

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
FEBRUARY 23, 2004, 7:00 P.M.**

MINUTES

**PRESENT: James F. Palmer, Mayor
Mayor Pro Tem Potts
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. Councilman Crowley 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 February 9, 2004 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer reminded the Council of regional training at the Depot on March 16, 2004. He stated the training would cover the true state of the economy and what would most likely occur in 2004 and 2005. Training will be provided for elected officials and staff from 9:00 a.m. until noon and will be conducted by the University of Georgia, Carl Vinson Institute of Government. He asked everyone who plans to attend to contact Administrator Harrison for registration.
 - b. Mayor Palmer reminded city elected officials of special recognition of cities in the month of April. He stated as a part of the recognition, there will be a special essay contest for sixth graders, writing on the subject "If I Were Mayor." There will be 12 statewide winners who will receive bonds of \$250.00 each and will have the opportunity to have lunch with the Governor.
 - c. Mayor Pro Tem Potts reminded the Council and public of the zoning hearings scheduled for March 8, 2004, as follows:
 - 1) A request for new zoning of R-1B and annexation of Lots 6, 7, 8, and 21, plus part of lot 9 of the George Fox Estate on Peters Street by Larry Dixon for development of a single-family subdivision.
 - 2) A request for new zoning of C-2 and annexation of Lot numbers 55, 56, 57, 58, 59, 60, 61, 62, and 63 at 1228, 1230 and 1232 Highway 41 North by Clara J. Gallman.
5. Public Hearings and Comments:
 - a. Mayor Palmer opened a public hearing on the revolving loan request for \$350,000.00 by Ashton Calhoun, LP, for renovation of the Calhoun Garden Apartments. Mayor Palmer stated the loan advisory commission had completed the financial review provided by Ashton Calhoun, LP, but had not had sufficient

time to schedule a committee meeting following the review. The first available meeting date is February 27, 2004 at 9:30 a.m. He asked that the public hearing be continued until March 8, 2004 at 7:00 p.m.

- b. Mayor Palmer opened a final public hearing on the infrastructure work for Phase II of the Mill Village area off College Street. The work was performed through a CDBG Grant and included water and sewer improvements. Kelly Cornwell stated the infrastructure improvements included replacement of water and sewer lines, those being some of the oldest in the city. This included 4100 linear feet (lf) of 8-inch sanitary sewers, 20 manholes, 400 lf of 6-inch service connections, 3450 lf of 4-inch house laterals and 65 connections. It also included 1300 lf of 8-inch ductile iron pipe for water line, 1800 lf of 6-inch PVC line, 2100 lf of 2-inch PVC line, installation of 3 fire hydrants, 3450 lf of ¾-inch service line, and 65 connections. The city provided the water line laterals and service connections. The city also provided repaving of all streets and improved drainage with local funding. The local share provided by the city was \$178,988.53. The project was built according to the plans and specifications as provided by outside engineering services. Harrison stated the project allowed improved service to 65 households serving 163 persons with water service and 163 persons with sewer service. This included 152 low-to-moderate income persons each for water and sewer. The area suffered loss of trees and damaged power lines and homes on May 1, 2002, as a tornado hit the downtown area of Calhoun. This did delay the project but work proceeded and has been completed. The total grant funds for the project were \$459,714.18. While the bulk of the work is complete, due to the winter months, there are still some grassing and clearing up of yards that will be completed in the spring.
- c. Mayor Palmer opened a public hearing on the assessment of corrective measures for the Harris-Beamer Industrial Landfill.
 - 1) Eddie Peterson opened the hearing by giving a chronological review of the activities at the Harris-Beamer Landfill. He stated in the 1970's, the city and county purchased approximately 90 acres of land at the Harris-Beamer site. The city handled the landfill operation for industrial waste and the county handled the residential portion of the landfill. In the 1990's, when the county and city realized the site was becoming filled, they were successful in obtaining a SPLOST to cover purchase and development of a new landfill known as Red Bone Ridge. At that time, the city ceased landfill operations and the county provided landfill services for both residential and commercial/industrial waste. The Harris-Beamer industrial site was closed under the state guidelines at the time, with monitoring wells. He stated in the late 1990's, some of the monitoring well results were slightly over the approved level and for this reason, it was placed on the hazardous waste list. Mr. Peterson stated that in the late 1990's, an outside engineering firm, Arcadis, was hired to assist in the assessment of corrective measures and Ms. Martha Carr with Arcadis would present the assessment and recommendations.
 - 2) Ms. Carr stated the area included 17 methane gas monitoring sites located around the perimeter of the industrial landfill. She stated there has been no evidence of methane gas. She stated there are also three surface water monitoring points, since the landfill lies between two small streams. She stated there are also 16 wells that monitor the volatile organic chemical

levels and it was from primarily two of these wells that higher levels were recorded, requiring corrective action. She stated that following continued testing, it was the recommendation of the engineering firm that the corrective action be monitored natural attenuation (MNA). This would be allowing the natural course of events to take place and remedy the situation. She stated the monitoring wells would be reviewed over the next two years, with a final report to be issued in March of 2006. She stated the recommendations of the engineering firm were made to EPD and their recommendations were approved. The recommended corrective action is now in place.

- 3) Mayor Palmer inquired if there were any comments regarding the information provided by Mr. Peterson or Ms. Carr of Arcadis. There were none and the hearing was closed.
- d. Mayor Palmer stated Mr. Ron Cannon, a resident of Woody Road, wished to inquire about water service for approximately a 2.3 mile area of Woody Road located off Seabolt and McDaniel Station Roads. Mr. Cannon provided the Council and staff with a map indicating the number of prospects for water connections on Woody Road and the number of prospects on Seabolt Road, as it enters into Woody Road. He stated the area has not been able to be served either by the City of Calhoun or by the Adairsville Water System, and many of the wells in the area are not sufficient to meet the demands. He asked that this area be considered for water line extension as the new water tank is installed off of Shaw Road. Kelly Cornwell stated the city water system had not had a tank in the area, which will allow service in the area, until this time. He stated the tank should be completed within the next seven months or so and at that time, the city will have an opportunity to consider line extensions in the immediate area that can be served as a result of the tank. He stated he had been working toward this for over 15 years and the city was closer to service for this area than it had ever been. Mayor Palmer also confirmed that it is the city's desire to provide water service for the remaining 100 miles of primary county roads that are not presently served by the city water system. Mr. Cannon expressed appreciation for the opportunity to speak to the elected officials and stated it was his desire and that of his neighbors for the city to realize they were in situations in which some of the families were desperate and they needed assistance as soon as possible.

6. Old business:

- a. Mayor Palmer gave a first official reading of a proposed smoking ban ordinance for the City of Calhoun for publicly owned buildings and vehicles operated by the City of Calhoun. Mayor Palmer read the heading of the proposed ordinance. He stated during the work session, there were a few recommended changes which would deny smoking in all city vehicles as well as all public buildings owned, leased or rented by the City of Calhoun. Mayor Palmer reviewed the findings listed in the proposed ordinance which recognized comments by the United States Surgeon General regarding smoking of cigarettes and the use of tobacco products as the leading cause of premature death and disability in the United States. Medical evidence confirms that the smoking of tobacco can be hazardous to the health of the smoker and nonsmoker. Medical research has confirmed that nonsmokers with chronic heart or lung disease can experience distress when exposed to sufficient concentrations of second hand smoke. He stated this

proposed ordinance had been discussed previously and it would be his recommendation that the Council consider the matter for adoption at this time. Following discussion, Mayor Pro Tem Potts made a motion to waive additional readings and to adopt the amended smoking ban ordinance regarding the use of any tobacco products in publicly owned, leased or rented buildings or vehicles. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon, and Councilman Crowley voting affirmatively, motion carried.

- b. A second reading was given of the policy amendments to the water and sewer installation policy by Director Cornwell. Mr. Cornwell stated the primary changes to the policy would be to require that no taps be made on any line extension until the water lines had been tested and approved by EPD and also that no taps would be made for any location that did not have a service address. Also, once a tap is paid for, it may not be transferred to another address but would need to be refunded and new taps made for the new address. Mr. Cornwell stated that at this time, there are over 600 taps made per year. With this number of taps annually, it is impossible to keep track of pre-paid taps, especially when the developers wish to transfer from one location to another. It makes it very cumbersome and time consuming for everyone to trace and keep track of this type of payments. Following discussion, Councilman Crowley made a motion to approve the amendments to the water and sewer installation policy and authorize the Mayor to sign, second by Councilman Denmon, with Councilman Crowley, Councilman Denmon and Mayor Pro Tem Potts voting affirmatively, motion carried.

7. New business:

- a. Mayor Palmer gave a reading of a traditional parade request by Brent Parker for the "Carry the Cross" parade on April 9, 2004 at 4:00 p.m. on the traditional route. He stated Mr. Parker had requested this type of parade permit for several years in the past. Following discussion, Mayor Pro Tem Potts made a motion to approve the request, subject to DOT approval, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
- b. Mayor Palmer stated at this time there was a first reading of a request to amend the procurement card policies and procedures policy. Administrator Harrison stated the procurement card policies are currently in the first phase of implementation and as a result of this implementation, the purchasing and finance departments had discovered that the \$500.00 per individual purchase is not sufficient in some occasions, especially for training expense. Harrison stated it is the recommendation to amend the policy to allow the finance officer discretion in amending the \$500.00 individual purchase limitation but to retain the \$5,000.00 limitation per individual per month, as currently outlined in the policy. Mayor Palmer inquired if there were any comments regarding the proposal. There were none. He stated the second reading of the request to amend the policy would be held March 8, 2004 at 7:00 p.m.
- c. Mayor Palmer reviewed a request by the Main Street Partnership for closure of Piedmont Street from Line Street to Trammell Street from 3:00 p.m. until 11:00 p.m. for city park concerts on May 21, June 18, July 16 and August 21, 2004. Mayor Palmer stated Piedmont Street is an extremely busy street, especially on


Friday afternoons. He stated his recommendation would be that one lane of the 3-lane road be closed at approximately 3:30 or 4:00 p.m. to allow the musicians to park their vehicles and unload their equipment. He stated he would recommend all three lanes be closed around 6:15 to 6:30 and remain closed until the concert is completed at 11:00 p.m. He stated this would be to provide safety for those crossing the street for parking but would allow the road to remain open through the busier times around 5:00 o'clock. Following discussion, Mayor Pro Tem Potts made a motion to approve the recommendation made by Mayor Palmer, second by Councilman Crowley, with Mayor Pro Tem Potts, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

- d. Mayor Palmer reviewed the proposed budget calendar for the 2004-2005 fiscal year. He reviewed the proposed dates for work sessions, public hearings and final adoption. Following discussion, Councilman Crowley made a motion to adopt the proposed budget calendar for 2004-2005, 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 stated the city had received a request from Milton Stewart, Developer, for improvements to 50 units of Forest Heights Apartments on Forest Heights Circle. This would be for upgrades, which would include improvements to roofs, the structures and for addition of recreational areas. He stated the proposal would be to obtain funding through the Georgia Department of Community Affairs through their tax credit program. Following discussion, Mayor Pro Tem Potts made a motion to adopt the resolution as reviewed by Mayor Palmer, endorsing the proposed project, second by Councilman Denmon with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
 - b. Mayor Palmer stated there was a letter of support that Mr. Stewart had also requested regarding the project. Councilman Denmon made a motion to approve the letter of support and to authorize the Mayor to sign, second by Councilman Crowley, with Councilman Denmon, Councilman Crowley and Mayor Pro Tem Potts voting affirmatively, motion carried.
 9. Work Reports:
 - a. Kelly Cornwell, Director of Utilities: **none**.
 - b. Eddie Peterson, Director of Public Safety and Public Works, stated the downtown streetscape project is in its final phase. The contractor had approximately 180 days to complete the work but if everything continues on its current course, the work will be completed in approximately 120 days.
 10. Attorney Bailey asked the Mayor and Council to approve an easement which has been finalized with Inland for a water line at a cost of \$10.00 for the easement. He stated the line is in place and he would need a motion to finalize and to authorize the easement. Mayor Pro Tem Potts made a motion to finalize the water line easement from Inland at a cost of \$10.00, second by Councilman Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
 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 Denmon, with Mayor Pro Tem Potts, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**CITY OF CALHOUN
GEORGIA**

RESOLUTION

WHEREAS, Forest Heights Properties, LP, Milton Stewart, Developer, has notified the City of Calhoun, Georgia of its intent to rehabilitate fifty units at 153 Forest Heights Circle in Calhoun, Georgia; and

WHEREAS, the rehabilitation will include improvements to lighting, roofs, structures, Streets and add recreational areas; and

WHEREAS, the rehabilitation is proposed to be funded through the Georgia Department Of Community Affairs Low Income Housing Tax Credit Program or through the Home Investment Partnerships Program.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the City of Calhoun hereby commends Milton Stewart, Developer, for his rehabilitation plans for the fifty units, which will improve the quality of life for the tenants of the facility; and

BE IT FURTHER RESOLVED, the Mayor and Council of the City of Calhoun support the project and offer our letter and resolution as inducements to the Department of Community Affairs to indicate city support of the project.

ADOPTED this the 23rd day of February, 2004.

CITY OF CALHOUN, GEORGIA

By: 

James F. Palmer, Mayor

Attest:


Cathy Harrison, City Adm.