

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
MARCH 10, 2008 7:00 P.M.**

MINUTES

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

**ALSO: William P. Bailey, City Attorney
Kelly Cornwell, Director of Utilities
Eddie Peterson, 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 added the Industrial Development Authority appointment and recognized James Fields who would speak under items not on the agenda. Councilman Crowley made a motion to approve the amended agenda. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.
4. Councilman Hammond made a motion to approve the minutes of the February 25, 2008 regular City Council meeting as written. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.
6. **Mayors Comments:**
 - A. Mayor Palmer reminded the Council that a Town Hall meeting would be held on March 11, 2008 at 6:00 p.m. at the McConnell Road Community Center. The meeting would be open to the public to discuss the proposed Community Development Block Grant for infrastructure and housing improvements in the area of Court Street, Harris Street, Alexander Street, McConnell Road and MLK Drive.
 - B. Mayor Palmer asked Councilman Edwards to review the zoning hearing scheduled for April 10, 2008.
 1. Councilman Edwards explained that the Zoning Advisory Board had continued the Harmony Road Development, LLC request from C-2 to R-2 for one month due to the applicant being absent for the ZAB meeting on March 6, 2008.

2. Zoning change request by Phillip Henson Jr. and Patricia E. Smith from R-1 to O&I for a location of 117 East Belmont Drive.

7. **Council Comments:**

A. Councilman Edwards gave the February reports as follows:

1) The Street Department:

- Routine maintenance of street sweeping, vacuuming leaves, and picking up brush
- Placed 22 new street signs
- Completed 19 shop and 28 street department work orders
- Ran storm water maintenance plan on February 22nd checking all grates and pipes inside the City
- Dug out, formed and poured 6 concrete pads for 4 new park benches and 2 new trash receptacles purchased by The Beautification Committee to be installed along the river at the walking trail.
- Dig out and patch on Shandoah Drive, Hillcrest Drive, Court Street, E. May Street, Creekside Drive, Nathan Circle, Jolly Road and Cherokee Drive. Used 16.52 tons of asphalt.
- Dug out and re-poured 31x8 section of concrete at fire station #3.
- Paved the new entrance road from Hwy 53 at the Chambers Center into the main road of the 58 acre park.
- Hauled 12 loads of scrap iron to Floyd County Recycle Center.
- Worked on Street Department stone stock yard and contracted the Electrical Department to build pole/cable type enclosure around stockyard.
- Planted and mulched approximately 90 hardwood saplings that were donated from the Arbor Day tree give away sponsored by the Calhoun Beautification Committee.

2) The Parks and Maintenance Department:

- Provided routine maintenance of picking up liter, mowing, weed-eating, and cleaning up leaves at all City departments and parks.
- Completed maintenance jobs for the Building Inspection Department, Street Inspection Department, City Hall and the Library.
- Installed 4 water fountains, partitions, mirrors, fixtures, and drop ceilings at 2 bathrooms in the new recreation pavilion.
- Replaced the 2 main doors at the animal shelter.

4) Cemetery Department:

- Supervised the opening and closing of 9 grave sites
- Performed routine maintenance on Fain and Chandler Cemeteries
- Sold 11 new grave spaces
- Assisted Contractors with installation of 6 new monuments
- Worked 5 grave sites

- 5) Animal Control:
 - Housed 14 dogs and 12 cats
 - Answered 50 customer calls
 - 1 warning issued for lease law violations

- 6) Safety Committee:
 - Had a safety topic of Burns
 - Inspected Utilities Building and Community Development on February 12, 2008.
 - No accidents reported.

- B. Councilman Denmon gave the February reports as follows:
 - 1) The Water Treatment Plant Facility:
 - Pumped a total of 298,470,000 gallons of water for a daily average of 10,300,689 million gallons
 - The Brittany Drive Treatment Plant produced 31.3% of the City's potable water for the month.

 - 2) The Waste Treatment Plant:
 - Treated a daily average of 6.118 MGD, with an average BOD effluent of 9, average suspended effluent of 20, and an average COD effluent of 82.

 - 3) The Water Construction Department:
 - Made 18 water connections
 - Made 17 water connections changed out with new meter
 - Fixed 24 water leaks
 - Installed 740 feet of 2" PVC pipe
 - Installed 1,400 feet of 8" PVC pipe
 - Set 62 new meters
 - Repaired 15 city side meter leaks
 - Changed out 45 meters
 - Pulled 34 meters
 - Responded to 339 locates
 - Called in 55 locates for City work
 - Called in and worked 21 emergency locates
 - Received 132 misc. calls

 - 4) The Sewer Construction Department:
 - Provided 4 sewer connections during the month
 - Serviced 57 sewer services lines
 - Repaired 3 manholes
 - TV Inspected 24 sewer mains for a total of 5,132 ft
 - Inspected 9 sewer service lines for a total of 720 feet
 - Completed 241 locates
 - Repaired 2 lift station

- Responded to 11 calls for service (9 were sewer service lines, 8 on customer side)
 - Cleaned sewer lines totaling 7,352 feet
 - Opened and inspected 41 manholes
- 5) The Sludge Department:
- Applied 1,728 cubic yards representing 212.5 dry tons of sludge
- 6) Building Inspection Department:
- Issued 39 permits for an estimated cost of \$2,472,649. This included 7 grading, 6 new residential, 1 new commercial, 1 industrial addition, 1 industrial remodeling, 3 residential HVAC, 3 commercial HVAC, 4 residential electrical, 2 commercial electrical, 2 industrial electrical, 7 sign permit, 1 soil & erosion & 1 NOI.

C. Councilman Crowley gave his February reports as follows:

1) The Electric Department:

Long Term Projects Under Construction:

- Continued to upgrade the older clarifiers and thickeners under construction at the Waste Treatment Plant. The project remains approximately 80% complete. Motors for new screws were installed in December. The utilities construction crews will be supported by electric maintenance personnel as needed to complete all remaining waste treatment plant projects and controls. Testing of aeration basins and digesters has been completed.
- Phase II of the System Loss Program for 2007-2008; engineering revision phase is complete to accommodate system load characteristic changes. Many of the currently installed fixed capacitor banks will need conversion to switched operation. Review of available switching equipment and subsequent bid preparation is in process. The final phase of the System Reliability Project for #4 substation is in progress with a targeted June completion.

Projects and Maintenance Under Construction:

- Inspection and tagging of the existing underground installations and overhead grounding maintenance continue to be scheduled weekly.
- Final pole removals on the GA DOT 136 Bridge Project are complete.
- Pole replacement is in process for all tested and rejected poles. A number of lighting poles at the Calhoun Recreation Department are scheduled for March replacement.
- Service for the Badcock building on South Wall Street is designed and preparation of an easement document is in process.
- The electric 300 Kva service to the new El Napol restaurant is in engineering and design.
- Electric service and outdoor lighting for the downtown branch of North Georgia National Bank remain in engineering and design.

Work Orders in Process or Completed for January:

- Street and security lighting – 63

- New business and maintenance – 75
- After hours trouble callouts – 17

2) Telecommunications Department:

- Connected 4 internet customers and started construction of fiber line for new T1 circuit.
- Have completed the conversion of approximately ¾ of the city employee computers to the new domain and connecting their Outlook program to the new email server.
- Continue to evaluate Hitachi electronics. Evaluation is planned to end in March. Started planning for bringing Alcatel electronics in for evaluation.
- Filed the Customer Proprietary Network Information report with the FCC. This new annual report is required to be filed by Telecommunications companies stating how proprietary customer telecom data is protected.
- Opened 47 work orders and closed 42

During the Month of February the GIS Department:

- Continue to support the Electric Department in building and converting the electric drawings into GIS.
- The zoning map has been updated to include zoning changes from the council meeting minutes. Maps to be printed for departments.
- Converted all fiber line drawings into GIS. Continued to evaluate software packages for completing fiber data conversion and continued data maintenance.
- Attended regional census meeting to address challenges in mailing address accuracy.

During the Month of February the Electric Department:

- Set 7 meters
- Provided maintenance/replacement for 39 meters
- Purchased over 29 million KWH of electricity

D. Councilman Hammond gave his February reports as follows:

1) The Police Department:

- Made 763 cases with 11 DUI's
- Fines collected by Municipal Court - \$129,979.50
- Issued 573 warnings
- Investigated 70 highway accidents and 28 private property accidents, 1 injuries, no fatalities
- Provided 101 escorts
- Filed 1,540 incidents reports
- Responded to 246 alarms
- Patrolled 2,649 miles
- Responded to 5,719 calls for service by E-911

- 2) The Fire Department:
- Responded to 69 calls for service, 7 fire incidents for damages totaling an estimated \$1,500.00
 - Responded to 33 emergency medical service calls with 28 injuries and 2 deaths
 - Responded to 7 hazardous conditions incidents
 - Responded to 1 miscellaneous service calls, 18 false alarms, 2 special incident and 1 good intent
 - Firefighter cooked to raise money for Relay For Life (Sold over 600 plates)
 - 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
- 4) Fire Inspection Department:
- Provided 77 inspections during the month: 21 annual, 6 new business, 12 requested, 35 follow-up re-inspections, 15 consultations, 1 burn site inspection
 - Attended 1 plan review and 2 pre-construction meetings
 - Issued sprinkler permits: Kane Carpets; Carpet Capital Fire Protection
 - Issued Commercial Burn permit: Lakeside Development
 - Lt. Duvall and Lt. Dooley participated in the County wide Pandemic Public Health Drill at Sonoraville High School
 - Lt. Dooley attended the monthly City safety site inspections meeting
 - Began downtown inspections with Suzanne Roland
 - Lt. Dooley attended 40 hour Life Safety Code class at GPSTC

8. **Zoning and other Public Hearings: NONE**

9. **Old Business:**

- A. Attorney Bailey explained that due to certain changes in Title 43 of the Official Code of Georgia Annotated, the current City Ordinance Number 733 should have updates in certain sections.
- Mayor Palmer read the heading of City Ordinance Number 733.
 - Councilman Hammond made a motion to approve the revised ordinance. Councilman Crowley seconded the motion with all voting affirmatively, motion carried. **(Exhibit A)**
- B. Mayor Palmer explained that the State of Georgia had passed a law which allowed cable or video franchises to be issued by the Secretary of State. For the City of Calhoun to continue to receive a 5% franchise fee from cable or video providers for use of City right of way, it would be necessary to adopt City Ordinance Number 870.
- Mayor Palmer read the heading of City Ordinance Number 870.
 - Councilman Denmon made a motion to approve the revised ordinance. The motion was second by Councilman Crowley with all voting affirmatively, motion carried.

10. **New Business:**

- A. Councilman Edwards made a motion to appoint Anita Davis to replace Angela Hammond as a member of the Downtown Development Authority for a three year term. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.
- B. Mayor Palmer explained that Jim Mathews term on the Industrial Development Authority expires on March 20, 2008. Mr. Matthews has agreed to serve another four year term.
 - Councilman Hammond made a motion to appoint Jim Mathews for another four year term on the Industrial Development Authority. The motion was second by Councilman Edwards with all voting affirmatively, motion carried.
 - Mayor Palmer expresses his thanks to not only Mr. Matthews for serving on the IDA, but everyone who serves on the various Boards and Authorities for Calhoun and the Community.
- C. Director Cornwell explained Calhoun's flexible account of the municipal competitive trust that can be used to retire Calhoun's share of the MEAG telecommunications debt.
 - A motion was made by Councilman Crowley to adopt a resolution authorizing the execution and delivery of the election of the City of Calhoun to make a defeasance payment pertaining to outstanding telecommunications bonds pursuant to the third amendment to the telecommunications project with the Municipal Electric Authority of Georgia. The motion was second by Councilman Denmon with all voting affirmatively, motion carried. **(Exhibit B)**
- D. Director Cornwell explained the Confidentiality Agreement between MEAG and Westinghouse Electric Company LLC, Stone & Webster Inc., Southern Nuclear Operating Company Inc., Georgia Power Company, Oglethorpe Power Corporation, and the City of Dalton pertaining to licensing, procurement or construction of additional units at the Vogtle Electric Generating Plant located near Waynesboro, Burke County, Georgia.
 - Councilman Hammond made a motion to approve the Confidentiality Agreement. The motion was second by Councilman Edwards with all voting affirmatively, motion carried.
- E. Mayor Palmer gave a first reading of an annexation and C-2 zoning by Larry C. Martin for 4.8 acres located at 800 South Wall Street. Mayor Palmer stated the first date for a public hearing would be May 12, 2008.
 - Councilman Edwards made a motion to set the public hearing for May 12, 2008. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.
- F. Director Cornwell ask that a 2002 For Ranger pick-up VIN# 1FTYR10U62PA17008 be placed on the surplus property list.
 - Councilman Denmon made a motion to declare the above pick up as surplus property. The motion was second by Councilman Crowley with all voting affirmatively, motion carried.

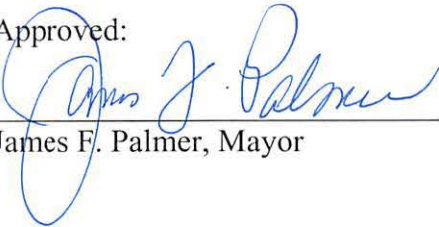
11. **Other Written Items Not on the Agenda:**

- A. Mr. Fields addressed the Mayor and Council about his concerns with immigration property tax, sales tax, education, roads, and work force issues.
- Mayor Palmer thanked Mr. Fields for his interest and concern.


12. **Work Reports: NONE**

13. Attorney Bailey stated that the Harmony Road Development rezoning request of C-2 to R-2 for 10.35 acres was a continuation of the hearing and would require re-advertising, legal notices, and ZAB consideration. There would not be another Zoning Review Committee meeting on this issue.
14. Councilman Edwards made a motion to adjourn. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Eddie Peterson, City Administrator

**RESOLUTION AUTHORIZING THE EXECUTION AND
DELIVERY OF THE ELECTION OF THE CITY OF CALHOUN
TO MAKE A DEFEASANCE PAYMENT PERTAINING TO
OUTSTANDING TELECOMMUNICATIONS BONDS PURSUANT
TO THE THIRD AMENDMENT TO THE TELECOMMUNICATIONS
PROJECT WITH THE MUNICIPAL ELECTRIC AUTHORITY OF
GEORGIA; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Calhoun has entered into a Telecommunications Project Contract, dated as of May 1, 1996, with the Municipal Electric Authority of Georgia ("MEAG Power"), as amended by a First Amendment to Telecommunications Contract, dated as of February 1, 1997, a Second Amendment to Telecommunications Contract, dated as of June 1, 1997, and a Third Amendment to the Telecommunications Contract with MEAG approved by Resolution as of January 21, 2008 (the "Third Amendment"); and

WHEREAS, said Third Amendment amended Section 312 of the Telecommunication Project, dated as of May 1, 1996 (the "Telecommunications Contract") by permitting the City of Calhoun as a Participant, as defined in the Telecommunications Contract, to prepay all or any portion of the amounts owed by it that would have come due under the Telecommunication Contract in respect of Debt Service as defined therein;

NOW, THEREFORE, BE IT RESOLVED that City of Calhoun elects to make a Defeasance Payment in the full amount required to defease the City of Calhoun's Obligation Share of Debt Related Costs pertaining to the Outstanding Telecommunications Bonds and swap termination payments incurred in connection therewith by the execution of an Election by those individuals duly authorized by the Resolution of January 21, 2008 to make withdrawals from the City's (as a Participant) from the Participant's Flexible Account of the Municipal Competitive Trust and to direct

MEAG to withdraw the entirety of its Defeasance Payment from its Flexible Account and to utilize said funds for the purpose of making such Defeasance Payment.

This the 10th day of March, 2008.

CITY OF CALHOUN, GEORGIA

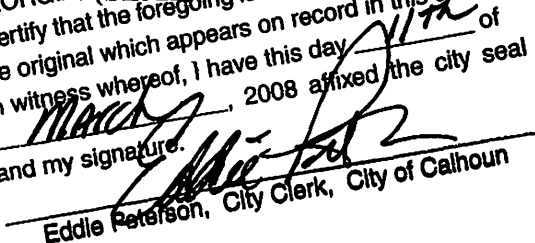
BY:



JAMES F. PALMER, MAYOR

ATTEST:

EDDIE PETERSON
CITY CLERK/Administrator

GEORGIA, GORDON COUNTY:
I certify that the foregoing is a true and exact copy of
the original which appears on record in this office.
In witness whereof, I have this day 10th of
March, 2008 affixed the city seal
and my signature.


Eddie Peterson, City Clerk, City of Calhoun