



**CITY COUNCIL MEETING  
AUGUST 28, 2023- 7:00 PM  
109 SOUTH KING STREET  
DEPOT COMMUNITY ROOM**

**MINUTES**

PRESENT: **James F. Palmer, Mayor**  
**Ray Mitchell Denmon, Councilman**  
**Al Edwards, Mayor Pro Tem**  
**Ed Moyer, Councilman**  
**Jackie Palazzolo, Councilwoman**

ALSO: Paul Worley, City Administrator; Kyle Ellis, Utilities Administrator; Sharon Nelson, City Clerk; George Govignon, City Attorney; Lenny Nesbitt, Fire Chief; Margaret Boyd, Superintendent of Purchasing; and Major Ken Carson, Police Department.

1. **Council Meeting Called to Order**

**Welcome**

Mayor Palmer called the meeting to order and welcomed everyone in attendance.

**Invocation**

Mayor Pro Tem Edwards gave the invocation.

2. **Pledge of Allegiance**

Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.

3. **Amendment or Approval of Proposed Agenda**

Mayor Pro Tem Edwards made a motion to approve the August 28, 2023 agenda as presented. Councilmember Palazzolo gave a second with all voting aye. Motion approved.

4. **Amendment or Approval of Minutes**

Councilmember Moyer made a motion to approve the minutes of the City Council meeting of August 14, 2023. Councilmember Denmon gave a second with all voting aye. Motion approved.

5. **Mayor's Comments**

A. Mayor Palmer announced that the City of Calhoun has tentatively adopted a millage rate which will require an increase in property taxes of 9.42 percent. When the total digest of taxable property is prepared, Georgia law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year's digest that last year's millage rate would have produced had no reassessments occurred. The 2023-2024 budget adopted by the City of Calhoun Mayor and Council requires a millage rate higher than the rollback millage rate and they have made the decision to maintain the 2022 millage rate of 3.20. Public hearings on the tax increase were held at the Depot Community Room, 109 South King Street today at 11:30 A.M. and 6:30 P.M. There will also be a third public hearing at the Depot Community Room on September 11, 2023 at 6:30 P.M.

B. Mayor Palmer announced that qualifying for the municipal general election was held August 21<sup>st</sup> through the 23<sup>rd</sup> with the following qualifying:

<b>Mayor</b>	James (Jimmy) Palmer, Incumbent Bruce Potts
<b>City Council Post 1:</b>	Jackie Palazzolo, Incumbent
<b>City Council Post 2:</b>	Al Edwards, Incumbent
<b>School Board Post 4:</b>	Eddie Reeves, Incumbent
<b>School Board Post 5:</b>	Becky Gilbert George, Incumbent

C. Mayor Palmer announced that Calhoun City offices will be closed Monday, September 4<sup>th</sup> in observance of Labor Day.

6. **Public Hearing and Comments**

Announce at this time, public hearings will be held. The public will have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter, with each person speaking having filed a financial disclosure statement five days prior to the hearing if required, with each person giving their name and address. An inquiry should be made to determine if any elected official has filed a disclosure statement regarding ownership or special interest in any of the agenda items. Zoning Land Use Maps on display in Council Chambers for Zoning Advisory Board and Council hearings.

A. Public hearing of a beer, wine and distilled spirits pouring license at a location of 115 Travelers Path, by North Indian Flame Bar & Restaurant Corporation. The proposed store manager is Larry D. Mathis.

- Mayor Palmer opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Palmer opened the floor for comments. Elizabeth Mahoney, of Sard & Leff, 3789 Roswell Road, Atlanta, Georgia, 30342, attorney for the applicant, stated that she was available to answer any questions or concerns any one may have.
- There were no other comments and Mayor Palmer closed the public hearing and called for a motion concerning the alcohol request. Mayor Pro Tem Edwards

made a motion to approve the request. Councilmember Denmon gave a second with all voting aye. Motion approved.

**7. Old Business**

- A. Mayor Palmer gave the second reading of an annexation and zoning request of C-2 for 0.45 acres located 306 Highway 53 (057-128), by 7B Calhoun Dev LLC. The Zoning Advisory Board meeting will be held on September 7<sup>th</sup> and the public hearing September 11<sup>th</sup>.
- B. Mayor Palmer gave the second reading of an annexation and zoning request of R-1B for 0.69 acres located at 179 Kentucky Drive (066-062), by Blanche Gaston. The Zoning Advisory Board meeting will be held on September 7<sup>th</sup> and the public hearing September 11<sup>th</sup>.
- C. Mayor Palmer gave the second reading of an annexation and zoning request of R-1B for 1.75 acres located on the corner of Linda Lane and Cherry Street (055-234 & 055-235), by Habitat for Humanity of Gordon County. The Zoning Advisory Board meeting will be held on September 7<sup>th</sup> and the public hearing September 11<sup>th</sup>.
- D. Mayor Palmer gave the second reading of amendments to certain sections of Part 2, Appendix A – Zoning, Article VI-General Provisions of the Code of Ordinances to increase the minimum requirements for off-street parking spaces, single-family parking spaces, drive-thru and stacking lanes. The public hearing will be held September 11<sup>th</sup>.

**8. New Business**

- A. Mayor Palmer gave the first reading of amendments to certain sections of Part II- Code of Ordinances, Chapter 90 – Traffic, Article V – Stopping, Standing and Parking, Division 1 – Generally, Section 90-116- Parking for Certain Purposes Prohibited, to better control and regulate the use of public parking spaces for greater availability in the Downtown Development District, the Calhoun Business District, and the municipal Historic District. The public hearing will be held September 25<sup>th</sup>.
- B. Mayor Palmer gave the first reading of a beer, wine and distilled spirits pouring license at a location of 117 South Wall Street by Calhoun Coffee Company, LLC. The owner, Loren Deperro, will also serve as the store manager. The public hearing will be held September 25<sup>th</sup>.
- C. Mayor Palmer stated that a motion was needed for updates to the Purchasing Policy Manual to meet new Georgia state law requirements. Mayor Pro Tem Edwards made a motion to approve the updated Purchasing Policy Manual. Councilmember Palazzolo gave a second with all voting aye. Motion approved.
- D. Mayor Palmer gave the floor to Kyle Ellis regarding an authorization agreement for the 2024 annual subscription under the supplemental power supply policy between the Municipal Electric Authority of Georgia and City of Calhoun. Mr. Ellis stated that Municipal Electric Authority of Georgia does an annual review with electric cities of supply needs and reserves, as cities are required to have 15% reserve capacity and

the excess is sold to communities that are below capacity. Mr. Ellis recommended the council elect option five (v) of the agreement. Councilmember Moyer made a motion to approve the recommendation of Mr. Ellis and choose option five of the agreement. Mayor Pro Tem Edwards gave a second with all voting aye. Motion approved.

- E. Mayor Palmer gave the floor to Mr. Worley for recommendation of bid award for renovations to the Fire Department Administration building, 325 South Wall Street. Mr. Worley stated that the building sits next to Station 1 of the fire department. The purchased property will increase the footprint and will allow for future growth. The additional office space will be dedicated to administration and the fire inspections department. Updates will include siding, windows, a new porch with ADA ramp, grading and metal staircasing. Mr. Worley stated that they had worked with Greg Simms, Architect, on the specific scope of work and received six bids. Mr. Worley read the recommendation letter from Mr. Sims recommending acceptance of Everts Construction, Inc., the second lowest bidder. The apparent low bidder was disqualified, with the reasons documented in the architect's recommendation. Councilmember Palazzolo made a motion to approve the recommendation and award the bid to Everts Construction, Inc. Mayor Pro Tem Edwards gave a second with all voting aye. Motion approved. (copy of letter attached)
- F. Request from Water Treatment to surplus a 2008 Ford F-150 on GovDeals.  
VIN# FTRF12W28KC86611 Mileage: 170,720  
Councilmember Denmon made a motion to approve the surplus request.  
Councilmember Moyer gave a second with all voting aye. Motion approved.

9. **Other written items not on the agenda**

10. **Work Reports**

- A. Paul Worley, City Administrator
  - 1)Mr. Worley gave a review of the July, 2023 General Cash and Hotel Motel reports. Mayor Pro Tem Edwards made a motion to approve the reports as presented. Councilmember Moyer gave a second with all voting aye. Motion approved. (Copy attached)
- B. Kyle Ellis, Utilities Administrator
  - 1)Mr. Ellis gave a review of the July 2023 Utilities Cash report. Councilmember Denmon made a motion to approve the report as presented. Councilmember Palazzolo gave a second with all voting aye. Motion approved.
- C. George Govignon, City Attorney, had nothing to report.

11. **Motion to move to Executive Session, if needed**

City Attorney Govignon stated there was a need to move to executive session in accordance with O.C.G.A. § 50-14-2, for a privileged consultation with legal counsel pertaining to pending or threatened litigation. Councilmember Moyer made a motion to move to executive session.

Councilmember Palazzolo gave a second with all voting aye. The motion was approved and the council moved to executive session at 7:24 PM.

12. **Motion to return to General Session**


A. Mayor Pro Tem Edwards made a motion to return to general session. Councilmember Moyer gave a second. The motion was approved and council returned to general session at 7:29 PM.

B. City Attorney Govignon stated a motion was needed to allow the City Attorney to sign an amicus brief with Municipal Electrical Authority of Georgia. Mayor Pro Tem Edwards made a motion to allow Mr. Govignon to sign the amicus brief. Councilmember Palazzolo gave a second with all voting aye. Motion approved.

13. **Motion to Adjourn**

There being no further business to come before the Council, Councilmember Moyer made a motion to adjourn. Councilmember Palazzolo gave a second with all voting aye. The motion was approved and the meeting adjourned at 7:32 PM.

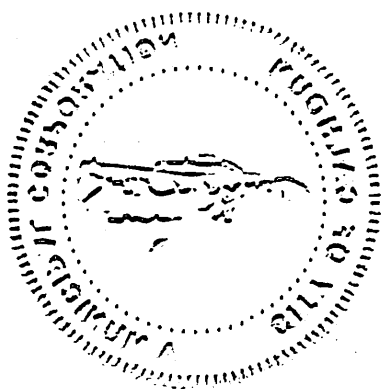
Approved:

  
\_\_\_\_\_  
James F. Palmer, Mayor

Submitted:

  
\_\_\_\_\_  
Sharon Nelson, City Clerk





**CITY OF CALHOUN**

City Council Meeting  
109 South King Street  
Depot Community Room  
August 28, 2023 – 7:24 PM

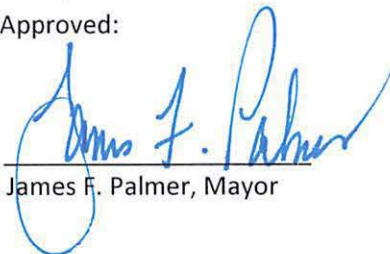
**EXECUTIVE SESSION MINUTES**

**Present:** James F. Palmer, Mayor  
Al Edwards, Mayor Pro Tem  
Ray Denmon, Councilmember  
Jacqueline Palazzolo, Councilmember  
Ed Moyer, Councilmember

**Also:** Paul Worley, City Administrator  
Kyle Ellis, Utilities Administrator  
George Govignon, City Attorney  
Sharon Nelson, City Clerk

- A. Councilmember Moyer made a motion to move to executive session in accordance with O.C.G.A. § 50-14-2, for a privileged consultation with legal counsel pertaining to pending or threatened litigation. Councilmember Palazzolo gave a second with all voting aye. The motion was approved and the council moved to executive session at 7:24 PM.
- B. After discussing the matter fully, councilmembers agreed to allow City Attorney Govignon to sign an amicus brief with Municipal Electric Authority of Georgia on behalf of the City of Calhoun.
- C. There being no other discussion, and on motion duly made by Mayor Pro Tem Edwards and seconded by Councilmember Moyer, the executive session was adjourned and Council members returned to regular session at 7:32 PM.

Approved:

  
James F. Palmer, Mayor

Submitted:

  
Sharon Nelson, City Clerk

**STATE OF GEORGIA  
COUNTY OF GORDON  
CITY OF CALHOUN  
AFFIDAVIT REGARDING CLOSURE OF OPEN MEETINGS**

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, James F. Palmer, Mayor, who in his capacity as Chairperson or the person presiding over a City Council meeting of the City of Calhoun and after being first duly sworn, certifies under oath and states to the best of his knowledge and belief the following:

At its meeting held on 8-28-23 the Council's Executive Session voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows (Check or initial, as appropriate:)

- Discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action, dismissal, periodic evaluation or rating of a government officer or employee. [O.C.G.A §50-14-3(6)]
- Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceedings or settlements. [O.C.G.A §50-14-2]
- Discussing the future acquisition of real estate, authorize negotiations to purchase, dispose of, or lease property. [O.C.G.A §50-14-3(b)]
- Staff meetings for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A §50-14-3(1)]
- Tax matters made confidential by state law. [O.C.G.A §50-14-2]
- Inspection of physical facilities under the jurisdiction of the City Council. [O.C.G.A §50-14-1(a)(2)]
- Meeting with a governing body, officer, agent or employee of another agency at a location outside the geographical jurisdiction of the City Council at which no final action is taken. [O.C.G.A §50-14-1(a)(2)]
- Other (Explanation and citation to statutory authority required:)

*I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to matters of official business or policy within the exceptions provided by law as set forth above.*

Paul Wiley  
Witness

James F. Palmer  
James F. Palmer, Mayor

Sworn to and subscribed to before  
me this 29th day of  
August, 2023.

Notary Public  
Notary Public for the State of Georgia

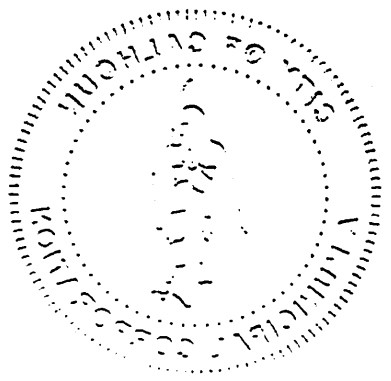




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AUTHORIZATION AGREEMENT  
Year 2024 Annual Subscription  
Under Supplemental Power Supply Policy  
between  
Municipal Electric Authority of Georgia  
and  
City of Calhoun

In accordance with the MEAG Supplemental Power Supply Policy, the Undersigned Participant hereby elects to: (all Participants must elect one option and return)

- (i) \_\_\_\_\_ (Opt-out) Acquire the necessary resources for its Supplemental Power Supply Requirements itself;
- (ii) \_\_\_\_\_ (Annual Self Supply) acquires the necessary resources for its Supplemental Power Supply Requirements for the Power Supply year itself through an Inter-Participant Transfer (IPT) Agreement [or off system purchase power contract];
- (iii) \_\_\_\_\_ (Subscription) Subscribe to one or more of the power supply alternatives identified in the attached Nomination Form in specific amounts;
- (iv) \_\_\_\_\_ (Agent) Designate MEAG as its agent to nominate and acquire any combination of resources to optimize their Supplemental Power Supply Requirements. Please specify agency limitations if any, \_\_\_\_\_;

**or**

- (v)   X   Nominate my excess capacity for supplemental at \$19.68/kW-Yr plus the hourly energy market price or for reserves at \$16.94/kW-Yr at DP. Supplemental will be allocated first, then any remaining amounts will be allocated to reserves. Please specify amount and limitations if any, \_\_\_\_\_.

By executing this Authorization Agreement, Participant understands that MEAG will aggregate all MEAG Participant nominations and attempt to contract for the total amount of Participant supplemental power supply requirements nominated under this Annual Subscription. Participant also understands that MEAG will purchase the capacity necessary to ensure that system planning reserve requirements are met and assign this capacity for one or more years to those Participants deemed capacity deficient. Participant agrees that these reserve capacity purchases may be made at "market" prices from other Participants.

Participant agrees to and accepts the above nomination, this 28th day of August, 2023.

Participant: City of Calhoun

By:  \_\_\_\_\_

Mayor  
Mayor or other authorized representative





FROM THE OFFICE OF GREGG SIMS, ARCHITECT

August 25, 2023

Paul Worley, City Administrator  
City of Calhoun  
P.O. Box 248  
Calhoun, GA 30703

Re: City of Calhoun  
Bid #2024-00316 Fire Station Administration Building Renovation

Dear Paul:

During review of the schedule of values and material information from the three lowest bidders for the Fire Administration Building Renovation, we discovered missing information from all three bidders. The three bidders submitted revised schedule of values and material documentation. The apparent low bidder, Yanover Construction, increased their base bid to accommodate for missing items in their original bid. Our office does not recommend accepting a modified base bid. The second and third lowest bidders submitted requested clarifications without modifying their base bids.

Our office recommends acceptance of the base bid of \$236,510.48 from the second lowest bidder, Everts Construction, Inc., with a completion time of 183 calendar days.

Sincerely,

Gregg Sims

## General Government Cash Report

### General Government Operating Account

General Fund	Checking	\$ 2,662,956.12
Restricted Cash - Excise	Checking	5,815.59
Cash	Pay Pal	1,623.43
Solid Waste	Checking	137,822.09
Confiscated Assets	Checking	-
School Trust	Checking	251,147.36
Municipal Court	Checking	9,384.32
Hotel-Motel Fund	Checking	86,848.13
Recreation	Checking	380,263.60
Recreation - Hotel / Motel	Checking	150,514.08
SPLOST 2018	Checking	-
Golf	Checking	618,388.30
Golf Renewal & Replacement Reserves	Checking	600,000.00
American Rescue Plan Act (ARPA)	Checking	2,382,770.20
<b>Total Operating</b>		<b><u>7,287,533.22</u></b>

Reserves - Restricted / Renewal & Replacement	Savings	0.35
Specified Funds / Renewal & Replacement	Savings	1,487,267.36
<b>Total Reserves</b>		<b><u>1,487,267.71</u></b>

2018 SPLOST - Uncommitted	Checking	3,636,753.34
2018 SPLOST - Committed	Checking	688,572.90
<b>Total</b>		<b><u>4,325,326.24</u></b>

Fire Department Donations	Public Checking	6,154.78
Revolving Loan	Checking	200,619.26
Police Special #1	Money Market	4,820.77
Police Special #2	Checking	32,947.16
Police #3 Fed Funds	Money Market	30,032.79
Police #4 Evidence	Checking	58,554.56
Police PEPI Account	Checking	2,259.45
Police ICE Funds	Checking	20,773.46
School Debt Service	Savings	8,186,123.42
City of Calhoun Investment Account	Money Market	2,100,424.18
<b>Total Special Funds, Reserves and Savings</b>		<b><u>10,642,709.83</u></b>

**GRAND TOTAL - 7/31/2023** **\$ 23,742,837.00**

### Component Unit Cash

Downtown Development Authority	\$ 38,970.25
Downtown Development Authority - Hotel/Motel Tax	123,812.67
	<b><u>\$ 162,782.92</u></b>

### General Government Investments

#### City of Calhoun - Various Investments

Reserves held in investments - \$3,426,352.73	\$ 15,329,778.98
ARPA	-
	<b><u>\$ 15,329,778.98</u></b>

**Hotel/Motel 7/31/23 Report**

**Amount Received from GMA & Paid to Vendor for FY23**

Vendor #	Vendor	Jul paid In Sep 2022	Aug paid In Oct 2022	Sep paid In Nov 2022	Oct paid In Dec 2022	Nov paid In Jan 2023	Dec paid In Feb 2023	Jan paid In Mar 2023	Feb paid In Apr 2023	Mar paid In May 2023	Apr paid In Jun 2023	May paid In Jul 2023	Jun paid In Aug 2023	Total
29	Chamber of Commerce	\$ 45,253.70	\$ 34,453.10	\$ 37,534.23	\$ 30,655.04	\$ 42,549.45	\$ 29,431.39	\$ 29,867.68	\$ 31,574.00	\$ 49,168.29	\$ 36,143.53	\$ 38,134.78		\$ 404,765.19
1346	City of Calhoun-Unrestricted	38,788.89	29,531.22	32,172.20	26,275.74	36,470.95	25,226.91	25,600.88	27,063.44	42,144.25	30,980.18	32,686.97		346,941.63
1346	City of Calhoun-Restricted	6,464.81	4,921.87	5,362.03	4,379.29	6,078.49	4,204.48	4,266.81	4,510.57	7,024.04	5,163.36	5,447.83		57,823.58
3132	Calhoun Recreation Dept.	<u>12,929.63</u>	<u>9,843.74</u>	<u>10,724.07</u>	<u>8,758.58</u>	<u>12,156.98</u>	<u>8,408.97</u>	<u>8,533.63</u>	<u>9,021.15</u>	<u>14,048.08</u>	<u>10,326.73</u>	<u>10,895.66</u>		<u>115,647.22</u>
	<b>Total Paid By H/M Fund</b>	<u>\$ 103,437.03</u>	<u>\$ 78,749.93</u>	<u>\$ 85,792.53</u>	<u>\$ 70,068.65</u>	<u>\$ 97,255.87</u>	<u>\$ 67,271.75</u>	<u>\$ 68,269.00</u>	<u>\$ 72,169.16</u>	<u>\$ 112,384.66</u>	<u>\$ 82,613.80</u>	<u>\$ 87,165.24</u>	\$ -	<u>\$ 925,177.62</u>
	<b>Paid to Industrial Development by City of Calhoun</b>	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	-	<u>\$ 110,000.00</u>
	<b>Paid to Downtown Development by City of Calhoun</b>	<u>\$ 100,000.00</u>	-	-	-	-	-	-	-	-	-	-	-	<u>\$ 100,000.00</u>

**Balance in City Held Accounts as of 7/31/2023**

	Beginning Balance as of 7/1/2022	Revenue	Expenses	Balance as of July 31, 2023
City of Calhoun-Unrestricted	\$ 647,524.70	\$ 346,941.63	\$ (110,000.00)	\$ 884,466.33
City of Calhoun-Restricted	\$ 8,147.93	\$ 57,823.58	\$ (51,500.83)	\$ 14,470.68
Downtown Development	\$ 93,242.16	\$ 100,000.00	\$ (69,429.49)	\$ 123,812.67
Calhoun Recreation Dept.	\$ 145,908.66	\$ 115,647.22	\$ (111,041.80)	\$ 150,514.08

## Utilities Cash Report

### Utility Operating Account

Electric	Checking	\$ 2,616,493.74
Water & Sewer	Checking	1,216,199.71
Telecommunications	Checking	1,747,074.48
Utilities Administration	Checking	1,630,130.73
<b>Total Operating</b>		<b>7,209,898.66</b>

Electric Reserves & Unrestricted Investments	Reserves - Checking	3,141,556.26
Telecom Reserves & Unrestricted Investments	Reserves - Checking	408,018.00
Water / Sewer Reserves & Unrestricted Investments	Reserves - Checking	1,347,872.39
Bond Sinking Fund	Savings	1,372,422.34
Utility Deposits	Checking	956,626.47
City of Calhoun Shuler Bond	Savings	38,468.48
City of Calhoun Investment Account	Money Market	8,963,076.35
<b>Total Savings &amp; Reserves</b>		<b><u>16,228,040.29</u></b>

**GRAND TOTAL - 7/31/2023** **\$ 23,437,938.95**

### Utilities Investments

Electric	\$ 14,283,052.19
Water	\$ 21,340,069.54
Sewer	\$ 5,024,123.55
Telecommunications	\$ 1,497,526.46
<b>City of Calhoun - Various Investments</b>	<b><u><u>\$ 42,144,771.74</u></u></b>