

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
JULY 26, 2004, 7:00 P.M.**

MINUTES

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

**ALSO: William P. Bailey, City Attorney
Eddie Peterson, Director of Public Safety and Public Works
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
 - a. Mayor Palmer gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Following review, minutes of the July 12, 2004 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer congratulated all the successful candidates in the recent election. He congratulated the four city candidates who ran a very good race. He congratulated David Hammond and Linda Sainato who will be in the run-off scheduled for August 10, with early voting from August 2 at 8:30 a.m. until August 6 at 5:00 p.m. at the county registrar's office.
 - b. Mayor Palmer reminded the Council and public of a public hearing scheduled for August 9, 2004 at 7:00 p.m. for the adoption of a proposed alcohol ordinance amendment. This would be in regard to the following:
 - 1) The definition of a restaurant;
 - 2) The changes made by the state law regarding the percentage of alcohol content in malt beverages;
 - 3) Amendment of the citizenship requirements for license holders; and
 - 4) Amending the days for action to be 25 to 45 days, as opposed to the earlier 30 to 45 days.
 - c. Mayor Palmer reminded the Council and public of three alcohol license requests scheduled for hearing on August 23, 2004 at 7:00 p.m., as follows:
 - 1) A hearing on August 23, 2004 at 7:00 p.m. for a liquor and wine package license request by Warren Z. Pass, d/b/a ABC Liquor at 769 Highway 53 East, SE.
 - 2) A hearing on August 23, 2004 at 7:00 p.m. for a beer pouring license request by Mariano Lopez of the En Familia Restaurant at 355 Richardson Road, Suite #1, a new location.

- 3) A hearing on August 23, 2004 at 7:00 p.m. for a beer package license request by Kamlesh V. Patel at 102 William Street near the intersection of Dews Pond Road and Lover's Lane, a new location.
- d. Mayor Pro Tem Potts reviewed the two zoning hearings scheduled for August 9, 2004 at 7:00 p.m.:
 - 1). A request by Stephen M. Cochran for zoning of R-1 and annexation of a house and lot at 634 Peter Street.
 - 2) A request by Armour of God Ministries, Inc. for a sign variance to use an existing sign at 925 Oothcalooga Street at the former Astro Dye administrative office.
5. Public Hearings and Comments:
 - a. Mayor Palmer opened the public hearing on the Tammy West beer and wine pouring request for Thurstons, Inc., a restaurant at 114 Court Street. He stated the police report is clear and the location has previously had an alcohol license under previous ownership. He asked if there were any comments by the Council or public. There were none and the hearing was closed. Mayor Pro Tem Potts made a motion to approve the request for a beer and wine pouring license for Tammy West, d/b/a Thurstons, Inc., second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley, and Councilman Denmon voting affirmatively, motion carried.
 - b. Mayor Palmer opened a public hearing on the mandatory update of TMDL for Oothcalooga Creek tributary. Ms. Theresa Coker of Coosa Valley RDC stated she was the watershed planner for the Coosa Valley area and her purpose of the hearing was to update the public as she has over the past three years regarding a sewer spill that occurred in 1996 due to vandalism, causing the fecal count to be elevated. She stated although the city had repaired the damaged line immediately, it did result in the tributary being placed on a list that requires monitoring for an extensive period. She stated since that time, the count had dropped considerably. However, it was still above the required limits. She stated this could be due to cattle in the area, seepage from septic tanks and other matters that were not under the control of the city. She stated her office would continue to monitor and report, and hopefully, to gain insight into the cause of the slightly elevated counts above the required level. Mayor Palmer asked if there were any questions or comments regarding the report by Ms. Theresa Coker. There were none and the hearing was closed.
6. Old business: **none.**
7. New business:
 - a. Mayor Palmer gave a first reading of a request for a wine package license by Kamlesh V. Patel at 102 William Street near the intersection of Dews Pond Road and Lover's Lane, a new location. He stated this request is in addition to the beer package license application that is now under consideration and scheduled for a hearing on August 23, 2004. He stated the August 23, 2004 meeting would be 28 days from today's meeting and the September 13 meeting would be 49 days from this meeting, while the ordinance calls for a hearing 30 to 45 days from the date

of the first reading. He stated it would be up to the Council to set a date, since both of the upcoming meeting fall outside the time guidelines set by the ordinance. Mayor Pro Tem Potts made a motion to set the public hearing for the wine package license on August 23, 2004 at 7:00 p.m., in order for it to be heard at the same time as the beer package license, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

- b. Cathy Harrison, City Election Superintendent, gave a report on the city’s special election to fill the unexpired term of Mr. John D. Shelton, Jr. Harrison stated there were three voting precincts for the city including the city election box at the recreation department, the early voting and the provisional and absentee ballots. She stated the City of Calhoun contracted with Gordon County, since an election was being held on that date by the county and the results of the election indicated the following:

Candidate	Votes
Jim Johnson	251
Eddie Hall	303
Linda Sainato	447
David Hammon	647
Write-Ins	2

Harrison reminded everyone of the run-off election on August 10, 2004.

- c. Mayor Palmer stated the city had received a request for road supervision and closure as needed for the East Calhoun Church of God, Inc. for a September 25, 2004 prayer march from the parking area of the Depot, west on Oothcalooga Street, Highway 53 Spur, Pine Street and disbursing on Yellow Jacket Drive in front of the stadium. The march would be from 10:00 a.m. until 11:30 a.m. He stated one side of the street is needed on city streets, but no closures on state routes would be required. Mayor Palmer stated there was still a section that would be on a state route and he is concerned regarding the safety of those in the march on such a busy street. There was no one in attendance to confirm if the group would be able to travel on the sidewalk in this area or if they planned to actually be in the street. The Mayor asked that this item be held, since no one was in attendance from the group to answer the safety questions. He stated there was time for it to be reopened on August 9, 2004.
- d. Jerry Crawford presented two bids for the submersible pumps that would be needed for the Sonoraville sewer project. He stated those bids were as follows:

Company	Bid
Kesco, Inc.	\$ 50,767.00
GPM Environmental	49,075.00

Jerry Crawford stated the items were within budget and he would recommend the low bid from GPM Environmental of \$49,075.00. Following consideration, Councilman Crowley made a motion to approve the low bid of GPM Environmental of \$49,075.00, second by Councilman Denmon, with Councilman Crowley, Councilman Denmon and Mayor Pro Tem Potts voting affirmatively, motion carried.

8. Other written items not on the agenda:

- a. Mayor Palmer read a proposed resolution regarding the approval of the \$2.6 million GEFA loan for the city to install the south sewer interceptor. The loan would be at an interest rate of 3.82% interest for a 20 year period on the permanent payback. It would also approve the repayment to be authorized through a debit transaction as all other GEFA loans are currently paid and would authorize the Mayor to sign all necessary documents to consummate and effectuate the loan. Following review of the proposed resolution, Mayor Pro Tem Potts made a motion to adopt the resolution, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.

9. Work Reports:


- a. Mayor Palmer asked City Administrator Harrison to review her memorandum regarding budget amendments. Harrison stated the City of Calhoun, in addition to all other municipalities, have now come under the most drastic audit guidelines passed in the last 25 years, known as GASBS 34. She stated the city is implementing those guidelines for the 2003 audit, with the help of professional consultants. The actual year of 2004 was the first full year of operating under the more restrictive guidelines. She stated under those guidelines that every dollar spent and every dollar gained as revenue must be budgeted. In the past fiscal year of 2004, the cities had adopted a very strict budget, which had resulted in two previous budget amendments. However, with the number of special construction accounts that require temporary funding from operating funds, it had caused additional overages, and these would need to be approved in one final budget amendment to be held on August 9. She stated she is presently reviewing and preparing a draft recommendation for the Council's consideration on that date. She also stated the current budget for 2005 is a very tight budget and that she would recommend the city postpone its normal mid-year amendments until three-quarters of the way through the year, in order for the city to have a better view of how the current budget and the special construction projects are performing, and hopefully, to provide only one set of budget amendments following the third quarter of actual review.
- b. Eddie Peterson, Director of Public Safety and Public Works, reported:
 - 1) The street department has been working feverishly for one week, clearing and grubbing at the intersection of Curtis Parkway and Laurel Creek Road. He stated it is the desire of the street department to have three full weeks of work in order to complete the intersection work. He also stated the street department is working on Linda Lane to provide an emergency outlet, which would also include morning and afternoon buses entering and leaving the school by that route.
 - 2) Peterson also stated the Georgia Department of Transportation had informed Calhoun that the State Route North Bypass Study would not be released until September 2004. This study has been ongoing for the past 24 months.
 - 3) Peterson also reported that the intersection at Peters Street and Curtis Parkway is being checked for possible signal installation. This would be a

three-way traffic signal. The study by the street department should be complete and a decision made in the near future.

10. Mayor Palmer inquired if there was any need to move to Executive Session. There was none.
11. Mayor Pro Tem Potts made a motion to adjourn, second by Councilman Crowley, with both voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**CITY OF CALHOUN
GEORGIA**

RESOLUTION

ELECTRONIC DEBIT TRANSACTIONS

WHEREAS, the Georgia Environmental Facilities Authority (“GEFA”) has approved Project Number 2004-L30WQ, in the amount of \$2,600,000.00, for the purpose of installing a south sewer interceptor line in Calhoun, Gordon County, Georgia; and

WHEREAS, the City of Calhoun has obtained a loan from GEFA, the terms of which loan require periodic payment to GEFA; and

WHEREAS, the City of Calhoun and GEFA wish to facilitate the repayment process by use of pre-authorized electronic debt transactions through an automated clearing house;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Calhoun that the Mayor of the City of Calhoun is authorized and instructed to:

1. Execute and deliver to GEFA, on behalf of the City of Calhoun, the Contract, and any and all other documents necessary to consummate and effectuate the said loan documents; and
2. The City of Calhoun will borrow from GEFA the sum of \$2,600,000.00 for the purposes set forth above, at the interest rate of 3.82% per annum for a repayment period of 20 years; and
3. Complete and execute the attached authorization agreement under which GEFA is authorized to initiate and effect debit transactions from the account of the City of Calhoun without further or additional approval or confirmation of the City of Calhoun.

THIS RESOLUTION IS HEREBY ADOPTED this 26th day of July 2004.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator