

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
CALHOUN, GA  
NOVEMBER 13, 2006, 7:00 P.M.**

**MINUTES**

**PRESENT: Lorene Potts, Mayor Pro Tem  
Ray M. Denmon, City Councilman  
George R. Crowley, City Councilman  
David Hammond, City Councilman**

**ABSENT: James F. Palmer, Mayor**

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

1. Mayor Pro Tem Potts called the meeting to order, welcomed everyone and gave the invocation.
2. Mayor Pro Tem Potts led the group in the Pledge of Allegiance to the United States Flag.
3. Following a review of the October 23, 2006 Minutes of the Regular City Council Meeting, Councilman Crowley made a motion to approve as written. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond, and Councilman Denmon voting affirmatively, motion carried.
4. Mayor Pro Tem Potts reviewed the comments of Mayor Palmer as follows:
  - a. Mayor Pro Tem Potts announced the Mayor's Motorcade to Northwest Regional Hospital on December 12, 2006 at 10:00 a.m. Anyone who wishes to provide gifts for patients may leave them at City Hall prior to December 12, 2006.
  - b. Mayor Pro Tem Potts reminded the Council of GMA Meetings in Rossville at noon on November 15, 2006.
  - c. Mayor Pro Tem Potts reminded the Council of Mayor's Day – GMA Legislative Conference on January 20-22, 2007 in Atlanta. She stated anyone that needs to register please do so early and notify City Administrator.
  - d. Mayor Pro Tem Potts reminded the public and the Council of the beer package license request of Sam's Real Estate Holdings - GA, LLC and LSAA, Inc. She stated the public hearing will be held on November 27, 2006 at 7:00 p.m. for beer package license at 921 Hwy 53, East.
  - e. Mayor Pro Tem Potts, on behalf of Mayor Palmer and the Council expressed appreciation to the citizens for casting their ballots at the November 7, 2006 election. Mayor Pro Tem Potts stated the City voters approved the increase school tax exemptions for citizens 65+ and 70+. She stated applications for exemptions will be available January 1, 2007 and tax payers must be 65 or before January 1<sup>st</sup> for the \$40,000.00 assessed value exemption or they must be 70

on or before January 1<sup>st</sup> for the \$100,000.00 assessed value exemption. She also stated public notices reminding everyone of the opportunity to apply will be in the newspaper/radio during the month of December 2006.

- f. Mayor Pro Tem Potts thanked all the citizens who participated in the Comprehensive Plan Workshops on October 25<sup>th</sup> and October 26<sup>th</sup>, 2006. She stated the City and County had over 200 citizens represented. The meetings were most informative and will assist the City and county in planning for the future.
- g. Mayor Pro Tem Potts remind the Council and the public of zoning hearings scheduled for December 11, 2006, at 7:00 p.m.
  - 1) A request for annexation and C-2 zoning by Flipper McDaniel, for approximately 2 acres located at 1201 Dews Pond Road.
  - 2) A request for re-zoning from Agricultural to C-2 by Steve C. Moore for approximately 28.5 acres located at the corner of Belwood Road and Union Grove Road.
  - 3) A request for a sign variance request by Russell Owen. The request is for a 4 foot variance on set-back, 8 foot over height maximum and 251 foot over on total allowed square footage.
  - 4) An annexation request by Rebecca Brown for 2.044 acres at 128 New Town Road for R-1A zoning.

5. Council Comments:

- a. Mayor Pro Tem Potts stated:
  - 1) The street department:
    - Placed 26 new street signs.
    - Completed 25 work shop orders.
    - Ran the storm water maintenance plan on October 27, 2006.
    - Checked all grates and pipes and pipes inside the City.
    - Dug out and patched cuts on several City streets utilizing 59.82 tons of asphalt.
    - They poured new curb and built 200 feet of turning lane at the red light on Pine Street to help with the traffic congestion at the middle school.
    - They graded and layed 6 pallets of Bermuda sod at the new tennis courts.
    - They built a truck entrance way and installed 2,000 feet of silt fence behind the experiment station getting ready for dirt to be moved to the new 58 acre Recreational Park.
    - They installed 50 feet of 12 inch metal pipe and dug out a 100 foot ditch for drainage problems on Mauldin Road.
  - 2) The sanitation department:
    - Ran commercial trash routes.
    - Serviced their vehicles.
    - Gained 1 six yard dumpster account and 3 eight yard dumpster accounts.
  - 3) The parks and maintenance division:
    - Completed maintenance work at City Hall, Annex, Library, and at the Depot.
    - Pressure washed and painted the columns, drive thru, front and back of City Hall.
  - 4) The cemetery department:
    - Supervised the opening and closing of 9 grave sites.

- Sold 10 new grave spaces.
  - Assisted contractors in setting 6 new monuments.
- 5) The animal control division:
- Housed 16 dogs and 28 cats.
  - Issued 3 first warnings for leash law violations.
  - Responded to 60 customer calls.
- 6) The safety committee: Topic for the month was “Avoiding Carbon Monoxide Exposure”
- Inspected the electric department on October 10, 2006
  - 2 vehicle accidents reported during the month.
- b. Councilman Denmon stated:
- 1) The water treatment plant facility:
- Pumped and daily average of 12.634 million gallons per day.
  - The Brittany Drive Plant produced 47.3% of the City’s potable water.
- 2) The water construction department:
- Made 56 water connections.
  - Changed out 14 new water meters.
  - Repaired 63 leaks.
  - Installed 520 feet of 2 inch PVC water line.
  - Set 67 meters.
  - Pulled 32 meters.
  - Installed 1 new fire hydrant.
  - Responded to 33 calls at the shop.
  - Provided 473 locates for developers and others.
  - Requested 98 locates for City operations.
  - Provided and requested 26 emergency locates during the month.
  - Responded to 196 miscellaneous calls for service.
- 3) The waste treatment plant:
- Pumped a daily average flow of 6.48 million gallons, average BOD effluent of 9, average suspended effluent 16, and average COD effluent of 84.
- 4) The sewer construction department:
- Made 24 sewer connections during the month of October.
  - Repaired 10 sewer service lines.
  - Repaired 4 manholes.
  - Inspected 4 sewer lines for a total of 1,000 feet.
  - Inspected 9 sewer services for a total of 950 feet.
  - Provided 307 locates for developers and others.
  - Repaired 1 lift station.
  - Responded to 7 sewer calls.
  - Cleaned 16 sewer lines for a total of 5,600 feet.
  - Opened and inspected 43 manholes.
  - Cleared 8,000 feet of sewer line right-of-ways.

- Began work on the Red Bud Road – New Town Road sewer relocation project on October 11, 2006.
- 5) The sludge department:
- Applied 2,016 cubic yards of sludge for a total of 285.2 dry tons
- 6) The building inspection department:
- Issued 49 permits for a total anticipated construction of \$1.3 million dollars and this included \$535,000.00 for new residential construction.
- c. Councilman Crowley stated:
- 1) The electric department:
- Continued to work at the waste treatment plant, upgrading older clarifiers and thickeners.
  - Continued work on the System Protection Project, continuing in its second year and the System Capacitor Project in its first year of implementation.
- Projects under construction:
- The Gordon Station development on N. Wall St. electric service is complete.
  - Construction continues on the Annex remodel/rewiring.
  - The New Town and Red Bud Rd. intersection is complete for the current stage of construction.
  - Street lighting for Brookstone Subdivision and the final Phase is under construction.
- Projects in engineering and design:
- The expansion for Tire's Inc.
  - The E. Line Street Commons.
  - The Calhoun OBGYN Associates on Curtis Parkway.
  - Avalon Estates Subdivision on Beamer Road.
- The electric department:
- Completed 67 work orders during October.
  - A total of 35 new business and maintenance.
  - Responded to 14 after hour call outs.
  - Issued 7 permits.
  - Provided 44 inspections.
  - Set 13 meters.
  - Purchased 30 million KWH of electricity.
- 2) The telecommunications department:
- Continued fiber connections for metering Ethernet system. The project is currently 96% complete.
  - Started construction of fiber to Coble Elementary at GA Cumberland Academy.
  - The N. US Hwy 41 fiber line crossing at I-75 was damaged by interstate construction crews resulting in a new 72 fiber emergency replacement installation.
  - Construction is complete for Racemark International's internet service for their new location on US Hwy 41 S.
  - They assisted with the Munis upgrade to version 2005 and installed new client software on all Munis user's computers.
  - Provided quotes on 2 new internet circuits.
  - Ppened 13 work orders.

- Completed 10 work orders.

Councilman Crowley stated the Christmas decorations are being installed and asked for everyone to drive carefully based on this additional work on street rights.

d. Councilman Hammond reviewed the following reports for October:

1) The police department:

- Made 588 cases including 120 for speeding and 10 for DUI's.
- Fines collected totaled \$69,870.00.
- Issued 403 warnings.
- Investigated 60 highway accidents with 4 injuries and no fatalities.
- Investigated 35 property accidents.
- Provided 64 escorts.
- Worked 1,521 incidents.
- Investigated 215 alarms.
- Patrolled approximately 57,000 miles.
- Responded to 4,411 calls from 911.
- No parking citations issued.

2) The fire department:

- Responded to 3 calls for service including 6 fire incidents with estimated damages of \$15,500.00
- Responded to 12 emergency medical services, accidents or rescue incidents, that included 17 injuries and 1 fatality.
- Responded to 21 hazardous condition incidents, 5 service calls, 1 good intent calls and 12 false alarms.
- Fire department personnel conducted fire extinguisher classes at Home Depot for safety day.
- Conducted a fire drill at Calhoun Middle School.
- Worked together with the police department at the Calhoun High and Gordon Central High School parades.
- Participated in the Public Safety Awareness Day held at Wal-Mart.
- Completed in-house training for state required core skills.
- Received, recorded and dispatched 250 calls after hour calls for utilities.
- Completed all scheduled station and vehicle maintenance.

3) The fire inspection division:

- Provided 98 inspections during the month including 78 annual, 10 new businesses, 2 requested, 5 follow up and 3 burn site inspections.
- Provided plan review for the Woodland Park Project.
- Conducted fire prevention programs at Calhoun Pre-K serving 140 students, Calhoun Primary serving 815 students at Calhoun Elementary, serving 706 students and Calhoun Baptist Preschool serving 40 children for a total of 1,885 children served.
- Participated in a 30 minute radio spot on WEBS on fire prevention and safety.
- Assisted with a mark shooting at the High School and provided training sessions associated with the mock shooting.

Councilman Hammond stated he recently attended a meeting at the Coosa Valley Regional Development Center 15 communities within the region. They reviewed

services and funding that would be appropriate for Cities and counties within their jurisdiction. He stated it was a very informative meeting.

Councilman Hammond stated the training sergeant for the police department needed to replace his vehicle and had found a 1999 Ford Expedition with 87,000 miles at a very reasonable price and he would move to authorize \$8,400.00 to be transferred from the Federal Asset Seizure Account to purchase the vehicle. The motion was second by Councilman Denmon with Councilman Hammond, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.

Councilman Hammond stated there is also a 1998 Ford Explorer that he would move to be declared surplus property and authorize it to be sold on the Govdeals, GMA Program. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

Councilman Hammond stated the police department needs another vehicle and he would move to authorize the purchase of a 2004 Dodge Intrepid that has 45,000 miles, is fully equipped and be purchased with Asset Seizure Funds in the amount of \$8,895.00. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.

6. Public hearings and comments:

- a. Mayor Pro Tem Potts stated at this time the Council would hold hearings on zoning matters. 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 and with each person speaking having filed a Financial Disclosure Report if required five days prior to the hearing and each person giving their name and address. Mayor Pro Tem Potts inquired if any of the elected officials had filed a disclosure statement regarding ownership or special interest in any of the agenda items. The response was negative. She stated the land use maps and the zoning map are available in the Council Chambers during City Council Meetings and Zoning Advisory Board Meetings. She stated in terms of the agenda for public hearings, items 1 & 2 regarding the PFW Properties, Inc. annexation and zoning request, the applicant had withdrawn.

3-a) A request for annexation and R-1B zoning of house and lot at 105 Harris Street by Walter Hartsfield.

- a. A public hearing was opened.
- b. Harrison reported the notices to the adjoining property owners, signs on the property and notices to the local legal organ had been completed.
- c. Mayor Pro Tem Potts stated the Zoning Advisory Board had heard this matter on November 9, 2006 and their recommendation was to annex the property as an infill parcel that would be under sized due to the early platting of smaller lots.
- d. Mayor Pro Tem Potts inquired if there were any comments. There were none and the hearing was closed.
- e. Councilman Crowley made a motion to authorize annexation of the lot on Harris Street by Walter Hartsfield. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon and Councilman Hammond voting affirmatively, motion carried.

- 3-b) Mayor Pro Tem Potts stated the requested zoning for the lot on Harris Street had been R-1B. She stated the Zoning Advisory Board also heard this matter on November 9, 2006. Based upon the owner of the lot desiring to build a single family house and since R-1B zoning is the smallest lot size available in the current zoning for the City for single family housing, the Zoning Advisory Board had recommended. Zoning of R-1B, non-conforming.
- g. Mayor Pro Tem Potts asked if there any questions or comments. There were none and the hearing was closed.
- h. The findings of the Mayor and Council were as follows:

**STANDARDS GOVERNING THE EXERCISE OF ZONING POWER**

- (1) The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
  - (2) The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.
  - (3) The property to be effected by the zoning proposal does not have a reasonable economic use as currently zoned in the county unless the development was provided with sewer at county pricing.
  - (4) The zoning proposal will not cause excessive or burdensome use to streets, facilities, utilities or schools.
  - (5) The capital cost to develop the property will be at the expense of the developer.
  - (6) The zoning proposal is in conformity with the policy and intent of the land use plan for single family homes.
  - (7) There are no other existing or changing conditions effecting the use and development of the property which gives supporting grounds for approval or disapproval, however, if approved for R-1B it would be non-conforming.
  - (8) There are no other factors relevant to balancing the interest and promoting the public health, safety morality or general welfare against the right of the unrestricted use of the property.
- i. Councilman Hammond made a motion to waive the third and fourth reading and to approve the request for zoning of R-1B for the lot on Harris Street by Walter Hartsfield. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.
- 4) A second reading of the emergency variance for the City School System for a modular classroom unit for the Middle School Campus at 399 S. River Street was given.
- a. A public hearing was opened.
  - b. Harrison confirmed notices to the adjoining property owners, signs on the property and notices to the local legal organ had been completed.
  - c. Mayor Pro Tem Potts stated this matter had also been reviewed by the Zoning Advisory Board on November 9, 2006. It had been determined this would be the first of several mobile classroom units that would be needed for the campus and based upon the location proposed it was the recommendation of the Zoning Advisory Board to approve the request.
  - d. Mayor Pro Tem Potts asked if there were any questions or comments. There were none and the hearing was closed.
  - e. The findings of the Mayor and Council were as follows:

**VARIANCE CONSIDERATIONS (ONE OR MORE)**

- (a) There are no extraordinary or 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) There are no conditions that 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 the ordinance.

f. Councilman Crowley made a motion to waive the third and fourth reading and approve the emergency zoning variance for the City School System modular classroom unit for the middle school campus located at 399 S. River Street. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond and Councilman Denmon voting affirmatively, motion carried.

7. Other Hearings and Public Comments:

a. Mayor Pro Tem Potts gave a second reading of a taxi license request for Rodrigo Alexis Barahona, d/b/a Speedy Cab to be located at 235 W. Line Street, Suite 2. She stated the police report was clear. Following review Councilman Crowley made a motion to approve the taxi license request. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond and Councilman Denmon voting affirmatively, motion carried.

8. Old Business:

a. Mayor Pro Tem Potts gave a second reading to the first group of beer, wine and liquor applicants renewal requests for 2007 as follows:

ABC Highway 53 Package	Marion Whitaker	767 Highway 53 East SE	602-2080	B Pkg
American Legion Post 47	C. L. Rutledge	Post Office Box 494	629-6975	B Pkg
B&L Liquor, Inc	Lindsey Lewis	100 Highway 53 SE	629-0482	W & L Pkg
Back Gate	Hussein Asadi	355 Richardson Road, Suite 3	629-3669	B Pour
Dixie Beverage Shop	Barbara Bishop	1100 Red Bud Plaza NE	625-5625	B Pkg with Gro.
Dub's High on the Hog, Inc. Resturant	Jeff Erwin	349 South Wall Street	602-5150	B&W Pour
El Pueblito Mexican Rest.	Juana Naranjo	206 Park Avenue	625-2434	B&L Pour
El Rayos	Luis Rey Fitz, Solis	360 South Piedmont Street	625-1772	B&L Pour
Gondoller's Pizza	Alexis Prasinos	427 Indian Hills Shop. Center	625-2322	B Pour
Great Wall Chinese Restaurant	Kitty Leung	1120 North Wall Street	629-2389	B Pour
J J's Package Store	Raymond J. Brown	876 North Wall Street	629-4186	B Pkg
Kroger #393 Mail to: Andrea Buckles	Doug Busch	136 West Belmont Drive SW	625-4303	B & W Pkg
Kurani Pizza d/b/a Pizza Hut	Melba Jane Price	613 Hwy 53 East	629-0295	B Pour
Los Gallos De Mexico	Martin / Bertha Carranza	235 West Line Street, Suite 2	602-7881	B&L Pour
Los Reyes Mexican Rest.	William T. Howard	442 Highway 53	629-1535	B W& L Pour
Mukhi, Inc. - Calhoun Liquor	Mukesh S. Patel	960 North Wall Street	629-1361	B W&L Pkg
Phil Beamer Distributor	Phil Beamer	1240 Red Bud Road	629-4220	Beer Pkg
Phil Beamer Distributor	Phil Beamer	756 Hwy 53	625-4625	Beer Pkg
R&R Beer & Tobacco (Yamnua Krupa, Inc.)	Kishor Shah	400 West Line street	629-5131	B & W Pkg

Red Bud Liquor Store, Inc.	Champ Kelly	1115 Red Bud Road NE	629-1458	B W& L Pkg
Renis Barrett Memorial Home, Inc. d/b/a VFW Post 5376	Edna Talley	Post Office Box 321	629-0334	B&L Pour
Retail Marketing Corp. d/b/a Food Outlet, IGA	Billy Michael Copeland	118 W.C. Bryant Pkwy	629-5354	B&W Pkg
Ruby Tuesday	Ian B. Wonderling	731 Hwy 53 East	602-2458	B, W & L Pour
Schroeder's Restaurant	Ricky M Patterson	119 Kelly Court	629-7773	B Pour
South 41 Package	Roy Thomas Aaron	1326 Highway 41 South	629-9623	B & W Pkg
Thurston's, Inc.	Mitzi Hutchinson	114 Court Street	602-4401	B&W Pour
Tierce's Little Giant Grocery Store	Ray Tierce	1116 North Wall Street	602-9404	B Pkg
Whittenburg, Inc / Hi-Tech Fuel	Linda Whittenburg	295 W Line Street	629-0266	B Pkg

- b. Mayor Pro Tem Potts gave a second reading of several pawn applicant's requests for renewal of their 2007 license.

Corner Pawn	Larry E Knight	408 Court St	Calhoun, GA 30701	625-0193
D&S Pawn	Nancy P. Long	350 Highway 53 East	Calhoun, GA 30701	629-8051
Park Avenue Pawn & Jewelry	Douglas Driscoll	204 Park Avenue	Calhoun, GA 30701	625-0008
The Cash Store	Brock Wilkins *	239 West Belmont Drive	Calhoun, GA 30701	629-5512
Titlmax of Calhoun, Inc.	Timothy D. Underwood	333 Highway 53 East SE	Calhoun, GA 30701	629-7895

Following review she asked if there was a motion to approve these applicants for their 2007 renewal license. Councilman Denmon made a motion to approve. The motion was second by Councilman Hammond with Councilman Denmon, Councilman Hammond and Councilman Crowley voting affirmatively, motion carried.

9. New business:

- a. Attorney Bailey gave a review of the LaFarge Roofing Holdings, Inc. request to purchase .229 acres of land in the 23<sup>rd</sup> Land Lot, 15<sup>th</sup> District, 3<sup>rd</sup> Section of Gordon County, GA in the Plainville area. Attorney Bailey stated the current owner of approximately 70 acres that surrounds this parcel had requested the City of Calhoun to sell that parcel of land since it is no longer utilized for its water system. Attorney Bailey stated the property had originally been purchased in 1957 for a total of \$500 and the lot with all easements and the unused tank would have a current value of \$20,000.00. The City of Calhoun, based on a specific code section could entertain a request to declare the property surplus in order to sell it. Attorney Bailey read the proposed Resolution regarding the declaration of surplus property and the authorization to sell to LaFarge Roofing Holdings, Inc. He stated the Resolution would authorize the warranty deeds to be prepared and to authorize the Mayor to sign. Following discussion Councilman Denmon made a motion to adopt the Resolution, (Exhibit "B") to authorize the sale of the property according to the legal statues and to sell not only the parcels but the easements associated with the property as well and to sell these to Lafarge Roofing Holdings, Inc. for a total of \$20,000.00. The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley and Councilman Hammond voting affirmatively, motion carried.
- b. Mayor Pro Tem Potts stated 53 Spur Associates, LLC had requested permission to donate the following streets as public streets: BriarPatch Lane; Deerfield Drive;

and Foxhall Drive. Mayor Pro Tem Potts stated the street superintendent had reported that the streets had been inspected and are ready to be donated to the City of Calhoun. She stated the only item that has not been furnished to the City is the cost of the streets that must be a part of the process since the streets will be added to the City's general fund assets. Mayor Pro Tem Potts stated if the Council votes to approve the acceptance of the dedication of the streets, it should be subject to receiving the proper cost figures, to enable the items to be added to the City's fixed assets. Following discussion Councilman Crowley made a motion to accept the streets as public streets subject to receipt of the cost of each of the streets that can be added to the City's fixed asset. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond and Councilman Denmon voting affirmatively, motion carried.

- c. Mayor Pro Tem Potts gave a first reading of an annexation request and C-2 zoning by Mahendra Patel for 1.38 acres in Land Lot 304, 14<sup>th</sup> District, 3<sup>rd</sup> Section of Gordon County, GA also known as 1033 Fairmount Highway, Calhoun, GA. She stated the earliest date for public hearing by Council would be January 8, 2007 at 7:00 p.m. and Zoning Advisory Board on January 4, 2007 at 4:30 p.m. Councilman Denmon made a motion to set the public hearings for those dates and times. The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley and Councilman Hammond voting affirmatively, motion carried.
- d. Mayor Pro Tem Potts gave a first reading of an annexation request and C-2 zoning request by Terry Brumlow, for 28.625 acres located in Land Lots 274 and 303, 14<sup>th</sup> District, 3<sup>rd</sup> Section of Gordon County, GA, south of Kentucky Fried Chicken and etc. She stated the earliest date for public hearing by Council would be January 8, 2007 at 7:00 p.m. and Zoning Advisory Board on January 4, 2007 at 4:30 p.m. Councilman Denmon made a motion to set the public hearings for those dates and times. The motion was second by Councilman Crowley with Councilman Denmon, Councilman Crowley and Councilman Hammond voting affirmatively, motion carried.
- e. Mayor Pro Tem Potts gave a first reading of a request by Jeff Knight for a beer package license application for Hi Tech Fuel located at 295 West Line Street. She stated the location is presently licensed for sale of beer. She stated the earliest date for a hearing being December 11, 2006 at 7:00 p.m. Councilman Hammond made a motion to set the public hearings for those dates and times. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley and Councilman Denmon voting affirmatively, motion carried.
- f./g. Mayor Pro Tem Potts stated the next two items had been presented by North Georgia National Bank with Donna McEntyre as agent for Ethel Gilreath Estate, Lane Bearden, Laural Beardon, and D. Lynn Beardon. The request is for rezoning of a parcel of approximately 1 acre from R-1B to C-2 located at 1131 Dews Pond Rd. Also, a request by North Georgia Bank, Donna McEntyre agent for Pauline Davis with Reed Davis, POA to rezone approximately 1 acre from Residential to C-2 zoning for property located at 1125 Dews Pond Rd. Mayor Pro Tem Potts stated the earliest date for public hearings for both of these matters by Council would be January 8, 2007 at 7:00 p.m. and Zoning Advisory Board on January 4, 2007 at 4:30 p.m. Councilman Hammond made a motion to set the public hearings for those dates and times. The motion was second by Councilman

Denmon, with Councilman Hammond, Councilman Denmon and Councilman Crowley voting affirmatively, motion carried.

- h. Mayor Pro Tem Potts gave a first reading of additional beer, wine and liquor license renewal requests:

B&L Liquor, Inc	Lindsey Lewis	100 Highway 53 SE	Calhoun, GA 30701	629-0482	B, W & L Pkg
Food Lion	Robert Candors	1512 Red Bud Rd	Calhoun, GA 30701	625-3906	B&W Pkg
J & P Package	Patsy Colleps	549 Highway 53	Calhoun, GA 30701	625-4154	B & W Pkg
Lizzi's Deli & Grill / Abujaber, Inc.	Mary Alma Blasengame	203 Richardson Rd	Calhoun, GA 30701	624-1982	B, W & L Pour
Mapco Express d/b/a Fast Food & Fuel	William Lee Carter	326 West Line St	Calhoun, GA 30701	625-3445	B Pkg
Mapco Express d/b/a Fast Food & Fuel	William Lee Carter	1402 US HWY 41 S	Calhoun, GA, 30701	602-2233	B Pkg
The Pantry, Inc. d/b/a Kangaroo Express #3513	Karen Aldridge	1476 Red Bud Rd	Calhoun, GA 30701	629-7696	Beer Pkg
The Pantry, Inc. d/b/a Kangaroo Express #3563	Karen Aldridge	1401 Red Bud Rd	Calhoun, GA 30701	602-0111	Beer Pkg
The Pantry, Inc. d/b/a Kangaroo Express #3519	Karen Aldridge	702 Hwy 53 E	Calhoun, GA 30701	625-9127	B & W Pkg

- i. A first reading of additional pawn renewal requests:

Cash Express	Cal Rountree	203 West Belmont Drive	Calhoun, GA 30701	602-1888
Instant Cash Loans on Car Titles, Inc. d/b/a Loan Max	Rod Aycox	539 Hwy 53 East, SE		624-1000
National Title Pawn of Calhoun, Inc.	Frank McDonald	117 West Belmont Street	Calhoun, GA 30701	629-9099
Pete's Music City & Pawn	Clifford L. Cochran	115 South Wall Street	Calhoun, GA 30701	629-4463
This & That Pawn Shop	Clyde E. McEntyre	408 South Wall Street	Calhoun, GA 30701	625-0820
Title Exchange & Pawn	Hugh M. Austin	105 South River Street	Calhoun, GA 30701	629-8794

- j. A first reading of taxi renewal requests:

Los Buenos Amigos Taxi	Sonia Romero	408 Court Street	Calhoun, Georgia 30701	706-624-0304
Taxi Latino	Romualdon "Rojo" Martinez	802 North Wall Street	Calhoun, Georgia 30701	706-602-3339
Taxi Oasis	Andres A. Hernandez	203 Richardson Rd	Calhoun, Georgia 30703	706-463-7158
Taxi Guerrero	Maria de la luz Palmerin-Vega	904 B. North Wall Street	Calhoun, Georgia 30703	706-629-5812
Taxi Bienvenido	Luis M. Santana	1108 S. Wall Street, Suite 3	Calhoun, Georgia 30701	706-483-1493

- k. Mayor Pro Tem Potts stated all 3 types of these proposed renewal applications are scheduled for a second reading and possible approval on November 27, 2007 at 7:00 p.m.

10. Other Written Items not on the Agenda: None.

11. Work Reports:

- a. Director of Utilities, Kelly Cornwell stated the City had requested bids for 3 sewer projects for developers. He stated those projects would require funding to be provided by the developers and if approved by the Mayor and Council it would require the developer to place a letter of credit for each of the projects in the net amount needed for the project plus approximately 10% for contingencies.

- 1) Kelly Cornwell stated the net for the Millers Ferry Station and Force Main would be \$429,361.80 from BRI Utility Construction, Inc., with an approximate \$50,000.00 contingency for a total of \$479,361.80. This would be the low bid out of a total of 11 bids.

- 2) Kelly Cornwell stated the second proposal was for West Lake Village Pump Station and Force Main and that also had a total of 10 bids. It had a low bid from Tugaloo Pipeline Inc. with a net required of \$275,520.62 with a request to fund at a level of \$306,019.90 allowing for approximately \$30,000.00 for contingencies.
  - 3) Kelly Cornwell stated the third proposal was for a new extension for New Zion Road with 9 bids and the low bid being from BRI Utility Construction, Inc. for a total net bid of \$176,200.30 with a request of 10% for contingency.
  - 4) He reiterated that all three would be based upon the letters of credit sufficient to cover the base bid and contingencies.
  - 5) Mayor Pro Tem Potts asked for a motion on each item individually.
  - 6) The first item Councilman Denmon made a motion to approve the low Bid from BRI Utilities Construction, Inc., for the net base bid of \$429,361.80 with a total base bid and contingency of \$479,361.80. The motion was second by Councilman Hammond with Councilman Denmon, Councilman Hammond and Councilman Crowley voting affirmatively, motion carried. (Exhibit "A")
  - 7) The second item Councilman Crowley made a motion to approve the low bid from Tugaloo Pipeline, Inc., for the base bid of \$275,520.62 with the base and contingency total of \$306,019.90 to be covered initially by the letter of credit. The motion was second by Councilman Denmon with Councilman Crowley, Councilman Denmon and Councilman Hammond voting affirmatively, motion carried. (Exhibit "A")
  - 8) The third item Councilman Crowley made a motion to approve the third low bid from BRI Utility Construction, Inc., for the New Zion Road Sewer Extension Project for a total of \$176,200.30 with a request of an additional 10% for contingency and with a requirement that a letter of credit be on hand prior to the issuance of the contract. The motion was second by Councilman Hammond with Councilman Crowley, Councilman Hammond and Councilman Denmon voting affirmatively, motion carried. (Exhibit "A")
- b. Director of Public Works/ Public Safety, Eddie Peterson stated Kevin McEntire had completed an in-house engineering estimate for the proposed City/County Contract for improvements to Peter's Street. He stated this is being presented to DOT for their review and possible approval of a City/County Contract for the project.
12. Mayor Pro Tem Potts asked if there was a need to move to Executive Session. The response was negative.
13. Councilman Hammond made a motion to adjourn. The motion was second by Councilman Crowley with Councilman Hammond, Councilman Crowley and Councilman Denmon voting affirmatively motion carried.

Approved:

  
\_\_\_\_\_  
Mayor Pro Tem Potts

Submitted:

  
\_\_\_\_\_  
Cathy Harrison, City Administrator



# CITY of CALHOUN

P. O. Box 248 Calhoun, GA 30703 (706) 629-4701

November 13, 2006

Kelly Cornwell  
Director of Utilities  
City of Calhoun

Re: Miller's Ferry Road Pump Station & Force Main

Dear Mr. Cornwell:

Tabulated below are the results of the bid opening for the referenced project.

Bidder	Base Bid	Substitute Pump Deduction
BRI Utility Construction, Inc.	\$479,361.80	(\$50,000.00)
Tugaloo Pipeline, Inc.	\$550,762.50	(\$64,763.89)
C & S Construction, Inc.	\$615,175.70	
M. & M. Contracting of Jasper	\$616,399.50	
Benton - Georgia, Inc	\$618,263.14	
K.M. Davis Contracting Co., Inc.	\$618,821.00	(\$70,000.00)
Strack, Inc.	\$637,342.61	(\$50,000.00)
Unity Construction Co., Inc.	\$681,177.80	(\$34,000.00)
East Tennessee Grading	\$752,741.05	
Butch Thompson Enterprises	\$918,562.00	(\$30,000.00)
Site Engineering, Inc.	\$945,870.00	(\$55,000.00)

As you can see, the low bidder was BRI Utility Construction. We have investigated the low bidder's work performance record and found nothing that would disqualify him from receiving the contract. We, therefore, recommend the award of the contract for the construction of the **Miller's Ferry Pump Station & Force Main** to **BRI Utility Construction, Inc.** in the amount of **\$429,361.80** (\$479,361.80 - \$50,000.00).

Yours truly,

David M. Burnett, P.E.  
Utilities Engineer



# CITY of CALHOUN

P. O. Box 248 Calhoun, GA 30703 (706) 629-4701

November 13, 2006

Kelly Cornwell  
Director of Utilities  
City of Calhoun

Re: West Lake Village Pump Station & Force Main

Dear Mr. Cornwell:

Tabulated below are the results of the bid opening for the referenced project.

Bidder	Base Bid	Substitute Pump Deduction
Tugaloo Pipeline, Inc.	\$306,019.90	(\$30,499.28)
BRI Utility Construction	\$310,862.20	(\$25,000.00)
C & S Construction, Inc.	\$315,716.00	
M. & M. Contracting of Jasper	\$316,906.75	
Benton - Georgia, Inc	\$335,869.24	
K.M. Davis Contracting Co., Inc.	\$381,652.00	(\$35,000.00)
Unity Construction Co., Inc.	\$432,514.36	(\$16,000.00)
East Tennessee Grading	\$452,841.10	
Site Engineering	\$469,500.00	(\$25,000.00)
Butch Thompson Enterprises	\$606,534.10	(\$15,000.00)

As you can see, the low bidder was Tugaloo Pipeline, Inc. We have investigated the low bidder's work performance record and found nothing that would disqualify him from receiving the contract. We, therefore, recommend the award of the contract for the construction of the **West Lake Village Pump Station & Force Main** to **Tugaloo Pipeline, Inc.** in the amount of **\$275,520.62** (\$306,019.90 - \$30,499.28).

Yours truly,

David M. Burnett, P.E.  
Utilities Engineer



# CITY of CALHOUN

P. O. Box 248 Calhoun, GA 30703 (706) 629-4701

November 13, 2006

Kelly Cornwell  
Director of Utilities  
City of Calhoun

Re: New Zion Road Sewer Extension

Dear Mr. Cornwell:

Tabulated below are the results of the bid opening for the referenced project.

Bidder	Base Bid
BRI Utility Construction, Inc.	\$176,200.30
Benton - Georgia, Inc	\$196,054.89
Tugaloo Pipeline, Inc	\$237,286.65
Unity Construction Co., Inc.	\$250,376.85
M. & M. Contracting of Jasper	\$292,765.00
C & S Construction, Inc.	\$299,307.73
K.M. Davis Contracting Co., Inc.	\$334,260.00
Butch Thompson Enterprises	\$444,960.00
Site Engineering	\$458,104.00

As you can see, the low bidder was BRI Utility Construction, Inc. We have investigated the low bidder's work performance record and found nothing that would disqualify him from receiving the contract. We, therefore, recommend the award of the contract for the construction of the **New Zion Road Sewer Extension** to **BRI Utility Construction, Inc.** in the amount of **\$176,200.30**.

Yours truly,

David M. Burnett, P.E.  
Utilities Engineer

**Exhibit "B"**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CALHOUN AUTHORIZING THE SALE OF 0.229 ACRES IN LAND LOT 23 IN THE 15<sup>TH</sup> DISTRICT AND 3<sup>RD</sup> SECTION AND THE EASEMENTS AND ABANDONED WATER TOWER SITUATED ON AND APPURTENANT THERETO TO LAFARGE ROOFING HOLDINGS, INC. PURSUANT TO THE AUTHORITY CONTAINED IN O.C.G.A. SECTION 36-37-6(g); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Calhoun ("the City") is the owner of a certain tract of land consisting of 0.229 acres with certain easements in Land Lot 23 in the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia conveyed to the City by deed from Mildred M. Floyd, dated November 19, 1957, recorded November 30, 1957 in Deed Book 41 Page 49, Deed Records of Gordon County, Georgia; and

**WHEREAS**, said lands were purchased by the City for the erection of a water tank to service water customers in the vicinity of said property; and

**WHEREAS**, said 0.229 acre tract and water tank are no longer used as a part of the City's water systems and the property is no longer needed by the City for the original purpose for which purchased; and

**WHEREAS**, said property is so small as to be incapable of being used independently as zoned and the City is desirous of selling said property to the abutting property owner to facilitate the highest and best use of the abutting owner's property; and

**WHEREAS**, said 0.229 acre tract and all easements are surrounded and abutted totally on all sides by the lands of Lafarge Roofing Holdings, Inc.; and

**WHEREAS**, the City has offered to sell said 0.229 acre tract with all easements and appurtenances including the water tower and all related pipes and equipment on said property to Lafarge Roofing Holdings, Inc. for the cash sum of \$20,000.00 and Lafarge Roofing Holdings, Inc. has agreed to purchase said property for \$20,000.00; and

WHEREAS, the City is authorized by law (O.C.G.A. Section 36-37-6(g) to sell and convey said property without first submitting the sale or conveyance to the process of auction or the solicitation of sealed bids;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Calhoun in public meeting assembled, and it is hereby resolved by authority of the same that:

1. The Mayor of the City of Calhoun is authorized to execute and deliver to Lafarge Roofing Holdings, Inc. a warranty deed to those lands conveyed to the City by Mildred M. Floyd by deed recorded in Deed Book 41 Page 49, Deed Records, Gordon County, Georgia, together with all easements, improvements and fixtures located thereon for the cash sum of \$20,000.00.

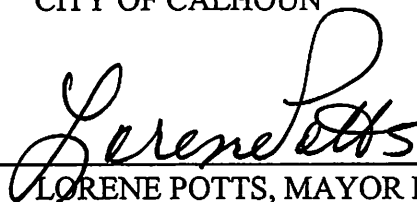
2. Said warranty deed shall describe the property conveyed according to the most recent plat of survey of said 0.229 acre and easements as approved by the City Attorney.

3. The Mayor of the City of Calhoun is further authorized to execute all owner's affidavits and closing statements in connection with the conveyance of said lands.

Adopted this 13<sup>th</sup> day of November, 2006.

CITY OF CALHOUN

BY:



LORENE POTTS, MAYOR PRO TEM

ATTEST:



CATHY HARRISON,  
CITY CLERK/ADMINISTRATOR