

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING ST  
OCTOBER 22, 2012 7:00 P.M.**

**MINUTES**

**PRESENT:** James F. Palmer, Mayor  
Al Edwards, Mayor Pro Tem  
George Crowley, Councilman  
David Hammond, Councilman  
Matt Barton, Councilman

**ALSO:** Eddie Peterson, City Administrator  
Larry Vickery, Utilities General Manager  
Paul Worley, City Clerk  
Jeff DeFoor, Director of Electric Utilities  
Jerry Crawford, Water and Sewer Director  
George Govignon, City Attorney  
Garry Moss, Chief of Police  
Danny Stephens, Water Superintendent

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
  - A. Councilman Crowley gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Mayor Palmer stated that there was one item, a request from the Calhoun Police Department, to add to the agenda under Mayor's Comments. Councilman Barton made a motion to approve the amended agenda and Councilman Crowley seconded the motion. All voted aye, motion approved.
4. Councilman Barton made a motion to approve the minutes of the October 8<sup>th</sup>, 2012 City Council Meeting. Councilman Edwards gave a second with all voting aye, motion approved.
5. **Mayor's Comments:**
  - A. Mayor Palmer stated that the variance request by Haley Stephens at a location of parcel C65-026 on Red Bud Road has been withdrawn by the applicant on October 16<sup>th</sup>.
  - B. Mayor Palmer reminded the public of an annexation and zoning request of R-1 for 2.672 acres by Rick Lumpkin at a location of 1023 Sugar Valley Road. The ZAB will meet on November 8<sup>th</sup> and the public hearing will be on November 12<sup>th</sup>.
  - C. Mayor Pro Tem Edwards reminded the public that the Downtown Development Authority will host its 7<sup>th</sup> annual fall street festival-Harvest Fest 2012, on Saturday, October 27<sup>th</sup> from 10 am until 4 pm in Downtown Calhoun.

- D. The City of Calhoun will observe Halloween on Wednesday October 31<sup>st</sup> from 5:00pm to 9:00pm for ages 12 and under.
- E. Mayor Palmer read a request by the Calhoun Police Department to withdraw \$500.00 from the asset seizure account and donate the proceeds to the Gordon County Chamber of Commerce's Red Ribbon Week drug awareness campaign. Councilman Barton made a motion to approve the donation of funds to the Red Ribbon Week campaign. Councilman Crowley gave a second with all voting aye, motion approved.

**6. Public Hearings and Comments:**

- A. Mayor Palmer opened the public hearing for a taxicab operator regulatory license request by Rolando Gonzalez, D/B/A: Taxi Tacanal at a location of 96 East May Street.
  - Mr. Peterson stated that all advertising and legal requirements have been met.
  - Mayor Palmer asked for comments and there were none.
  - Mayor Palmer closed the public hearing and stated for the record that the applicant had met all the new requirements of the taxicab ordinance that was passed on July 23<sup>rd</sup>, 2012.
  - Councilman Hammond made a motion to approve the taxicab regulatory license request. Councilman Crowley gave a second with all voting aye, motion approved.

**7. Old Business:**

- A. Mayor Palmer conducted the second reading of an ordinance to amend section 38 of Chapter 6- Alcoholic Beverages of the Calhoun Code of Ordinances. The ordinance amendment is needed to clarify the standards for granting or denial of alcohol licenses. Councilman Hammond made a motion to set the public hearing for November 12<sup>th</sup>. Councilman Crowley gave a second with all voting aye, motion approved.
- B. Mayor Palmer conducted the second reading of an ordinance to amend section 97 of Chapter 66- Parks and Recreation of the Calhoun Code of Ordinances. The ordinance amendment is needed to comply with Georgia state law which allows any person with a valid weapons carry license to carry a weapon in all parks, historic sites, or recreational areas. Councilman Hammond made a motion to set the public hearing for November 12<sup>th</sup>. Councilman Crowley gave a second with all voting aye, motion approved.
- C. Mayor Palmer conducted the second reading of a beer and wine pouring license request by Laura Gray Bridges DBA: Fork in the Road Dinner at a location of 474 Red Bud Road. The public hearing will be on November 12<sup>th</sup>.
- D. Mayor Palmer conducted the second reading of a hotel sign and building variance for Nimish Patel at a location of 1002 Hwy 53 E SE. Property owner is East 53 Commercial Development, LLC. Applying for a 50' variance for a sign and a 25' height variance to build a four story hotel. The ZAB will meet on December 6<sup>th</sup> and the public hearing will be on December 10<sup>th</sup>.

**8. New Business:**

- A. Mr. Patrick Dobson of 133 Victory Drive addressed the Mayor and Council concerning traffic and speeding concerns in his neighborhood. Mr. Dobson stated that there has been a speeding problem on Victory Drive for several years which has resulted in several serious accidents. There are many elderly residents and children that play in the neighborhood. Mr. Dobson acknowledged that the Calhoun Police Department has conducted check points and used the mobile radar unit in the area to try and reduce the speeding. Also, the police department is not allowed to use radar guns in the residential area because it is not approved by the Georgia Department of Transportation. Mr. Dobson asked if more patrolling and any other methods could be done to further combat the speeding problem during peak weekday traffic hours. Mayor Palmer stated that he shared Mr. Dobson's concern about speeders within residential areas. Councilman Hammond and Councilman Barton also stated that they lived in the same area as Mr. Dobson and shared his concerns about speeders in this area. Mr. Hammond stated that he appreciated the police road checks, but also acknowledged that the City does not have the assets to have police everywhere at all times. Also, Mayor Palmer reassured Mr. Dobson that the police department would continue to make an effort to patrol these residential areas to try and prevent further traffic accidents.
- B. Mayor Palmer stated that he and the Council needed more time to review and discuss an intergovernmental agreement between the City of Calhoun and the City of Resaca concerning the installation and maintenance of a sanitary sewer system. Councilman Hammond made a motion to table the item. Councilman Barton gave a second with all voting aye, motion approved.
- C. Mayor Palmer reviewed a Department of Natural Resources recreation trail grant application resolution and asked for a motion to allow the Mayor to sign the resolution. The resolution states that the City is willing and able to finance 20% of the grant if awarded. Councilman Crowley made a motion to allow the Mayor to sign the trail grant resolution. Councilman Edwards gave a second with all voting aye, motion approved. (copy attached)
- D. Mayor Palmer read a request from the Historic Preservation Commission to reappoint Mr. Ed Weldon and Mr. Jim Lay to serve a three year term. The term period would expire March 1<sup>st</sup>, 2015. Councilman Edwards made a motion to approve Mr. Weldon and Mr. Lay to serve another three year term. Councilman Hammond gave a second with all voting aye, motion approved.
- E. Mayor Palmer read a request from the Downtown Development Authority to reappoint Suzanne Smith and Holly Carpenter to serve a three year term. The term period would expire on November 1<sup>st</sup>, 2015. Councilman Edwards made a motion to approve Mrs. Smith and Mrs. Carpenter to another three year term. Councilman Crowley gave a second with all voting aye, motion approved.
- F. Mayor Palmer read a request by the Calhoun Police Department requesting permission to declare 4 vehicles surplus: 2- 2004 Dodge Intrepid; 2- 2006 Ford Crown Victoria. Mayor Palmer stated that the 2 Crown Vics would be donated to Georgia Northwestern Technical College. Councilman Hammond made a motion to declare the vehicles surplus. Councilman Crowley gave a second with all voting aye, motion approved. (copy attached)

- G. Mayor Palmer read a parade request from Saint Clements Catholic Church for the Pilgrimage to Our Lady of Guadalupe Procession on a route of: begin at the K-Mart parking lot, to SR 41 north, left onto SR 53, Court St. and down the 53 Spur to the Civic Auditorium on Dec. 9, 2012 at 12:30 P.M. Councilman Edwards made a motion to approve the parade request. Councilman Crowley gave a second with all voting aye, motion approved.

**9. Other written items not on the agenda: None**

**10. Work Reports:**

**A. Administrator Eddie Peterson**

- I. Mr. Peterson stated that Streetscape phase III was complete and commended Calhoun Utilities and the Public Works Department for their roles in the project. Mr. Peterson thanked the downtown businesses for their patience during the process. Also, he thanked Suzanne Roland who was the project manager to oversee the construction. Mrs. Roland worked with the contractors on a daily basis while continuing her other duties and did an excellent job.

**B. General Manager Larry Vickery**

- I. Mr. Vickery stated that the City of Calhoun has reviewed a low bid of an equipment lease program offered by the John Deere dealer, Flint Equipment Company. The lease agreement is for three year lease periods and the dealer will buy back the equipment at the end of the three year lease. The lease program offers savings over the out-right purchase of new equipment and provides new equipment every three years, along with reduced down time associated with repairs. The equipment will continually be under warranty under the lease program. Councilman Hammond made a motion to approve the equipment lease agreement. Councilman Crowley gave a second with all voting aye, motion approved. (copy attached)
- II. Mr. Vickery reviewed an intergovernmental agreement for water distribution with Floyd County. The agreement provides wholesale water prices to Floyd County with the first three years having a daily minimum of 100,000 gallons. The connection and metering will be at the county line adjacent to Highway 156 and a second connection can be made at the county line adjacent to Highway 53. After the first three years the daily minimum will increase to 600,000 gallons. City Attorney George Govignon stated that he met with Floyd County representatives to review the agreement and the agreement meets his approval. Councilman Edwards made a motion to allow the Mayor to sign the intergovernmental agreement with Floyd County. Councilman Crowley gave a second with all voting aye, motion approved. (copy attached)
- III. Mr. Vickery stated there was a need to approve a repair to concrete work at the clearwell filtration project on Brittany Drive. The concrete work was done in-house and some honeycombing occurred in the concrete during the process that is in need of repair. The repair will cost \$69,000 and the sealer will cost

\$19,000. The sealer would have been necessary regardless of the repair. The SRF loan with the Georgia Environmental Finance Authority would need to be modified to allow an outside contractor to make the repair needed. The SRF loan modification requires approval of the City Council. Mr. Vickery recommended that the City use an outside contractor and approve a modification to the SRF loan. Councilman Crowley made a motion to approve the use of an outside contractor to make the necessary repairs in the concrete at the Brittany Drive clearwell project at a cost of \$69,000 and a sealer cost of \$19,000. Councilman Edwards seconded the motion. Mayor Palmer asked for a vote. Councilman Crowley, Councilman Edwards, and Councilman Barton voted aye. Councilman Hammond voted nay. Motion carried 3 to 1.

- IV. Mr. Vickery stated that they had received bids for a budgeted screw pump for the wastewater treatment plant. Lakeside Equipment Corporation bid a three-flight pump as specified at \$132,825.00. Eco-Tech bided a two-flight pump at \$120,400.00 that did not meet the specifications. Mr. Vickery stated that they will award the bid to Lakeside Equipment Corporation. Also, this is a budgeted item and will be about \$50,000 cheaper than the last time a screw pump was replaced.
- V. Mr. Vickery stated they had been approached by C & S Construction regarding a trade consisting of the City's John Deere 2003 310 SG backhoe which needs \$8,500 in repairs, for an equipment trailer owned by C & S Construction. The backhoe has been out of commission for several months and is considered to be beyond repair. C & S wants to use it for parts. The equipment trailer is in good condition and meets Calhoun Utilities' specific needs. Mr. Vickery recommended that the Council approve declaring the backhoe surplus and approve the trade with C & S Construction. Councilman Barton made a motion to declare the John Deere 2003 310 SG backhoe (Serial No. T0310SG925563) surplus and approve the trade for the equipment trailer. Councilman Edwards gave a second with all voting aye, motion approved.
- VI. Mr. Vickery reviewed a report showing the City of Calhoun Electric Department is ranked as the second lowest wholesale pricing municipality within the 49 members of the Municipal Electric Authority of Georgia. A major factor in ranking this low is due to the heavy industrial base in Calhoun. Mayor Palmer stated that potential industrial businesses look very closely at electric rates and Calhoun Utilities provides great rates and reliability. Councilman Hammond stated that there are many MEAG cities that have continued to decline in power usage due to continuing plant closures. Calhoun is one of the few cities that are increasing in power usage.

C. George Govignon

- i. City Attorney Govignon discussed an agreement and resolution for the exchange of property located in the West Calhoun Urban Redevelopment plan between the City and Habitat for Humanity of Gordon County, Inc. The resolution would authorize the Mayor to finalize the agreement the City is currently working on for the exchange of properties: There are two City parcels ready to trade to Habitat, 0.24 acres at 617 Martin Luther King Jr. Boulevard and .09 acres at 116 McConnell Road, for land owned by Habitat, 2.47 acres at map and parcel

number C11-060, with additional parcel or parcels to be determined at a later date. Councilman Hammond made a motion to allow the Mayor to sign the resolution and to execute the contract once the details are finalized. Councilman Edwards gave a second with all voting aye, motion approved. (copies attached)


11. Councilman Crowley made a motion to adjourn. The motion was seconded by Councilman Edwards with all voting aye, motion approved.

Approved:

  
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James F. Palmer, Mayor

Submitted:

  
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Paul Worley, City Clerk

**A RESOLUTION AUTHORIZING AN AGREEMENT  
FOR THE EXCHANGE OF PROPERTY  
LOCATED THE WEST CALHOUN URBAN REDEVELOPMENT PLAN  
BETWEEN THE CITY OF CALHOUN,  
A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA  
AND HABITAT FOR HUMANITY OF GORDON COUNTY, INC,  
A NOT FOR PROFIT DOMESTIC CORPORATION**

**WHEREAS**, the City of Calhoun prepared an Urban Redevelopment Plan for submission to the Georgia Department of Community Affairs (DCA) as provided for in O.C.G.A. 36-61-1 et. seq. to rehabilitate, conserve, or redevelop a defined geographical area; and

**WHEREAS**, the City of Calhoun adopted the West Calhoun Urban Redevelopment Plan by unanimous consent during the normal session of the Mayor and Council on February 23, 2009 as reflected in the minutes for said meeting; and

**WHEREAS**, through this redevelopment plan the City of Calhoun identified a defined geographic area in the City of Calhoun for inclusion in the Urban Redevelopment Area and a desire to work with public and private sector partners to ensure that the desired redevelopment is achieved; and

**WHEREAS**, the Mayor and City Council authorized A RESOLUTION AUTHORIZING THE INTENT TO DISPOSE OF CERTAIN PARCELS OF PROPERTY LOCATED WITHIN THE WEST CALHOUN URBAN REDEVELOPMENT AREA IN ACCORDANCE WITH O.C.G.A. 36-61-10 by unanimous vote during the open, regularly called meeting of September 10, 2012; and

**WHEREAS**, the City of Calhoun caused to be published a notice, appearing twice in the local legal organ, *The Calhoun Times*, inviting proposals from private non-profit redevelopers or other persons interested in undertaking to redevelop or rehabilitate these described parcels of real property in the West Calhoun Redevelopment Area; and

**WHEREAS**, the City of Calhoun received only a single proposal in response to same in a timely manner; and

**WHEREAS**, the proposal from Habitat for Humanity of Gordon County, Inc. having been considered by the Mayor and Council, with certain amendments or changes, which are to be reflected in the finalized AGREEMENT FOR THE EXCHANGE OF PROPERTY LOCATED THE WEST

CALHOUN URBAN REDEVELOPMENT PLAN BETWEEN THE CITY OF CALHOUN, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA AND HABITAT FOR HUMANITY OF GORDON COUNTY, INC, A NOT FOR PROFIT DOMESTIC CORPORATION; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALHOUN, GEORGIA**, that the City hereby approves and authorizes the Mayor to enter into an AGREEMENT FOR THE EXCHANGE OF PROPERTY LOCATED THE WEST CALHOUN URBAN REDEVELOPMENT PLAN BETWEEN THE CITY OF CALHOUN, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA AND HABITAT FOR HUMANITY OF GORDON COUNTY, INC, A NOT FOR PROFIT DOMESTIC CORPORATION to be finalized by the parties, and to be incorporated by reference herein, subject to such changes, additions and deletions made in the Mayor's discretion, with advice of counsel, and that the Mayor is authorized to execute and the Clerk is authorized to attest, seal, and deliver the agreement and to perform all acts necessary to its implementation and completion as the act of the City.

**SO RESOLVED** this 22<sup>nd</sup> day of October, 2012, in an open, regularly called meeting.

CITY OF CALHOUN, GEORGIA

BY:

  
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JAMES F. PALMER, MAYOR

ATTEST:

  
\_\_\_\_\_  
EDDIE PETERSON,  
ADMINISTRATOR

October 16, 2012

Calhoun Police Department requests permission to surplus 4 vehicles.

2004 Dodge Intrepid VIN#2B3HD46V84H701261 Selling to Lockheed  
2004 Dodge Intrepid VIN#2B3HD46VX4H701262 Selling to Lockheed  
2006 Ford Crown Vic VIN#2FAFP71W36X163386 Donating to GNTC  
2006 Ford Crown Vic VIN#2FAFP71W06X163393 Donating to GNTC

Thanks,  
Sharon Jolley

**CITY OF CALHOUN, GEORGIA**

**TRAIL GRANT RESOLUTION**

**WHEREAS**, at the regular meeting of the Mayor and Council of the City of Calhoun, Georgia, held on the 22<sup>nd</sup> of October, 2012, a motion was made and duly seconded that the City of Calhoun agrees to submit a grant application for funding from the Georgia Recreational Trails program.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Calhoun in Gordon County, Georgia agrees that in the event the City of Calhoun application is approved for funding by the Georgia Department of Natural Resources, the City of Calhoun certifies and assures that it has the ability and intention to finance their 20 percent of the total project cost and will move forward with due diligence.

**READ AND UNANIMOUSLY ADOPTED** in a regular meeting of the City of Calhoun by the Mayor And Council on the 22<sup>nd</sup> day of October, 2012.

PROJECT SPONSOR

BY:   
James F. Palmer, Mayor

ATTEST:   
Paul Worley, City Clerk