

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
AUGUST 9, 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
Kelly Cornwell, Director of Utilities
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. Minutes of the July 26, 2004 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer reminded everyone of the August 10, 2004 runoff election to fill the unexpired term of Councilman John D. Shelton, Jr. He stated the election would be held at the recreation department from 7:00 a.m. to 7:00 p.m.
 - b. Mayor Palmer reminded the Council and public of the following public hearings scheduled for August 23, 2004 at 7:00 p.m.:
 - 1) A hearing on a liquor and wine package license request by W. Pass Inc., Warren Z. Pass, President, d/b/a ABC Liquor at 769 Highway 53 East, SE.
 - 2) A hearing on a beer pouring license request by Mariano Lopez of the En Familia Restaurant at 355 Richardson Road, Suite #1, a new location.
 - 3) The request for a beer and wine package license by Kamlesh V. Patel at 102 William Street near the intersection of Dews Pond Road and Lover's Lane has been withdrawn.
5. Council Comments:
 - a. Mayor Palmer stated:
 - 1) The police department made 740 cases during the month of July. Of those, 70 were for warrants, 90 for speeding, and 580 other charges. Fines collected were \$102,324.05. There were 16 DUI cases and 454 warning tickets. They worked 70 highway accidents and 24 private property accidents, including 4 injuries. They provided 63 escorts. They filed 1,645 incident reports and responded to 201 alarms. They drove 49,535 miles on patrol.
 - 2) The fire department responded to 76 calls for service during the month of July. Of those, 6 were fire incidents with estimated damages of \$7,500.00,

17 rescue and emergency medical service, 23 hazardous condition incidents, 4 service calls, 5 good intent calls, 19 false alarms, and 2 special incident calls. The fire inspector conducted 48 inspections during the month, of which 25 were annual inspections, 3 new business inspections, 16 requested and 4 follow-ups.

- 3) The recreation department for 2004 had a total of 1,071 participants in the baseball, softball and swimming programs. The district and state winners were in the boy's divisions were: boys 9-10 in the Gold Division were first in the district; boys 9-10 in the Black Division were second in the district; boys 11-12 in the Gold Division were second place in the district; boys 11-12 in the White Division were third in the district; and boys 13-14 placed second in the district. In the girl's division the winners were: girls 9-10 were second in the district; girls 11-12 were first in the district; and girls 13-14 were first in the district and first in state. In the adult teams, there were 46 teams, compared to 44 for the previous year.

b. Councilman Denmon stated:

- 1) The water treatment plant in the month of July treated a daily average of 12.697 million gallons, with the Brittany Drive plant producing 30.7% of the system's potable water for the month of July.
- 2) The waste treatment plant treated a daily average of 6.207 million gallons during the month of July. The average BOD effluent was 5, the average suspended effluent was 14 and the average COD effluent was 72.
- 3) In the special projects report, Councilman Denmon stated:
 - a) In the Mauldin Road Treatment Plant modifications and improvements, the construction of the Sugar Valley tank is 95% complete. Grading of the Brownlee Mountain tank is complete, construction of the tank is at 15%. Engineering began on the Mauldin Road Water Treatment Plant improvements. The 2 new high service pumps have been installed and electrical work is in place. Installation of the rate of flow control valves and meters should be completed by September and the city has installed 75,000 feet of the required 87,000 feet of new water mains for the project.
 - b) In the waste treatment plant modifications, the new belt press, sludge conveying system, and lime system have been completed, as well as clearing of the old basins and the new sludge holding facility. The contract was awarded to Hydro International for the grit collection system and delivery is expected in August. The city is reviewing the bids for aeration and clarification equipment, and the bids have been narrowed down to the final 2.
 - c) The Highway 41 South sewer interceptor is in construction on phase 1, engineering is complete on phase 2, and easements are being negotiated.
 - d) The Gordon County Sonoraville sewer project is 100% complete in design. The county has obtained all easements and the city is awaiting the granting of a buffer variance. Construction is scheduled to begin August 16, 2004.

- 4) The water and sewer construction department completed 50 water taps, changed out 7 new meters, repaired 41 leaks, installed 1,100 feet of 2-inch PVC line, installed 39 new meters, repaired 13 meters, replaced 2 fire hydrants and responded to 191 calls.
 - 4) The building inspection department issued 48 permits for the month for estimated construction of \$2,971,100.00. Of this, \$2.3 million was for new residential housing.
- c. Mayor Pro Tem Potts stated:
- 1) The street department hauled 95 loads of stone during the month of July, they installed 6 new street signs, and assisted the brush truck in clearing up after a storm hit the first of July. They built 2 50x50 stone pads for the playground equipment at the new school. They cleared out, dug and based a new entrance road from Linda Lane to the back of the new school.
 - 2) The sanitation department ran their routine commercial routes and gained one 8-yard dumpster account.
 - 3) The parks department crews provided their regular care of all city property grounds including outlying areas around water reservoirs, and maintenance of the city fountains. They installed doors and wheels on three dumpster enclosures in the downtown parking lot.
 - 4) The cemetery department sold 5 grave spaces during the month and contractors set 7 new monuments. They performed routine maintenance at both Fain and Chandler Cemeteries.
 - 5) The safety department reported no workers' comp accidents and no vehicle accidents during the month of July.
 - 6) Animal control department responded to 58 customer calls for service during the month.
- d. Councilman Crowley stated:
- 1) The electric department continued work on reconstruction and relocation of line routes along North Wall Street. They switched the new school to its permanent feeder for reliability and they provided street lighting for the next phase at Brookstone and the Laurel Ridge Development. The traffic signals at C. L. Moss Parkway and River Street, and at Curtis Parkway and Laurel Place are under construction. The projects under engineering and design are construction of the conductor replacement on College Street, Piedmont Street and Hicks Street. Work is scheduled for August. The water plant pumping expansion remains under construction. Service for Waterford Condos on Barrett Road continues in design. During the month of July, the department completed 51 street and security lighting projects, 42 new business and maintenance projects, and they received 30 after-hour callouts.
 - 2) Telecommunications completed the fiber-optic link to Gordon County in the Foremost Building. They installed a new T-1 circuit for Mohawk. They are negotiating a new agreement for all of the Mohawk circuits. They signed and connected the internet service to the Genius Women's Care. They installed phones in the new primary elementary school, installed new copper cable to the middle school phones, and installed a new work order program.

- 3) During the month of July, the electric department issued 19 permits, provided 36 inspections, set 9 new meters and purchased over 36 million kilowatt hours of electricity.

6. Public Hearings and Comments:

- a. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials had filed a disclosure statement regarding ownership or special interest in the agenda items. The response was negative. Mayor Palmer reviewed the Standards Governing the Exercise of Zoning Power, as follows:

STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- (1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- (4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (5) Whether there will be capital costs for capital improvements to serve the area. Capital costs shall include water mains, sewer mains, new street pavement or widening, new fire stations or equipment, new police stations or equipment, and other like costs.
- (6) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.
- (7) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for their approval; or disapproval of the zoning proposal.
- (8) Whether there are 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 property.

VARIANCE CONSIDERATIONS (ONE OR MORE)

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance to the particular piece of property would create an unnecessary hardship.
- (c) Such conditions are peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

- 1) Mayor Palmer gave a second reading of a request by Stephen M. Cochran for zoning of R-1 and annexation of a house and lot at 634 Peter Street.
 - a) A public hearing was opened.
 - b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and evidence of notification to adjoining property owners had been received.
 - c) Mayor Pro Tem Potts stated the Zoning Advisory Board had met on this matter on August 5, 2004 at 4:30 p.m. She stated the building inspector stated that for the size of lot, the proper zoning would be R-1B for the property. She stated it was the recommendation of the Zoning Advisory Board to approve zoning of R-1B and annexation.
 - d) Mayor Palmer inquired if there were any comments by the applicant. There were none.
 - e) Mayor Palmer asked if there were any comments by any member of the Council or public. There were none and the hearing was closed.
 - f) The zoning criteria were determined to be as follows:

<ol style="list-style-type: none">(1) The request would permit a use that is suitable in view of the use and development of adjacent and nearby property.(2) The proposal would not adversely affect the existing use or usability of adjacent or nearby property.(3) The property as currently zoned in the county does have a reasonable economic use.(4) The zoning proposal would not result in a use that would cause excessive or burdensome use of existing streets, transportation, or schools, since the lot in question has a house located on it and is presently occupied.(5) There will be no costs for capital improvements for the property since the infrastructure is already in place for the existing home.(6) The proposal is in conformity with the policy and intent of the land use plan.(7) There are no existing or changing conditions that affect the use and development of the property.(8) The only additional factor relevant to balancing the unrestricted use of the property with the interest of promoting public health, safety and general welfare is the fact that it is an infill area and will aid emergency calls from city fire and police departments.
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 - g. Based on these findings, Mayor Pro Tem Potts made a motion to approve zoning of R-1B and annexation, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.
- 2) Mayor Palmer gave a second reading of 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.
 - a) A public hearing was opened.

- b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
- c) Mayor Pro Tem Potts stated the Zoning Advisory Board also reviewed this matter on August 5, 2004. Based on information provided by the Zoning Review Committee, it was determined that the church would be utilizing the existing pillars of the former sign, with new lettering. The sign would be an on-premise sign and would not require any other variance other than a setback variance. Based on these factors, the Zoning Advisory Board recommended approval of the request.
- d) Mayor Palmer asked if there were any comments or questions by the applicant. There were none.
- e) Mayor Palmer asked if there were comments by the Council or public. There were none and the hearing was closed.
- f) The zoning criteria were determined to be as follows:

VARIANCE CONSIDERATIONS (ONE OR MORE)

- (a) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question.
 - (b) The application of the zoning ordinance could create an unnecessary hardship.
 - (c) There are no conditions peculiar to this particular piece of property.
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes or intent of this ordinance. It was determined that the request was for relief of setback only and the sign would meet all other areas of the sign ordinance for on-premise signs.
- h) Following review of these factors, Mayor Pro Tem Potts made a motion to approve the variance request, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.

b. Other hearings or comments:

- 1) Mayor Palmer opened a public hearing on the proposed amendments to the alcohol ordinance regarding the definition of "malt beverages," the definition of "restaurant," the qualifications and residence requirements for license holders, and the required waiting period for approval of licenses. Attorney Bailey stated there was one change that needs to be made in the final ordinance, and this would be the language regarding the percentage of alcohol by volume for malt beverages. The wording should read "not more than" rather than "not less than." With those changes, he stated the Mayor had covered all areas and he was available to respond to any questions by the public or Council. Mayor Palmer asked if there were any comments or questions by the Council or public. There were none and the hearing was closed. Councilman Crowley made a motion to waive the third and fourth reading and approve the amendments to the alcohol ordinance. The motion was seconded by Mayor Pro Tem Potts, with

Councilman Crowley, Mayor Pro Tem Potts and Councilman Denmon voting affirmatively, motion carried.

7. Old business:

- a. Mayor Palmer reopened the parade request of the East Calhoun Church of God, Inc. for September 25, 2004. He stated the group is requesting the same route as described before, except they will remain on the sidewalk in the area of Highway 53 if they are unable to obtain permission from the State Department of Transportation to close one lane. Mayor Palmer stated it was the position of the city that if they did not receive permission from the DOT, the city would require them to stay on the sidewalk as per their application. Mayor Palmer asked if there were any questions or comments by the public or the Council. Mr. Thane C. Langille stated the group had filed a request with Harry Maddox of the DOT and expects to hear from him within the week. There were no other comments and the hearing was closed. Mayor Pro Tem Potts made a motion to approve the request for the parade route, with the understanding that without DOT approval for any portion of the state route to be closed, the group would be required to remain on the sidewalk. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.
- b. Mayor Palmer reviewed the resolution regarding the proposed special amendments to the budget that ended June 30, 2004. City Administrator Harrison reviewed the proposed amendments, stating that a full copy was available for the general public and a copy had been provided to the elected officials. She stated the final amendments required action, since the special circumstances of the construction accounts received a lot of activity during the latter part of June and required transfers from water and sewer coordinated with transfers from the electric department to accommodate these construction transfers and to cover the special construction activity at the end of the month. Harrison reviewed a few smaller items, such as the revolving loan fund that earned more interest than anticipated due to the funds being placed out on loans rather than invested; the Hotel-Motel Tax fund, which received a slight amount of additional revenue above what was anticipated; and the wholesale electric power exceeded the projected budget and needed to be funded through funds held in a certificate for wholesale power payments of past months. Harrison stated she was available to address any questions anyone may have regarding those changes. She stated the total effect was \$1.4 million in revenue and the same total in expense changes. She stated each fund was balanced and the total budget remains balanced. There were no additional questions. Mayor Palmer stated the city had an exceedingly tight budget for the year and that it also had more construction projects with the city acting as its own contractor than in any year past. These, coupled with the required stress placed by the GASBS 34 implementation, plus the stress on wholesale power purchases, added to the number of amendments required for the year. He stated the majority of these conditions will remain for the 2005 budget year and that in order to address these in a better fashion, he would recommend that the timeframe for considering amendments be changed from the 6-month point of the fiscal year to the final quarter of the fiscal year in 2005 and each year thereafter, following receipt of the actual figures for the end of the third quarter. Hopefully, this will eliminate all but one set of amendments. Mayor Palmer

stated he would request a motion to make that change in the policy for amendments. Councilman Denmon made a motion to amend the policy regarding amendment considerations for the budget, changing those from the 6-month point of actual information to after the end of the third quarter of the fiscal year. The motion was seconded by Councilman Crowley, with Councilman Denmon, Councilman Crowley and Mayor Pro Tem Potts voting affirmatively, motion carried. Mayor Palmer stated he would entertain a motion regarding the proposed amendment resolution. Councilman Crowley made a motion to approve the resolution regarding the proposed amendments, second by Councilman Denmon, with Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.

8. New business:

- a. Mayor Palmer stated there was a need for a resolution regarding condemnation of property for the south sewer line easement project.
 - 1) Attorney Bailey stated the resolution would regard a special master being appointed to consider condemnation of two parcels: the first being a parcel owned by Lamar and Linda Whittenburg in Land Lot 148, which would involve a 20-foot easement for the sewer line for a total of 1.03 acres. Following review, Councilman Denmon made a motion to authorize the resolution as requested by Attorney Bailey, second by Councilman Crowley, with Councilman Denmon, Councilman Crowley and Mayor Pro Tem Potts voting affirmatively, motion carried.
 - 2) Attorney Bailey stated the second condemnation requiring the use of a special master would be the property of Robert Darnell in the same area, with regard to a 20-foot sewer easement for a total of 0.95 acres. Following review, Mayor Pro Tem Potts made a motion to authorize the resolution regarding the condemnation, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.
- b. Mayor Palmer gave a first reading of a request for a 5-foot setback variance by Robert W. Kinard for relocation of a building at 101 Park Avenue. He stated the earliest possible date for a public hearing would be September 13, 2004 at 7:00 p.m. Councilman Crowley made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Councilman Crowley, Councilman Denmon and Mayor Pro Tem Potts voting affirmatively, motion carried.
- c. Mayor Palmer gave a first reading of a request for zoning of C-2 and annexation of two tracts of property on the north side of Red Bud Road off Warrior Path, by Haley Stephens. The first tract consists of 1.69 acres extending from Red Bud Road north to the property line of Dr. Box's medical complex and adjoining the west side of Warrior Path. The second tract is on the east side of Warrior Path between the Erwin Car Wash and Arby's. Mayor Palmer stated the earliest possible date for a public hearing would be September 13, 2004 at 7:00 p.m. Mayor Pro Tem Potts made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
- d. Mayor Palmer gave a first reading of a revision to the electric rate resolution. Director Cornwell reviewed the need for the amendment. He stated in an actual

test of the proposed rates prepared by MEAG, the level of desired return was not accomplished and the staff had reviewed the rate proposal in order to accommodate the appropriate level of rate reductions for small power users and middle sized power users. He stated the rate schedule for the electric department is included in the overall utility resolution and made available to the elected officials. Mayor Palmer stated a second reading would be held on August 23, 2004 at 7:00 p.m.

- e. Mayor Palmer gave a first reading of a revolving loan request by Herbert Frank, d/b/a Art Flock & Screen, Inc. and Kane Carpet Co., for \$150,000.00 for renovation of the former Shamrock Carpet building at 125 North Industrial Blvd. The business would create 15 to 20 new jobs in the first year. Mayor Palmer stated the earliest possible date for a public hearing would be August 23, 2004 at 7:00 p.m. Councilman Crowley made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
 - f. Mayor Palmer gave a first reading of a request by Terry Brumlow, Agent for Dan Bramblett and Mitchell Brumlow, for new zoning of PRD and annexation of approximately 29 acres off Damascus Church Road. He stated the earliest possible date for a public hearing would be September 13, 2004 at 7:00 p.m. Mayor Pro Tem Potts made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
 - g. Mayor Palmer read a request for approval of the traditional United Way Run scheduled for August 31, 2004 at 7:00 p.m. The route has been changed somewhat with it beginning at the Gordon Central High School campus on Curtis Parkway, through the Devonwood Subdivision and back to the Ratner Stadium at the Gordon Central campus. Mayor Palmer stated the group had filed proper requests with the Department of Transportation, as well as with the City of Calhoun. Councilman Crowley made a motion to approve the traditional United Way Run scheduled for August 31, 2004 at 7:00 p.m., second by Councilman Denmon, with Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.
9. Other written items not on the agenda:
- a. Mayor Palmer gave a first reading of a request for a 25-foot sign height variance by Stephen Fox, as agent for Calhoun Sporting Goods, Inc. at 380 Richardson Road, for the purpose of visibility from Highway 53. This would be north of 84 Lumber. Mayor Palmer stated the earliest possible date for a public hearing would be September 13, 2004 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing for that date and time, second by Councilman Crowley, with Councilman Denmon, Councilman Crowley, and Mayor Pro Tem Potts voting affirmatively, motion carried.
 - b. Mayor Palmer gave a first reading of a request for a sign variance to change a sign from on-premise to off-premise and on-premise advertising by Stephen Fox, as agent for American National, LLC, for a sign at 100 Marine Drive on the former OMC property. The owner wishes to use an existing sign for off-site advertising as well as on-premise advertising. Mayor Palmer stated the earliest possible date for a public hearing would be September 13, 2004 at 7:00 p.m. Mayor Pro Tem

Potts made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.

- c. Mayor Palmer asked Administrator Harrison to review the request. Harrison stated the City of Calhoun is in the process of converting the North Interceptor Sewer Construction Loan to a permanent loan. At this time, the Georgia Environmental Facilities Authority (GEFA) allows repayments to be done on a monthly basis, as opposed to the former requirement of a quarterly basis. She stated a review of the existing GEFA loans would net a savings of approximately \$7,000.00 per year on the combined loans converted to monthly payments. She stated those dates would begin August 1, September 1, October 1, etc., as their quarterly payments end. She stated she would recommend the change, since it would be easier to accommodate in terms of cash flow. Following review, Councilman Crowley made a motion to authorize the Administrator to notify GEFA that the city would change the repayment structure for its existing and for the new permanent North Interceptor sewer loan to monthly payments rather than quarterly payments. The motion was seconded by Councilman Denmon, with Councilman Crowley, Councilman Denmon and Mayor Pro Tem Potts voting affirmatively, motion carried.


10. Work Reports:

- a. Kelly Cornwell, Director of Utilities: **none**.
- b. Eddie Peterson, Director of Public Safety and Public Works stated he wished to commend Kevin McEntire and his crew for the excellent work provided to accommodate the intersection work at Curtis Parkway and Laurel Drive, and also to accommodate the additional work to connect Linda Lane to the school property.

11. Mayor Palmer stated there was no need to move to Executive Session.

12. Mayor Pro Tem Potts made a motion to adjourn, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator

**City of Calhoun, Georgia
RESOLUTION**

WHEREAS, the City of Calhoun has implemented the GASBS 34 audit guidelines; and

WHEREAS, these guidelines further stress the need to have a full budget covering anticipated revenues and all expenses in each fund, each fiscal year; and

WHEREAS, the City of Calhoun has several special construction projects for the 2004 and 2005 fiscal years that require temporary funding with future reimbursement from loan funds or other governments; and

WHEREAS, end of the month and fiscal year expenses were higher than anticipated in electric and other areas; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of Calhoun make the following end of the year amendments to the budget for the fiscal year ending June 30, 2004 in order to address the above circumstances:

Department	Rev/ Exp	Account Number		Title	Amount	Dept. Total
Revolving Loan Fund	Revenue	200-7520	36 1001	Interest on Loans	(18,800.00)	(18,800.00)
	Expense	200-7520	33 1150	Deferred Revenue - Federal Grant	18,800.00	18,800.00
Hotel Motel Tax Fund	Revenue	275-0000	31 4100	Tax Revenue	(2,300.00)	(2,300.00)
	Expense	275-7520	57 1002	Industrial Development Authority	900.00	2,300.00
		275-7520	57 2020	Chamber of Commerce	900.00	
		275-7540	57 2020	Chamber of Commerce	500.00	
SPLOST - Gordon Co.	Revenue	321-0000	33 4311-07	State Grants	100,000.00	659,796.00
		321-0000	33 7100	IG Shared Revenue	600,000.00	
		321-0000	39 1101	Transfer In from General Fund	(40,204.00)	
	Expense	321-4200	54 1200-07	Streetscape Imp.	(100,000.00)	(659,796.00)
		321-4200	54 2100-05	Machinery	(150,000.00)	
		321-4200	54 1401-04	Street Paving	40,204.00	
Calhoun Recreation Authority	Revenue	420-0000	39 1101	Transfer In from General Fund	(1,650.00)	(1,650.00)
	Expense	420-0000	58 3000	Fiscal Agent Fees	1,650.00	1,650.00
Sewer Interceptor	Revenue	230-0012	33 1350	Federal Indirect and SRF Loan	(76,000.00)	(76,000.00)
	Expense	230-0012	54 1430	Infrastructure - Sewer Lines	76,000.00	76,000.00
Sonoraville Sewer Line	Revenue	230-0056	33 6000	Local Government Grant - Gordon Co.	150,000.00	28,038.00
		230-0056	39 1102	Temporary Transfer from Sewer Fund	(121,962.00)	
	Expense	230-0056	54 1430	Infrastructure - Sewer Lines	121,962.00	(28,038.00)
		230-0056	61 1002	Transfer to Sewer Fund	(150,000.00)	

Department	Rev/ Exp	Account Number			Title	Amount	Dept. Total
Sewer Plant Renovation	Revenue	230-0047	39	1102	Temporary Transfer from Sewer Fund	(192,793.00)	(21,881.00)
		230-0047	33	1350	SRF Loan - Federal Indirect	170,912.00	
	Expense	230-0047	54	2100	Machinery	21,881.00	21,881.00
Highway 41 South Sewer Project	Revenue	230-0057	33	1350	Indirect - SRF Loan	25,000.00	25,000.00
	Expense	230-0057	52	1200	Engineering	(25,000.00)	(25,000.00)
Sewer Bond Debt	Revenue	230-8000	39	1102	Transfer In from Sewer Fund	(4,100.00)	(4,100.00)
	Expense	230-8000	58	2100	Interest	4,100.00	4,100.00
Sewer Plant	Revenue	230-0000	39	1102	Transfer in from Water Fund	(484,755.00)	(334,755.00)
		230-0000	39	1156	Transfer from Sonoraville Sewer Project	150,000.00	
	Expense	230-4335	53	1101	Chemical Supplies	15,900.00	334,755.00
		230-4335	61	1047	Transfer Out to Sewer Plant Renovation	192,793.00	
		230-4335	61	1002	Transfer to Sewer Bond Debt	4,100.00	
		230-4335	61	1056	Transfer Out to Sonoraville Project	121,962.00	
Water Plant	Revenue	240-0000	34	4276	Cost Recovery & Installation	(229,755.00)	(314,755.00)
		240-0000	34	4277	Service Additions	(85,000.00)	
	Expense	240-4420	53	1101	Chemical Supplies	(30,000.00)	314,755.00
		240-4420	54	1200-42	Site Improvements	(25,000.00)	
		240-4430	61	1043	Transfer to Sewer Plant	484,755.00	
		240-4430	61	1048	Transfer to Water Plant Improvements	320,000.00	
		240-4430	61	1003	Transfer to Electric Department	(340,000.00)	
		240-4430	61	1002	Transfer to Water & Sewer Debt Service	(60,000.00)	
		240-4440	54	1100	Land Easements	(35,000.00)	
Water System Improvements	Revenue	240-0048	33	1350	Federal Indirect and SRF Loan	(384,500.00)	(704,500.00)
		240-0048	39	1102	Transfer in from Water Department	(320,000.00)	
	Expense	240-0048	54	1441	Infrastructure - Water Line Contract	493,500.00	704,500.00
		240-0048	54	2100	Machinery	211,000.00	
Water Debt Service	Revenue	240-8000	39	1102	Transfer In from the Water Department	60,000.00	60,000.00
	Expense	240-8000	58	1100	Principal	(57,600.00)	(60,000.00)
		240-8000	58	2100	Interest	(2,400.00)	
Electric Department	Revenue	248-0000	39	9000	Transfer from Fund Balance	(1,045,262.00)	(705,262.00)
		248-0000	39	1102	Transfer from Water Fund	340,000.00	
	Expense	248-4640	53	1500	Purchased Power	705,262.00	705,262.00
Solid Waste Department	Revenue	540-0000	39	1101	Transfer In From General Fund	(12,115.00)	(12,115.00)
	Expense	540-4560	52	1301	Landfill Monitoring	12,115.00	12,115.00
General Fund	Revenue	100-0000	31	6102	Gross Receipt - Gas Marketers	(43,969.00)	(43,969.00)
	Expense	110-1511	61	1006	Transfer to Solid Waste	12,115.00	43,969.00
		110-1511	61	1033	Transfer to Calhoun Recreation Auth.	1,650.00	
		110-1511	53	1230	Electric Services	(10,000.00)	
		110-1511	61	1022	Transfer to SPLOST	40,204.00	

TOTAL REVENUE CHANGES	\$ (1,467,253.00)
TOTAL EXPENSE CHANGES	\$ 1,467,253.00

ADOPTED, this the 9th day of August 2004.

CITY OF CALHOUN



James F. Palmer, Mayor

ATTEST:



Cathy Harrison, City Administrator

**CITY OF CALHOUN, GEORGIA
RESOLUTION AUTHORIZING
CONDEMNATION OF CERTAIN PROPERTIES
FOR SEWER LINE CONSTRUCTION,
INSTALLATION, OPERATION
AND MAINTENANCE**

BE IT RESOLVED by the Mayor and Council of the City of Calhoun, Georgia, pursuant to the authority granted Section 1-103(A) of the City Charter and O.C.G.A. §22-2-100 *et seq.*:

I.

That for the public use and purpose, to wit: the construction, installation operation and maintenance of a sewer line under and across certain lands in Land Lots 148, 154 and 177 in the 151h District and 3rd Section of Gordon County, Georgia, proceedings in eminent domain under the Special Master method (O.C.G.A. §22-2-100 *et seq.*) be instituted for the acquisition of easements and construction easements.

II.

The owners of the property to be condemned and the easement descriptions are as follows:

- (a) Owners -Lamar Whittenburg and Linda Whittenburg.

Easement:

All that tract or parcel of land lying and situated in Land Lot 148 in the 151h District and 3rd Section of Gordon County, Georgia described as follows: BEGIN at the original Northeast corner of Land Lot 148 in said District and Section and proceed along and with the original North line of Land Lot 148 North 87 degrees 38 minutes 43 seconds West 687.83 feet to the POINT OF BEGINNING; thence South 05 degrees 19 minutes 59 seconds East 64.44 feet to a point; thence South 15 degrees 26 minutes 30 seconds East 1668.26 feet; thence South 23 degrees 20 minutes 43 second East 486.12 feet to a point on the original East line of said Land Lot 148; thence along and with said original East land lot line South 01 degrees 23 minutes 32 seconds West 47.79 feet; thence North 23 degrees 20 minutes 43 seconds West 531.00 feet; thence North 15 degrees 26 minutes 30 seconds West 1671.32 feet; thence North 05 degrees 19 minutes 59 seconds West 68.91 feet to a point on the original North line of said Land Lot 148; thence South 87 degrees 38 minutes 43 seconds East 20.18 feet along and with said land lot line to the POINT OF BEGINNING.

Said area of land consisting of 1.03 acres.

Construction Easement:

A strip of land fifty (50) feet in width, twenty five (25) feet on each side of the centerline of the following described property: All that tract or parcel of land lying and situated in Land Lot 148 in the 15th District and 3rd Section of Gordon County, Georgia described as follows: BEGIN at the original Northeast corner of Land Lot 148 in said District and Section and proceed along and with the original North line of Land Lot 148 North 87 degrees 38 minutes 43 seconds West 687.83

feet to the POINT OF BEGINNING; thence South 05 degrees 19 minutes 59 seconds East 64.44 feet to a point; thence South 15 degrees 26 minutes 30 seconds East 1668.26 feet; thence South 23 degrees 20 minutes 43 second East 486.12 feet to a point on the original East line of said Land Lot 148; thence along and with said original East land lot line South 01 degrees 23 minutes 32 seconds West 47.79 feet; thence North 23 degrees 20 minutes 43 seconds West 531.00 feet; thence North 15 degrees 26 minutes 30 seconds West 1671.32 feet; thence North 05 degrees 19 minutes 59 seconds West 68.91 feet to a point on the original North line of said Land Lot 148; thence South 87 degrees 38 minutes 43 seconds East 20.18 feet along and with said land lot line to the POINT OF BEGINNING.

Said area of land consisting of 1.55 acres.

- (b) Owner -Robert R. Darnell

Easement:

All that tract or parcel of land lying and being in Land Lots 154 and 177 in the 15th District and 3rd Section of Gordon County, Georgia described as follows: To find the True Point of Beginning measure from the intersection of the Westerly right of way of U. S. Hwy. 41 and the North line of Land Lot No. 177, South 04 degrees 45 minutes 05 seconds East 229.46 feet along said Westerly right of way to a point on said right of way and THE TRUE POINT OF BEGINNING; thence South 77 degrees 50 minutes 42 seconds West 381.56 feet; thence South 34 degrees 10 minutes 12 seconds West 553.08 feet; thence North 78 degrees 35 minutes 03 seconds West 526.05 feet; thence North 27 degrees 05 minutes 20 seconds West 687.65 feet; thence North 89 degrees 53 minutes 59 seconds West 423.12 feet; thence North 18 degrees 52 minutes 28 seconds West 99.10 feet to a point on the South line of Land Lot 154 and thence along said Land Lot line North 88 degrees 42 minutes 00 seconds West 21.31 feet; thence South 18 degrees 52 minutes 28 seconds East 120.72 feet; thence South 89 degrees 53 minutes 59 seconds East 425.18 feet; thence South 27 degrees 05 minutes 20 seconds East 685.08 feet; thence South 78 degrees 35 minutes 03 seconds East 549.00 feet; thence North 34 degrees 10 minutes 12 seconds East 558.37 feet; thence North 77 degrees 50 minutes 42 seconds East 370.95 feet, to a point on the West right of way of U. S. Hwy. 41; thence North 04 degrees 45 minutes 05 seconds West 20.17 feet along said right of way to the TRUE POINT OF BEGINNING.

Said area of land consisting of 1.24 acres.

Construction Easement:

A strip of land fifty (50) feet in width, twenty five (25) feet on each side of the centerline of the following described property: All that tract or parcel of land lying and being in Land Lots 154 and 177 in the 15th District and 3rd Section of Gordon County, Georgia described as follows: To find the True Point of Beginning measure from the intersection of the Westerly right of way of U. S. Hwy. 41 and the North line of Land Lot No. 177 , South 04 degrees 45 minutes 05 seconds East 229.46 feet along said Westerly right of way to a point on said right

of way and THE TRUE POINT OF BEGINNING; thence South 77 degrees 50 minutes 42 seconds West 381.56 feet; thence South 34 degrees 10 minutes 12 seconds West 553.08 feet; thence North 78 degrees 35 minutes 03 seconds West 526.05 feet; thence North 27 degrees 05 minutes 20 seconds West 687.65 feet; thence North 89 degrees 53 minutes 59 seconds West 423.12 feet; thence North 18 degrees 52 minutes 28 seconds West 99.10 feet to a point on the South line of Land Lot 154 and thence along said Land Lot line North 88 degrees 42 minutes 00 seconds West 21.31 feet; thence South 18 degrees 52 minutes 28 seconds East 120.72 feet; thence South 89 degrees 53 minutes 59 seconds East 425.18 feet; thence South 27 degrees 05 minutes 20 seconds East 685.08 feet; thence South 78 degrees 35 minutes 03 seconds East 549.00 feet; thence North 34 degrees 10 minutes 12 seconds East 558.37 feet; thence North 77 degrees 50 minutes 42 seconds East 370.95 feet, to a point on the West right of way of U. S. Hwy .41; thence North 04 degrees 45 minutes 05 seconds West 20.17 feet along said right of way to the TRUE POINT OF BEGINNING.

Said area of land consisting of 1.85 acres.

The City Attorney is hereby authorized to institute these proceedings.

III.

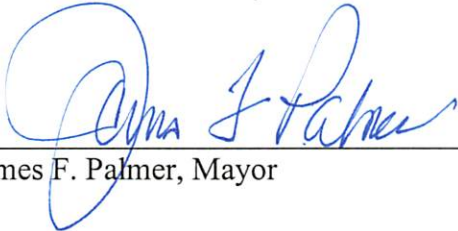
That this acquisition by eminent domain is necessary for the public use and purpose.

IV.

That in the process of these proceedings in eminent domain, the City Attorney is authorized to negotiate terms of settlement, subject to the approval of the Mayor and Council and/or the Court before which proceedings are commenced.

SO RESOLVED in regular, open public meeting this 9th day of August 2004.

CITY OF CALHOUN, GEORGIA



James F. Palmer, Mayor

ATTEST:



Cathy Harrison, City Administrator