floor and installed new tile and base-board in Community Center on McConnell Road
  - Drew floor plan and estimated cost of building material for a pavilion at the new bike trail
  - Repair floor, remove hot water heater and plumbing for hot water heater. Repair and paint walls, install carpet, tile and new base-board at Police C.I.D. offices
- 3) **Cemetery Department:**
  - Supervised the opening and closing of 10 grave sites
  - Performed routine maintenance on Fain and Chandler Cemeteries
  - Sold 17 new grave spaces
  - Worked 15 grave sites and buried 5 foot-markers
- 4) **Animal Control:**
  - Housed 33 dogs and 5 cats
  - Answered 56 customer calls
  - Issued 2 warnings for lease law violation

- 5) Safety Committee:
    - Had a safety topic of Reducing Risk of Heart Attacks
    - Inspected Fire Department on November 11, 2008
    - Reported 1 vehicle accident
  - 6) Downtown Development Authority
    - Councilman Edwards stated the Downtown Development Authority had a joint meeting with the Historical Preservation Group last week. He stated there was no official business but the Authority continues to meet on a monthly basis.
- B. Councilman Denmon gave the November reports as follows:
- 1) The Water Treatment Plant Facility:
    - Pumped a total of 282,980,000 gallons of water for a daily average of 9,432,000 million gallons
    - The Brittany Drive Treatment Plant produced 27.1% of the City's potable water for the month.
  - 2) The Waste Treatment Plant:
    - Treated a daily average of 3.892 MGD, with an average BOD effluent of 4, average suspended effluent of 10, and an average COD effluent of 76.
  - 3) The Water Construction Department:
    - Made 9 water connections
    - Made 1 water connection changed out with new meter
    - Repaired 32 water leaks
    - Installed 30 meters with new yoke
    - Installed 17 2" meters
    - Installed 1 4" meter
    - Installed 1 new fire hydrant
    - Responded to 292 utility locates
    - Responded to 60 utility locates called in for work orders
    - 31 emergency locates called in for repairs
    - Responded to 105 misc. calls
  - 4) The Sewer Construction Department:
    - Repaired 7 sanitary services
    - Repaired 2 sanitary manhole
    - Inspected 375 ft of sanitary sewers
    - Completed 274 utility locates
    - Responded to 5 calls for sewer service (5 on customer side)
    - Cleaned sewer lines totaling 8,500 feet
    - Cleared 14,400 ft of sewer line right of ways
    - Opened and inspected 88 manholes
    - Began cleaning out 2<sup>nd</sup> sludge basin at Water Plant
  - 5) The Sludge Department:
    - Applied 1,296 cubic yards representing 158 dry tons of sludge

- 6) Building Inspection Department:
- o Issued 11 permits for an estimated cost of \$1,906,621.00. This included 1 grading, 1 new residential, 1 industrial addition, 2 Commercial HVAC, 3 residential electrical, 1 industrial electrical, 2 sign.

C. Mayor Pro Tem Crowley gave his November reports as follows:

1) The Electric Department:

Long Term Projects Under Construction:

- The utilities construction crews will be supported by electric maintenance personnel as needed to complete all remaining **Waste Treatment** plant projects and controls.
- **Phase II of the System Loss Program for 2007-08** is progressing. The Capacitor switching equipment has been received. The first set of brackets and switches are installed and training on capacitor control is complete. Additional minor material is on order to complete the retro-fit of existing banks. The **System Reliability Program** is in its final phase with Reclosing equipment being acquired for the #3 substation circuits.
- **The Padmount Transformer Inspection Project** by Electric Department personnel will begin in January 2009.
- The electric **AMR Project** is progressing with over 2956 residential electric meters set through December 7th. All meters are reporting as designed. Additional meters are on order with a December delivery expected.

PROJECTS AND MAINTENANCE UNDER CONSTRUCTION

- The **Pole Replacement** Project is continuing for all rejected poles. An additional 8 poles have been set and transferred during November at **Park Ave., King St. and Harland St.** At other locations, 5 poles have been removed.
- **Specialized training** for substation operators required by MEAG Transmission to perform emergency operations continues, 7 members of the Electric Dept. have completed training with 3 others to be trained at a later date.
- The electric 300 Kva service to the **new El Napol** restaurant has been energized and placed in service.
- **The Apache Industries** 1,000 Kva manufacturing addition at its River Street location is complete. The transformer replacement was completed in early October.
- The new **Century Bank** on W. Belmont and **Kobelco** additional service are engineered. All Electric Facilities are complete at Century Bank and waiting on the developer.
- The **Coosa Senior Complex Phase 2** engineering and design is complete. Engineering and design will include 4,800 feet of underground primary, 8 pad mounted transformers, and 26 leased security lights
- **Tree Trimming and Clearing** will continue for Curtis Parkway and Mims Drive areas. Spot trimming will also target “Hot Spots” in the Industrial areas as well as dead tree removal in several locations during December.
- Electrical design and engineering remains in process for the **Bentley Project on McDaniel Station Rd.** Planning meetings will continue as the contractor’s progress.
- **Christmas Lighting** installations and repairs were completed in November.

WORK ORDERS IN PROCESS OR COMPLETED FOR OCTOBER:

- o Street and security lighting – 35
- o New business and maintenance – 52
- o After hours trouble callouts – 11

During the Month of November the Electric Department:

- Set 7 meters
- Provided maintenance/replacement for 15 meters
- 256 AMR Meter Changes
- Purchased over 26 million KWH of electricity in October

2) Telecommunications Department:

- Finished new Internet connection to GKG Ventures.
- Signed agreement and started design on Internet connection for Northwest Georgia Surgical.
- Provided an additional Internet circuit for Georgia Cumberland Academy
- Started work building new circuit in cooperation with Dalton Utilities to convert AOSM's Internet connection to a 5 Meg point-to-point circuit.
- Provided technical support for AMR project, Munis upgrade, and Tyler Forms installation.
- Continue to test Calix equipment capabilities. Concluded electronics equipment trial with Hitachi.
- Opened 21 and closed 23 work orders.

During the Month of October the GIS Department:

- Upgraded GIS software to latest release.
- Address correction/verification within the city limits is 90% complete.
- AMR support: almost 3000 electric meters have been geo referenced.
- Continue to develop GIS web site.
- Mapped out Kirby Road Bike Trail and made it available on the city's web site.

3) Mayor Pro Tem Crowley stated he would like to congratulate Calhoun High School Football Team for their defeat over Brooks County and also to invite everyone to come and support the team Friday December 12<sup>th</sup> as they play at the Georgia Dome.

D. Councilman Hammond gave his November reports as follows:

1) The Police Department:

- Made 601 cases with 12 DUI's
- Fines collected by Municipal Court - \$62,497.00
- Issued 530 warnings
- Investigated 53 highway accidents and 26 private property accidents, 1 injury, 0 fatalities
- Provided 105 escorts
- Filed 1,569 incidents reports
- Responded to 352 alarms
- Patrolled 51,345 miles
- Responded to 5,482 calls for service by E-911

2) The Fire Department:

- Responded to 59 calls for service, 4 fire incidents with no damages
- Responded to 18 emergency medical service calls with 16 injuries and 0 deaths
- Responded to 14 hazardous conditions incidents
- Responded to 2 miscellaneous service calls, 2 good intent, 18 false alarms and 1 special incident

- Completed in-house training during the month for all firefighters on State required core skills along with additional department training
- Completed all scheduled station and vehicle maintenance
- 6 personnel attended and completed rope rescue class for GSAR
- Assisted with fire extinguisher class at Amerigas
- Inventoried all Apparatus
- Stationed an engine and crew at the Outlet Mall for their Moon Light Madness event

3) Fire Inspection Department:

- Provided 52 inspections during the month: 5 new business, 27 requested, 1 follow-up re-inspections, 12 consultants, 2 burn site inspections, 3 plan reviews
  - Issued fuel tank installation permit at Mohawk
  - Conducted a fire extinguisher class for Amerigas
  - Conducted evacuation training / drills at Morning Pointe Assisted Living (35 employees), also met with management regarding an action plan following an unannounced fire drill.
  - Both inspectors attended Zoning Committee meeting
  - Both inspectors attended the Northwest GA Fire Investigators meeting held in Calhoun on Evidence Collection in Arson Investigations.
  - Lt.'s Dooley and Duvall attendance LEPC (Local Emergency Planning Committee) Meeting.
  - Inspectors completed building projects at their new office/training building
  - Inspectors assisted with some of the final projects on the new building
- Councilman Hammond stated that he reviewed the new facility at Station # 2 and was very impressed. He stated this is an excellent training room that is used for training purposed community wide.

- 4) Councilman Hammond stated the RDC met in November and has approximately 7 billion in funds through grants to be used for infrastructure to buy foreclosed homes, rehabilitate them and resale. Gordon County could be eligible for up to \$500,000 of the funds.

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

A. Mayor Palmer stated at this time the public hearing on zoning matters will be held. The public will have an opportunity to make pro and con comments with a ten minute maximum time limit for each side of the matter and with each person speaking giving their name and address and with each person speaking having filed a financial disclosure statement five days prior to the hearing if required. 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. Mayor Palmer read the request of a 5' sign variance by Cassie Dixon for a location of 100 Trammell Street.
  - The public hearing was opened
  - Peterson stated signs on the property, notices to the adjoining property owners and notices to the local legal organ were completed.

- Councilman Edwards stated the Zoning Advisory Board wished to recommend to the Mayor and Council that this request be approved.
- Mayor Palmer asked if there were any questions/comments
- There were none and the public hearing was closed
- The findings of the Zoning Advisory Board were:

**VARIANCE CONSIDERATIONS (ONE OR MORE)**

- (a) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question regarding size, shape or topography.
- (b) The application of this ordinance would create an unnecessary hardship.
- (c) Such conditions as the fact the property is lower in this area requiring a higher sign in order to be at the same level as others in the general area are or peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detrimental to the public good or impair the purpose and intent of the ordinance since similar variances for signs of this size have been granted in the general area

- Councilman Edwards made a motion to approve the 5' sign variance request by Cassie Dixon for a location of 100 Trammell Street. The motion was seconded by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.

2. Mayor Palmer stated the 50' sign height variance request by Nimish Patel for a hotel location on Lovers Lane has been tabled due to adjoining landowner notices not being delivered on time.
3. Mayor Palmer stated the zoning change request by Terry Brumlow from R-1 to C-N for a location of 812 East Line Street has been withdrawn by Attorney Brumlow.

**B. Other Public Hearings and Comments**

1. Mayor Palmer opened the public hearing regarding of a wine package license request by Chaudhari Enterprises, LLC d/b/a BP with Ashish Chaudhari as authorized agent for a location of 312 North Wall Street.
  - Mayor Palmer asked if there were any there were any questions/comments. There were none.
  - The public hearing was closed.
  - Mayor Pro Tem Crowley made a motion to approve the of a wine package license request by Chaudhari Enterprises, LLC d/b/a BP with Ashish Chaudhari as authorized agent for a location of 312 North Wall Street. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.

**8. Old Business:**

- A. Mayor Palmer gave a 2<sup>nd</sup> reading of a beer package license request of ABC Convenience Store with Devin Desai as authorized agent for a location of 703 Oothcalooga Street.

- Mayor Palmer stated per the applicants request the public hearing has been moved from December 22, 2008 to January 12, 2008.
- B. Mayor Palmer gave a 2<sup>nd</sup> and final reading of additional 2009 beer-wine-liquor license renewal requests.
- **Beer and Wine Pouring**
    - ❖ Jeff Erwin for Dub's High on the Hog, Inc.
  - **Beer Package**
    - ❖ Alex Warren for Mapco Express # 3505 d/b/a Fast Food and Fuel
    - ❖ Alex Warren for Mapco Express # 3520 d/b/a Fast Food and Fuel
    - ❖ Vilas V. Patel for Knight's Hi Tech
  - **Beer and Wine Package**
    - ❖ Robert N. Westmoreland Jr. for Food Lion
  - **Beer-Wine-Liquor Package**
    - ❖ Jaimin Patel for Liquor Mart
      - Councilman Hammond made a motion to approve the 2009 license renewals as written. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- C. Mayor Palmer gave a 2<sup>nd</sup> and final reading of additional 2009 pawn license renewal request.
- ❖ Hugh M. Austin for Title Exchange & Pawn
    - Councilman Hammond made a motion to approve the 2009 license renewals as written. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- D. Mayor Palmer gave a 2<sup>nd</sup> and final reading of additional 2009 taxi license renewal requests.
- ❖ Andres Hernandez for Taxi Oasis
  - ❖ Ruben Ochoa Flores for Bimbo Taxi
  - ❖ Maria Garcia for Local Taxi
    - Councilman Hammond made a motion to approve the 2009 license renewals as written. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.

9. **New Business:**

- A. Mayor Palmer gave a 1<sup>st</sup> reading on the Adult Entertainment Ordinance.
- Mayor Palmer asked Attorney Bailey to review.
  - Attorney Bailey reviewed the statements made at the November 24, 2008 City Council meeting.
  - Attorney Bailey stated the application fee has been set to \$1,500.00.
  - Mayor Palmer stated the second reading will be December 22, 2008.
- B. Mayor Palmer read an alcohol manager change request by Ingles Markets, Inc. from Larry Garren to Terry Bouldin.
- Mayor Pro Tem Crowley made a motion to approve the manager change request. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.
- C. Mayor Palmer read an Alcohol manager change request by Maya Inc. d/b/a Atlanta Gate Restaurant from Jamil Ibrahim to Saleh A. Rashid.
- Councilman Edwards made a motion to approve the manager change request. The motion was seconded by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.

- D. Mayor Palmer read a pawn manager change request by Titlemax of Calhoun Inc. from Timothy D. Underwood to Candace Patterson.
- Councilman Denmon made a motion to approve the manager change request. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.
- E. Mayor Palmer gave a 1<sup>st</sup> reading of additional 2009 beer-wine-liquor license renewal requests.

**Beer Pouring**

- ❖ Alexis Prasinos for Gondolier's Pizza
- ❖ Hussein Asadi for Back Gate Restaurant

**Beer & Wine Pouring**

- ❖ Saleh A. Rashid for Maya, Inc. d/b/a Atlanta Gate Restaurant

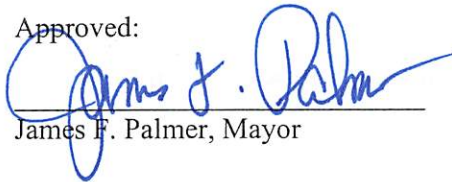
**Beer & Wine Package**

- ❖ Terry Bouldin for Ingles Markets, Inc
- ❖ Linda Maples for Wal-mart Supercenter # 1215

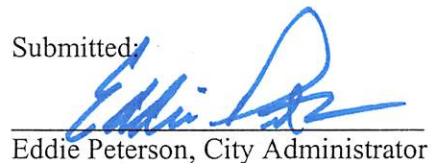
- F. Mayor Palmer gave a 1<sup>st</sup> reading of additional 2009 pawn license renewal requests
- ❖ Thomas K. Haas for Pawn Mart
  - ❖ Candace Patterson for Titlemax of Calhoun, Inc.
  - ❖ Clifford L. Cochran for Pete's Music City & Pawn
- G. Mayor Palmer have a 1<sup>st</sup> reading of additional 2009 taxi license renewal requests
- ❖ Romulando Martinez for Taxi Latino
  - ❖ Olga M. Moss for Los Buenos Amigos Taxi
  - ❖ Talesha Stone for Taxi K-Paz
- H. 1<sup>st</sup> reading of Georgia Department of Community Affairs amendments for Georgia State minimum standard codes.
- Mayor Palmer read and explained the amendments. **(attached)**
  - Councilman Hammond made a motion to approve the amendments. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- I. Mayor Palmer read a parade request by Peace in Young Life directors Kim Ford and Mitzi Gaines for a Martin Luther King parade to be held January 19, 2009 at 10:00 am.
- Mayor Palmer stated the parade request is from the top of the hill on MLK to Court Street and to the Depot.
  - Mayor Palmer asked if there were questions/comments.
  - Kim Ford stated she had spoken to Walter Harris whom has directed the parade in the past and he was unable to do it this year and she wished to continue with the parade. She stated there would be a ceremony at the Depot following the parade.
  - Councilman Denmon made a motion to approve the parade request. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.
- J. Mayor Palmer read a parade request from Karen Parrott for the Annual Alzheimer's Forget Me Not Parade to be held October 24, 2009 at 11:00 am.
- Mayor Palmer stated the parade request is for the normal route.

- Councilman Hammond made a motion to approve the parade request. The motion was seconded by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.
- K. Request to approve a Resolution authorizing a temporary loan for operating expenses for General Government.
- Administrator Peterson stated a similar resolution had been passed earlier in the year which is also known as a tax anticipation note. He stated the loan is for 4 million dollars and the school system has expended 2.5 million dollars. Administrator Peterson stated the remaining 2.5 million must be paid off to enter into a new 4 million dollar six month contract beginning January 2, 2009.
  - Mayor Palmer read the Resolution. **(attached)**
  - Mayor Pro Tem Crowley made a motion to approve the resolution as written. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.
- L. Mayor Palmer read a request from the City of Calhoun General Government to approve a budget amendment.
- Administrator Peterson stated this budget amendment is an addition to several passed at the November 24, 2008 City Council meeting.
  - Administrator Peterson explained the UDAG fund amendment **(attached)**
  - Councilman Hammond made a motion to approve the budget amendment as written. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
10. **Other Written Items Not on the Agenda: NONE**
11. **Work Reports: NONE**
12. Councilman Denmon made a motion to adjourn. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.

Approved:

  
James F. Palmer, Mayor

Submitted:

  
Eddie Peterson, City Administrator