

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
CALHOUN, GA  
APRIL 14, 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  
Heather Evans, Deputy City Clerk**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Hammond 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 as written. The motion was second by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.
4. Councilman Edwards made a motion to approve the minutes of the March 24, 2008 regular City Council meeting as written. The motion was second by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.
6. **Mayors Comments:**
  - A. Mayor Palmer reminded the Council and public of "More than a taste of Calhoun", the 2<sup>nd</sup> Annual International String Band Festival and The Great Reading Event by ADK (Alpha-Delta-Kappa) that will be held on Saturday April 26, 2008. He stated there will also be a children's parade, food, special side walk sales, arts & crafts, and tractor rides.
  - B. Mayor Palmer stated he wished to proclaim April 20-April 26 Georgia Cities Week for the City of Calhoun.
    - o Mayor Pro Tem Crowley made a motion to proclaim April 20-26 Georgia Cities Week. The motion was second by Councilman Denmon.
  - C. Mayor Palmer stated in order to have "More Than a Taste of Calhoun" it was requested by the Mainstreet Partnership to close the following roads: Park Avenue from Harlan to Oothcalooga and Court Street from Wall Street to the railroad tracks.
    - o Councilman Edwards made a motion to close the roads for the events on April 26, 2008. The motion was second by Councilman Hammond.
  - D. Mayor Palmer read a letter from the Georgia Department of Transportation regarding funds approved for the Streetscape Phase III in the City of Calhoun.
  - E. Mayor Palmer asked Councilman Edwards to review the zoning hearing scheduled for May 12, 2008 & June 9, 2008.

- Councilman Edwards stated the hearings for May 12, 2008 and stated the Zoning Advisory Board meeting for these items will be held on May 8, 2008 at 4:30 pm.
  - 1. Annexation and C-2 zoning by Larry C. Martin for 4.8 acres located at 800 South Wall Street.
  - 2. Annexation and R-2 zoning request from B.C Holdings LLC for .916 acres located on Shephard Drive.
- Councilman Edwards stated the hearing for June 9, 2008 and stated the Zoning Advisory Board meeting for this item will be held on June 5, 2008 at 4:30 pm.
  - 1. Annexation and zoning change request from A-1 to CN for 2.79 acres located at 1584 Highway 53 Spur by Flipper McDaniel.

7. **Council Comments:**

A. Councilman Edwards gave the March reports as follows:

1) **The Street Department:**

- Routine maintenance of street sweeping, vacuuming leaves, and picking up brush
- Placed 6 new street signs
- Completed 21 shop and 30 street department work orders
- Ran storm water maintenance plan on March 19th checking all grates and pipes inside the City
- Dug out and patched utility cuts and potholes on Columbus Circle, Mauldin Road, Marine Drive, Harris Street, Hillhouse Drive, McConnell Road, Court Street, Dogwood Drive, Damascus Road, Oothacolooga Street, Short Trammell Street, Camelot Circle, Woodridge Drive, Garden Hills Drive, Blvd. Heights, Chandler Street, Brian Drive, Laurel Place, Fern Way, Liliac Way, Victor Street, and Telfair Street using 42.74 tons of asphalt.
- Put down top soil along shoulders of road and grassed at the new entrance road from Hwy 53 at the Chambers Center into the main road of the 58 acre park.
- Cut and hauled off scrub brush from the creek bank that runs beside the walking trail at the 58 acre park.
- Hauled top soil, graded and grasses the island at the new Redbud Road and Newtown Road traffic light.
- Hauled dirt and wood chips to build up the berms at the Police Department firing range.
- Hauled top soil graded and grasses around the new pavilion and the shoulders of the main road at the 58 acre park.
- Cleaned out ditches with the grade – all on Hunts Drive and Louise Avenue.

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 Depot, Animal Shelter, City Hall, and the Library.
- Started building a map and construction plan room for the buildings and electrical inspection departments.
- Parks and Street supervisors had training sessions on the universal work order system that is used by utility and public works departments.

3) **Cemetery Department:**

- Supervised the opening and closing of 11 grave sites
- Performed routine maintenance on Fain and Chandler Cemeteries

- Sold 9 new grave spaces
  - Assisted Contractors with installation of 8 new monuments
  - Worked 5 grave sites
- 4) Animal Control:
- Housed 6 dogs and 2 cats
  - Answered 31 customer calls
- 5) Safety Committee:
- Had a safety topic of Fire Prevention
  - Inspected Police Department on March 11, 2008
  - 1 workers comp accident reported
- B. Councilman Denmon gave the March reports as follows:
- 1) The Water Treatment Plant Facility:
- Pumped a total of 317,970,000 gallons of water for a daily average of 10,257,097 million gallons
  - The Brittany Drive Treatment Plant produced 29.9% of the City's potable water for the month.
- 2) The Waste Treatment Plant:
- Treated a daily average of 6.744 MGD, with an average BOD effluent of 8, average suspended effluent of 13, and an average COD effluent of 61.
- 3) The Water Construction Department:
- Made 9 water connections
  - Made 13 water connections changed out with new meter
  - Fixed 22 water leaks
  - Installed 740 feet of 2" PVC pipe
  - Installed 120 feet of 6" PVC pipe
  - Installed 4,100 feet of 8" PVC pipe
  - Set 59 new meters
  - Repaired 22 city side meter leaks
  - Changed out 32 meters
  - Changed 14 cutoffs
  - Pulled 50 meters
  - Installed 1 new fire hydrant
  - Responded to 328 locates
  - Called in 49 locates for City work
  - Called in and worked 13 emergency locates
  - Received 182 misc. calls
- 4) The Sewer Construction Department:
- Provided 7 sewer connections during the month
  - Repaired 5 sanitary services
  - TV inspected sewer mains for a total of 4,893 ft
  - Inspected sewer service lines for a total of 380 feet
  - Completed 233 locates
  - Repaired 3 lift stations
  - Responded to 2 calls for sewer service (1 on customer side)

- Cleaned sewer lines totaling 9,325 feet
- Opened and inspected 37 manholes
- Installed 403 feet of 12" ductile iron pipe along New Zion Road along with 3 manholes; this diverted about 35% of the flow from the Shaw plant to the new 12" line off New Zion Road.
- Installed 140 feet of 8" pvc sewer line along Hwy 41 to Nations Circle. This will serve the El Rodeo Restaurant at Hwy 41 and Nations Circle.

5) The Sludge Department:

- Applied 2,000 cubic yards representing 235.8 dry tons of sludge

6) Building Inspection Department:

- Issued 56 permits for an estimated cost of \$2,299,690. This included 2 grading, 8 new residential, 3 residential remodeling, 1 new commercial, 4 commercial remodeling, 2 industrial additions, 7 residential plumbing, 3 commercial plumbing, 3 residential HVAC, 4 commercial HVAC, 8 residential electrical, 4 commercial electrical, 1 industrial electrical, 3 sign permit, 1 soil & erosion, 1 pool permit & 1 NOI.

C. Councilman Crowley gave his March 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.
- Work on the Civic Center remodeling was completed in March. The air conditioning economizer fresh air ducts remain to be completed.

Projects and Maintenance Under Construction:

- Inspection and tagging of the existing underground installations and overhead grounding maintenance continue to be scheduled weekly.
- Preliminary work on the 2008-09 budget is complete and scheduled for submission in April.
- 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 and April replacement as weather permits. Lighting additions are also in process.
- Service for the Badcock Building on South Wall Street is under construction and the easement document is complete.
- 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 with construction planned in April. Lighting is complete.
- Service for the new Polar Ice on South Wall Street is complete.
- The new Century Bank on West Belmont, Kobelco additional service, and the Calhoun High School bank replacement are in engineering and design.
- Shaw Industries Plant 7 2,500 Kva bank replacement is complete.
- Assisted MEAG Transmission with an infra-red security camera installation.
- Street and security lighting – 44
- New business and maintenance – 71
- After hours trouble callouts – 9

During the Month of March the Electric Department:

- Set 6 meters
- Provided maintenance/replacement for 14 meters
- Purchased over 26 million KWH of electricity

2) Telecommunications Department:

- Completed 94% of conversions to new email service.
- Set up new internet connection for TI Automotive
- Installed new Ethernet connection for Faus Group
- Started construction of T1 line for North Georgia National Bank
- Filed Annual FCC Income report
- Coordinated changes for “Calhoun, City of” white pages listings with AT&T
- Opened 30 work orders and closed 31

During the Month of March the GIS Department:

- Continued to work on adding sewer data to GIS models.
- Continued to support Electric department editing. Primary lines are finished, working on secondary lines.

D. Councilman Hammond gave his March reports as follows:

1) The Police Department:

- Made 856 cases with 12 DUI's
- Fines collected by Municipal Court - \$105,443.00
- Issued 640 warnings
- Investigated 66 highway accidents and 33 private property accidents, 5 injuries, no fatalities
- Provided 105 escorts
- Filed 1,583 incidents reports
- Responded to 310 alarms
- Patrolled 60,645 miles
- Responded to 6,087 calls for service by E-911
- David Hammond congratulated Annette Printup and Louis Dean for their recent graduation from Coosa Valley Tech with a degree in Criminal Justice, Mayor Palmer concurred.

2) The Fire Department:

- Responded to 62 calls for service, 9 fire incidents for damages totaling an estimated \$1,500.00
- Responded to 25 emergency medical service calls with 28 injuries and 2 deaths
- Responded to 12 hazardous conditions incidents

- Responded to 3 miscellaneous service calls, 11 false alarms, 1 special incident and 1 good intent
  - 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
  - Sent 7 firefighters to the Center for National Response in West Virginia for 5 days of Haz-Mat and Urban Search and Rescue Training.
  - Joined with the Calhoun Police Department and the Georgia State Fire Marshal's office to open an official investigation into the Fire at 189 Professional Court.
  - Joined with the Calhoun Police Department to investigate a suspected arson fire at 122 Lindsey Court.
- 3) Fire Inspection Department:
- Provided 79 inspections during the month: 25 annual, 4 new business, 21 requested, 26 follow-up re-inspections, 12 consultations, 3 burn site inspection
  - Attended 1 plan review and 2 pre-construction meetings
  - Lt. Duvall and Lt. Dooley attended LEPC meeting
  - Lt. Dooley completed Fire Inspector I certification training as is now a State of Georgia Certified Fire Inspector
  - Conducted a Fire Extinguisher training class at Strata Industries on River Street
- 4) Coosa Valley RDC:
- Councilman Hammond stated the next regularly scheduled meeting of the CVRDC Board of Directors will be held on Thursday April 17, 2008. He stated discussion items will include a proposal to the Georgia DOT concerning connecting public transit providers for northwest Georgia counties along I-75 to transit providers in the Atlanta and Southeast Tennessee regions and will also discuss HB 1216 and the status of reorganizing Georgia's RDC system.
8. **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 gave a second reading of a zoning change request from C-2 to R-2 by Harmony Road Development for 10.35 acres located at 1401 Dews Pond Road.
- 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 results of the Zoning Advisory Board meeting were not to recommend the R-2 zoning as requested by the applicant.
  - Mayor Palmer asked the applicant, Darin Hardin, to make his presentation.

- Darin Hardin made his presentation to the Mayor & Council with the topics of schools, police, property taxes, utility fees, sales tax, streets, maintenance, traffic, intersections, improvements, right-of-ways, etc.
- Mayor Palmer asked if there were any comments.
- Marc Dyke, a resident of the Amakanata community, made a brief statement opposing R-2 zoning as requested by Mr. Hardin at Lovers Lane & Dews Pond.
- Mayor Palmer asked if there were any other comments.
- Charlie Dillard, a resident of the Amakanata community, made a brief statement opposing R-2 zoning as requested by Mr. Hardin at Lovers Lane & Dews Pond.
- Mayor Palmer asked if there were any other comments.
- Joe Tottolomando, a resident of the Amakanata community, made a brief statement opposing R-2 zoning as requested by Mr. Hardin at Lovers Lane & Dews Pond.
- Mayor Palmer asked if there were any other comments.
- Kyle Smith III, a resident of the Amakanata community, made a brief statement opposing R-2 zoning as requested by Mr. Hardin at Lovers Lane & Dews Pond.
- Mayor Palmer asked if there were any other comments. There were none.
- Mayor Palmer asked Darin Hardin if he had any additional comments.
- Darin Hardin spoke about the concerns of the citizens of the area and answered questions that were raised in discussion.
- Mayor Palmer asked if there were any additional questions or comments. There were none.
- After brief discussion between the Mayor and Council, Mayor Palmer closed the public hearing.
- The findings of the Mayor and Council were:

- |   |
|---|
| <ul style="list-style-type: none"><li>(1) The zoning proposal will not permit a use that is suitable in view of the use and development of the adjacent and nearby property.</li><li>(2) The zoning proposal will adversely affect the existing use or usability of the adjacent or nearby properties.</li><li>(3) The property is currently zoned C-2.</li><li>(4) The zoning proposal will result in additional traffic on existing streets or impact utilities or schools.</li><li>(5) The capital expense associated with the development of the property will be incurred by the developer.</li><li>(6) The zoning proposal is in conformity with the policy and intent of the land use plan.</li><li>(7) There are no other existing or changing conditions effecting the use and development of the property which would give supporting grounds for their approval or disapproval of the zoning proposal.</li><li>(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.</li></ul> |
|---|

- Councilman Edwards made a motion to deny the R-2 zoning request by Harmony Road Development for 10.35 acres located at 1401 Dews Pond Road. The motion was second by Councilman Hammond, with Councilman Crowley opposing, and all others voting affirmatively, motion carried.

2. Mayor Palmer gave a second reading of a zoning change request from R-1 to O&I requested by Gary Phillip Henson, Jr. and Patricia E. Smith for a location of 117 East Belmont Drive.

- 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 results of the Zoning Advisory Board meeting were to change zoning classification from R-1 to O&I upon the condition that no use of said property shall be allowed for R-2 purposes under the present zoning ordinance and future conditions upon the transfer of the title to the property.
- Mayor Palmer asked the applicant, Phillip Henson, if he wished to make a presentation.
- Phillip Henson made a brief statement regarding his business and intentions for the use of the property.
- Mayor Palmer asked if there were any comments.
- Judy Mincey, a resident of Kenmoreland Circle, made a brief statement opposing O&I zoning, expressed concerns about the R-2 option within the O&I zoning ordinance.
- Mayor Palmer asked if there were any additional comments.
- Margarie Gant, a resident of East Belmont Drive, made a brief statement opposing the O&I zoning, expressed concerns about the R-2 option within the O&I zoning ordinance.
- Mayor Palmer asked if there were any additional comments. There were none.
- Mayor Palmer asked the applicant, Phillip Henson, if he had any additional comments.
- Phillip Henson made a brief statement that he has no desire for the R-2 zoning as an option with his request of O&I.
- Mayor Palmer asked if there were any additional questions or comments. There were none.
- After brief discussion between the Mayor and Council, Mayor Palmer closed the public hearing.
- The findings of the Mayor and Council were:

- |   |
|---|
| <ol style="list-style-type: none"><li>(1) The zoning proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby property.</li><li>(2) The zoning proposal will not adversely affect the existing use or usability of the adjacent or nearby properties.</li><li>(3) The property is currently zoned R-1.</li><li>(4) The zoning proposal will not result in additional traffic on existing streets or impact utilities or schools.</li><li>(5) The capital expense associated with the development of the property will be incurred by the developer.</li><li>(6) The zoning proposal is in conformity with the policy and intent of the land use plan.</li><li>(7) There are no other existing or changing conditions effecting the use and development of the property which would give supporting grounds for their approval or disapproval of the zoning proposal.</li></ol> |
|---|

(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.

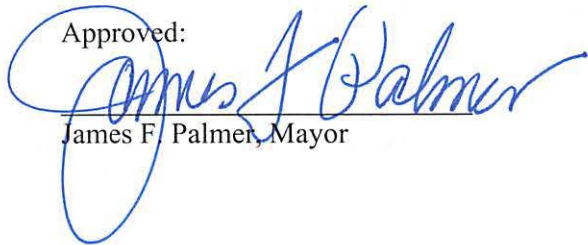
- o Al Edwards made a motion to approve the zoning change request from R-1 to O&I requested by Gary Phillip Henson, Jr. and Patricia E. Smith for a location of 117 East Belmont Drive upon the condition that no use of said property shall be allowed for R-2 purposes under the present zoning ordinance and future conditions upon the transfer of the title to the property. The motion was second by Mayor Pro Tem Crowley, with all voting affirmatively, motion carried.

9. **Old Business: NONE**

10. **New Business:**

- A. Mayor Palmer stated Louise McGowan with RM Dobbs would present the City of Calhoun's Audit Report.
  - o Ms. McGowan stated that R.M. Dobbs & Company audited the financial statements of the governmental activities, the business type activities, the discretely presented component unit, each major fund, and the aggregate remaining funds information of the City of Calhoun. The audit was conducted in accordance with all generally accepted auditing standards and presented fairly in all material aspects.
- B. Mayor Palmer read a request from Spring Valley Neighborhood Watch Association to close off 500 ft of Spring Valley Drive to hold a block cookout and to celebrate and promote their association on April 26, 2008 from 3:00 pm – 7:00 pm.
  - o Administrator Peterson stated he & Chief Moss of the Calhoun Police Department visited the site and saw no proposed problems to close that section of the street.
  - o Councilman Hammond made a motion to approve the closing of 500 ft of Spring Valley Drive on April 26, 2008 from 3:00 pm – 7:00 pm. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.
- C. Mayor Palmer read a request from Rodney L. Mathis, attorney for Gordon Hospital Authority, for a resolution adoption approving the issuance of revenue bonds in other jurisdictions for expansion of Gordon Hospital.
  - o Mayor Palmer asked Rodney L. Mathis to speak.
  - o Rodney Mathis introduced Robert Foulz, attorney for the Adventist Health Systems and stated he would explain the project in detail.
  - o Robert Foulz made a presentation to the Mayor and Council about the proposed plans for Gordon Hospital, explained the issuance of bonds, the adoption of a resolution for expansion and the portion to be applied to the finance facilities at Gordon Hospital. Mr. Foulz assured the Mayor and Council that there were no financial obligations to the City of Calhoun.
  - o Mayor Palmer opened the public hearing.
  - o Mayor Palmer stated a copy of all paperwork pertaining to the business of Gordon Hospital were in the Council packets.
  - o Mayor Palmer asked if there were any questions/comments or written statements. There were none.
  - o The public hearing was closed.
  - o Mayor Pro Tem Crowley made a motion to adopt the resolution for Gordon Hospital. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.
  - o Rodney Mathis stated he would provide the Resolution.

- D. Mayor Palmer gave a first reading of a beer & wine pouring request by Derrick Williams for Dukes Wings & Seafood, LLC with a location of 607 Court Street.
    - o Mayor Palmer stated the earliest date for a public hearing would be April 28, 2008.
    - o Councilman Denmon made a motion to set the public hearing for April 28, 2008 at 7:00 pm. The motion was second by Councilman Edwards with all voting affirmatively, motion carried.
  - E. Mayor Palmer gave a first reading of a taxi license request by Jose Manuel Lima Alveno doing business as Taxi Emanuel with a commercial address of 315 West Belmont Drive.
    - o Mayor Palmer stated the earliest date for a public hearing would be April 28, 2008.
    - o Councilman Denmon made a motion to set the public hearing for April 28, 2008 at 7:00 pm. The motion was second by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.
  - F. Councilman Hammond read a request from the Calhoun Police Department to transfer \$500.00 from the Police Asset Seizure Account # 1 to be donated to the Citizens Against Meth Organization.
    - o Councilman Hammond stated the Citizens Against Meth Organization helps with prevention and rehabilitation.
    - o Councilman Hammond made a motion to approve to transfer the \$500.00 from the Police Asset Seizure Account # 1 to donate to the Citizens Against Meth Organization.
11. **Other Written Items Not on the Agenda: NONE**
12. **Work Reports:**
- A. Eddie Peterson reported the City of Calhoun has applied for a grant for the West Calhoun Rehabilitation Project and we have been provided with solid feedback and we should know if we are approved by mid-summer 2008.
13. Attorney Bailey requested to be on the agenda on April 28<sup>th</sup> in request to adopt a resolution to condemn the sewer easement on Executive Park Drive and stated notices have been sent out.
14. Councilman Denmon made a motion to adjourn. The motion was second by Councilman Edwards with all voting affirmatively, motion carried.

Approved:  
  
James F. Palmer, Mayor

Submitted:  
  
Eddie Peterson, City Administrator