

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
MAY 24, 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  
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 May 10, 2004 regular City Council meeting were approved as written.
4. Mayor's comments:
  - a. Mayor Palmer reminded the Council of the final public hearing scheduled on the 2004-2005 city budget on June 14, 2004 at 7:00 p.m.
  - b. Mayor Palmer reminded everyone of the special city election in conjunction with the county election on July 20, 2004 to fill the unexpired term of John D. Shelton, Jr. The last day to register to vote in this election would be June 21, 2004.
  - c. Mayor Palmer stated the City of Calhoun was the host City of Calhoun for the GMA District Listening Session on May 12. The City of Calhoun was well represented by all the local elected officials and by staff members Cornwell, Harrison and Peterson.
  - d. Mayor Palmer reminded the Council of the Northwest Regional Water Resources Partnership meeting on June 10, 2004 from 11:00 a.m. to 2:00 p.m. at the Riverside Park in Cartersville, Georgia. Carol Couch, the new EPD Director will be the featured speaker at the meeting.
  - e. Mayor Palmer reminded the Council of the DOT meeting to review the next three-year work program at the Calhoun Depot on June 16, 2004 from 4:00 until 6:00 p.m.
  - f. Mayor Palmer stated at this time, he would like to make presentations to two city employees who have achieved 30 years of employment.
    - 1) First was Charlie Kirby of the fire department. Mayor Palmer read a resolution by the City of Calhoun regarding Mr. Kirby's employment for the past 30 years. (See Exhibit A) Mayor Palmer presented a watch to Mr. Kirby and congratulated him on his 30 year anniversary.
    - 2) Mayor Palmer then read a resolution of the City of Calhoun regarding Wayne Brown, Jr. of the police department, recognizing him for a little over 30 years of employment with the City of Calhoun. (See Exhibit B)

Mayor Palmer then presented Wayne Brown a watch, recognizing his 30 years of employment.

- 3) Mayor Palmer congratulated each and stated each was working on their second 30 years.
- g. Mayor Palmer stated there were eight zoning hearings scheduled for June 14, 2004, and he asked Mayor Pro Tem Potts to review each of those, as follows:
- 1) A request by Terry Brumlow, Agent for Foxhead Properties, LLC, Randall Fox, Owner, for zoning of R-1B and annexation of Tract 1 (51.275 acres) and zoning of PRD and annexation of Tract 2 (24.9 acres) of property on Henderson Bend Road.
  - 2) A request by Terry Brumlow, Agent for Foxhead Properties, LLC, Randall Fox, Owner, for a zoning change from Industrial to C-2 of Tract 3B on Mauldin Road.
  - 3) A request by David Heramb for a 75-foot variance on Fire Code requirements for the last house in a proposed development in the Skyline Subdivision off of Viking Drive, which is located off Jones Road.
  - 4) A request for zoning of C-2 and annexation by Paul Lusk for approximately 8 acres on Robinson Road off Highway 41 North near the I-75 interchange.
  - 5) A request for zoning of C-2 and annexation by Paul Lusk, as agent for J. Mack Robinson for approximately 16 acres on Highway 41 North near the I-75 interchange.
  - 6) A request for zoning of C-2 and annexation by Paul Lusk, as agent for Yancey Brothers Properties for approximately 6.5 acres on Highway 41 North near the I-75 interchange.
  - 7) A request for zoning of R-1 and annexation by Chris Ormeroid of a house and lot at 235 Thornwood Drive.
  - 8) A request for zoning of R-1B and annexation by Mrs. Louella H. Teffeteller for a house and lot at 103 Harmony Drive.
- h. Mayor Pro Tem Potts stated Main Street Partnership had its first of four spring concerts in the park on Friday evening, May 21. She stated the attendance was great and everyone seemed to enjoy the concert a great deal.

5. Public Hearings and Comments:

- a. Mayor Palmer opened a public hearing on the beer pouring application of Hussein Asadi for the Back Gate Restaurant at 355 Richardson Road, Suite 3. Mayor Palmer stated this is a new location and he stated a review of the criteria for a new location is included in the packets of the Council members, as well as the police report. Mayor Palmer asked if there were any comments by the applicant. Mr. Asadi stated everything was ready from his standpoint. Mayor Palmer then stated that according to a review of the criteria for the application, Mr. Asadi did not quite meet all the criteria and he would receive a letter from the city attorney within the next 10 days and he would have a right to appeal those findings.
- b. Mayor Palmer opened a public hearing on the liquor pouring application of Martin Carranza, Manager of Los Gallos Mexican Restaurant at 235 West Line Street, Suite 2. Mayor Palmer stated the applicant currently has a beer pouring license at the above mentioned location and the area meets the location criteria. The police report is clear. Mayor Palmer asked if there were any comments by Mr. Carranza. There were none. Mayor Palmer asked if there were any

comments by the elected officials or the public. There were none and the hearing was closed. Mayor Pro Tem Potts made a motion to approve the request for a liquor pouring license by Martin Carranza, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

6. Old business:

- a. Mayor Palmer stated the Council had previously reviewed the proposed wholesale water contract between the City of Calhoun and the City of Fairmount. Director Cornwell stated the proposed contract would allow the City of Fairmount to provide retail water sales for customers at a higher datum than 850 feet. However, all remaining customers below that level that are currently served by the city would remain on the City of Calhoun water system. Mayor Palmer asked if there were any other comments. There were none. Councilman Denmon made a motion to approve the contract subject to adoption by the City of Fairmount and to authorize Mayor Palmer to sign the contract, second by Councilman Crowley, with Councilman Denmon, Councilman Crowley and Mayor Pro Tem Potts voting affirmatively, motion carried.

7. New business: **none.**

8. Other written items not on the agenda: **none.**

9. Work Reports:


- a. Kelly Cornwell, Director of Utilities, stated the City of Calhoun has completed the North Interceptor Project that originally had been estimated at \$4.4 million but was actually constructed for \$3.2 million. This left approximately \$1.2 million and he asked the Mayor and Council to authorize an official request to the Georgia Environmental Facilities Authority to transfer the remaining \$1.2 million to the South Interceptor Project, Phase I, which would run from its current ending point to a point south of Salem Road. He stated city personnel had determined through the EPD personnel that the current contractor for the North Interceptor could be used, with an update for pipe prices and rock, due to a 45% increase for pipe within the last few months. The engineering estimate for the first phase of the South Sewer Interceptor is \$1,011,707.61. Director Cornwell also asked that the Council authorize city staff to investigate the possibility of adding approximately \$1 million to the project for Phase II of the South Sewer Interceptor, with these funds to be used if local expansions are not requested to fund a portion of the work, and if grants are not available to fund the balance. Councilman Crowley asked why the North Interceptor was under budget so dramatically. Director Cornwell, Mayor Palmer and Administrator Harrison explained the city was able to get an excellent bid due to the downturn in the economy. Approximately 25% of the project cost was saved due to in-house engineering and surveying, and due to lower pipe prices. Councilman Denmon asked if there was a significant amount of rock in Phase I of the project. Director Cornwell stated his staff had hired a company to test for rock along the corridor of Phase I and Phase II and only a minimal amount was found. Mayor Palmer asked if there were any other questions. There were none. Councilman Crowley made a motion to approve the request to authorize the transfer of remaining funds from

the North Sewer Interceptor Project to the South Sewer Interceptor Project, Phase I, and to authorize a formal request to the Georgia Environmental Facilities Authority. His motion also authorized an additional request for up to \$1 million for the project for Phase II, should other funding sources not be available. The motion was seconded by Councilman Denmon, with Councilman Crowley, Councilman Denmon, and Mayor Pro Tem Potts voting affirmatively, motion carried.

- b. Director Cornwell stated Gordon County has almost completed the sewer easements, with approximately 2 remaining, and once those are procured, hopefully within the next 30 days, the city would move forward promptly with the Sonoraville Sewer Project.
  - c. Director Cornwell stated the two water reservoir projects are moving forward. The site at Sugar Valley is ready to pour the flooring and the other site is in the grading stage. The pipelines connecting these two tank sites to the system are also progressing well.
  - d. Mayor Palmer stated Eddie Peterson, Director of Public Safety and Public Works was unable to attend tonight's meeting due to his father being in intensive care. However, he had submitted his work report and Mayor Palmer asked that this be made a part of the minutes as Exhibit C.
10. Mayor Palmer asked 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 Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.


Approved:

Submitted:



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James F. Palmer, Mayor



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Cathy Harrison, City Administrator

**“EXHIBIT A”**

**CITY OF CALHOUN  
GEORGIA**

**RESOLUTION**

WHEREAS, Raymond Charles Kirby, Sr. has been employed by the City of Calhoun since April 1974; and

WHEREAS, Raymond Charles Kirby, Sr. began his city service with the recreation department, and transferred to the fire department in August 1975; and

WHEREAS, Raymond Charles Kirby, Sr. was promoted to Fireman First Class in January 1977, and to Lieutenant in April 1983; and

WHEREAS, Raymond Charles Kirby, Sr. was transferred to Fire Inspector in June 1997 until April 2001; and

WHEREAS, Raymond Charles Kirby, Sr. was promoted to Captain in April 2001 and to Battalion Chief in September 2002; and

WHEREAS, Raymond Charles Kirby, Sr. has held the following positions at the fire department: Certified Firefighter, Engineer/Driver, Fire Code Inspector; and

WHEREAS, Raymond Charles Kirby, Sr. has obtained certifications as a Medical First Responder and Hazardous Materials Technician, and he has obtained additional training from the National Fire Academy, University of Georgia Continuing Education and Southern Building Code Congress International; and

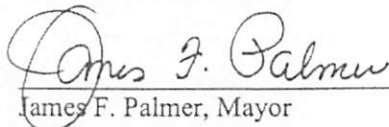
WHEREAS, Raymond Charles Kirby, Sr. has consistently been ranked “above average” for his ability to accept changing working conditions, for evaluating conditions and taking appropriate action and for job accuracy;

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the City of Calhoun hereby recognize Raymond Charles Kirby, Sr. for over 30 years of dedicated public safety service with the fire department;


**BE IT FURTHER RESOLVED**, the Mayor and Council of the City of Calhoun commend Battalion Chief Raymond Charles Kirby, Sr. for his dedication to his profession, to his community and to the City of Calhoun and its citizens.

ADOPTED this the 24<sup>th</sup> day of May 2004.

City of Calhoun, Georgia

  
James F. Palmer, Mayor

Attest:

  
Cathy Harrison, City Administrator



## EXHIBIT B

CITY OF CALHOUN  
GEORGIA

### RESOLUTION

WHEREAS, Lewis Wayne Brown, Jr. has been employed by the City of Calhoun since October 1973; and

WHEREAS, Lewis Wayne Brown, Jr. began as a part-time patrolman in October 1973, becoming a full-time patrolman on March 1, 1974; and

WHEREAS, Lewis Wayne Brown, Jr. was promoted from patrolman to Corporal in September 1976; to Sergeant in February 1978; to Lieutenant in April 1979;

WHEREAS, Lewis Wayne Brown, Jr. was promoted to Captain in November 1988 and to Captain-Commander of the Patrol Division in July 2001; and to safety officer in June 2003; and

WHEREAS, the years of experience, knowledge of the community and knowledge of individuals in the community make Captain Lewis Wayne Brown, Jr. a valuable employee and department historian; and

WHEREAS, his superiors have consistently ranked him "above average" on productivity, dependability, meeting deadlines and a cooperative attitude with fellow workers and the public; and

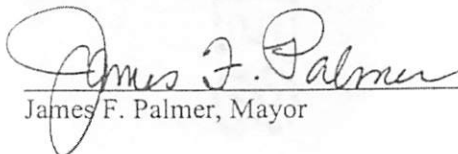
WHEREAS, Lewis Wayne Brown, Jr. earned a Doctor of Ministry in Christian Counseling from Covington Theological Seminary in Rossville, Georgia on his personal time;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby recognize Lewis Wayne Brown, Jr. for over 30 years of dedicated police service to the City of Calhoun and its citizens.

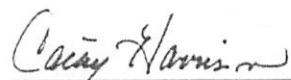
BE IT FURTHER RESOLVED, the Mayor and Council of the City of Calhoun commend Lewis Wayne Brown, Jr. for his 30 years of consistent "customer friendly" attitude for the community and for his personal promotion of the police department and the City of Calhoun.

ADOPTED this the 24<sup>th</sup> day of May 2004.

City of Calhoun, Georgia

  
James F. Palmer, Mayor

Attest:

  
Cathy Harrison, City Administrator



**“EXHIBIT C”**

**Projects Update May 2004**

**By Eddie Peterson**

1. Streetscape: Met with Valley Crest, GDOT, and Advanced Electrical on May 13, 2004 concerning the street stamping and installation of final street lighting. GDOT is reviewing a revised traffic control plan for the stamping and Advanced Electrical is making preparations to install a street lamp at the corner of King and Court Street.
2. Swimming Pool Bath House: The restroom and changing area renovations are complete. The work included new stalls, lighting, plumbing, doors, counters, wiring, ceiling, painting, and tile repair. The facility meets ADA requirements. The swimming pool will open to the public on May 22, 2004.  
Other Rec. notes:
  - The pavilion is booked solid the months of June and July, and approximately half booked for August, September, and October as of May 20, 2004.
  - Adult softball (46 teams) ends next week.
  - Baseball has 27 teams.
  - Youth softball has 42 teams.
  - There are two soccer camps scheduled for July.
  - Swimming lessons are scheduled June 14-23 and July 12-21. Pool parties are being scheduled and filling fast for the rest of the summer.
  - The new playground equipment has been installed.
3. G-8 Summit: I had reported that the Police Department is sending five officers to the G-8 summit. At the Governor's Emergency Management Conference last week, Governor Perdue volunteered six members of Calhoun's Haz Mat Team to be at the Summit. The Calhoun Haz-Mat Team will be stationed at St. Simons from June 6 thru June 12. It seems that the Calhoun team is second in expertise in North Georgia only to the 4th Weapons of Mass Destruction Unit based out of Dobbins Naval Air Station. All expenses and salaries will be paid by Federal Homeland Security. Chief Nesbitt has arranged for our off duty manpower to be on standby and Dalton and Chattanooga have agreed to provide assistance if something happens out of the ordinary in Calhoun while the six man team is at the Summit.
4. Curtis Parkway and Laurel Lane: Design plans were received on May 24, 2004 for R/W , turn lanes, and widening of this intersection for improvements associated with the installation of a traffic signal. We will have to go through the formal bid process since this project cost is over \$50,000. The signalization equipment was ordered in April and should arrive by mid June. Our target completion date is the end of July 2004.
5. North 41 Study: GDOT has indicated that Calhoun's North 41 Study is complete and will release the findings and recommendations to the Mayor and Council in June 2004. During my meetings with the GDOT planners, I emphasized the importance of intersection improvements and providing three lanes from Line Street to SR 156.
6. Creekview Drive Access: Kevin McEntire is ready to begin construction from Creekview to the new primary school. This is not a complex project and should require about two weeks for completion. The Street Department will clear and grub, provide base and drainage. The street extension is less than 2001. During conversations with Mr. Walter Hackett, concerning the appraised value of the Creekview Drive property, it was agreed that the best solution for both parties would be condemnation. Bill Bailey is working on this and we should be able to go on the property by mid-June 2004.

7. Memorial Day: We will raise the flag and dedicate a plaque to the Veterans at the BB&T City Park on Monday, May 31, 2004 at 11:00 a.m. The ceremony should take about 10 to 15 minutes.
8. Impact Fees: I should have a preliminary report on impact fees for you sometime in June. I am talking with several other cities who have implemented the fees for different uses and I am gathering other information.
9. Storm Water: On May 17,2004 parts of Calhoun had 3 inches of rain in a one hour period. Our storm drain work at Monte Clair worked well. We had a recurring problem in front of the Calhoun Watch Shop, but hopefully actions taken last week have corrected the overflow. Our storm pipe down town worked as expected with the outflow end across Line Street only 1/3 full during the peak rain.