

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
MAY 22, 2000 - 7:00 P.M.**

MINUTES

**PRESENT: James F. Palmer, Mayor
John D. Shelton, Jr., Councilman
Ray M. Denmon, Councilman
Lorene Potts, Councilwoman**

ABSENT: Ronald H. Woods, Mayor Pro Tem

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance and gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the April 24, 2000 and May 8, 2000 regular City Council meetings were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer congratulated the boys' State-A baseball champions on their tremendous season and their winning the state championship on May 19, 2000.
 - b. Mayor Palmer commented on the retirement dinner honoring retired Chief of Police Willie Mitchell on May 19 and the Shrine parade on May 20, 2000. Mayor Palmer read the resolution that was presented to Chief Mitchell at the retirement dinner.
 - c. Mayor Palmer reviewed the renewal request from Coosa Valley RDC for the transportation agreement for the elderly, which is associated with the nutrition program. Mayor Palmer stated the program provides the van. The City provides the driver, fuel and maintenance of the van. He stated the nutrition program feeds approximately 500 people per day, including those who are served at their homes because they are physically unable to attend the programs and meals at the Senior Citizens Center. Following discussion, Councilman Denmon made a motion to approve the contract and authorize the Mayor to sign, second by Councilman Shelton, with Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
 - d. Mayor Palmer reminded the public that a second budget hearing will be held on June 12, 2000 at 7:00 P.M.
 - e. Mayor Palmer also reminded the public of a beer package license hearing scheduled for June 12, 2000 at 7:00 P.M. for the North Georgia Convenience Management, LLC, for the former location of Blue Sky Petroleum at 731 Highway 53 East.
 - f. Mayor Palmer reminded the Council of the GMA meetings in Savannah on June 24 through 28, 2000. Mayor Palmer asked for a motion to change the second council meeting in June from June 26 to June 19, 2000 to accommodate the council members' attendance at the meetings. Councilman Shelton made a motion to change the date of the second council meeting in June from June 26 to June 19, 2000, second by Councilman Denmon, with Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
 - g. Mayor Palmer reminded the Council of the zoning hearings scheduled for June 12, 2000 at 7:00 P.M.
 - 1) First reading of a request by the Airport Authority for new zoning of C-2 and annexation of remaining airport property at 1957 Highway 41 South.
 - 2) First reading of a request for new zoning and annexation by B&B for 18.633 acres off Peters Street for R-1 zoning, with a variance request to reduce lot sizes to 11,000 square feet each.

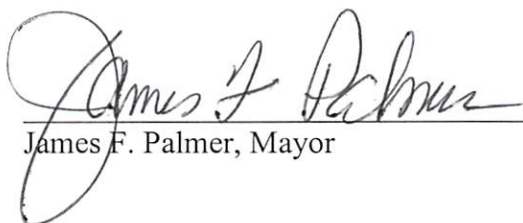
- 3) First reading of a request for new zoning of Industrial-G and annexation of Wayne and Nina Braud for Lots 6, 7, 44 and 45 and parts of lots 5 and 46, 49, 50, 1 and 2 of Skyway Subdivision.
 - 4) First reading of a request for new zoning of Industrial-H and annexation by Bill D. Mathews for property off Salem Church Road at Oothcalooga Creek.
 - 5) A new zoning of Industrial-G and annexation request of Kerry Ingredients for 55 acres off Salem Church Road and McDaniel Station Road.
 - 6) First reading of a request for new zoning of R-2 and annexation by Bruce Stocks for 0.47 acres at 279 Gee Road.
 - 7) First reading of a request for a zoning change from Industrial to R-2 zoning by Bruce Stocks for 10.246 acres at 279 Gee Road, for single family dwellings on smaller lots.
5. Public Hearings and Comments:
- a. Mayor Palmer gave a second reading to a liquor and wine package license application of Marlynn M. Whittenburg, Manager Linda Whittenburg, for a new location at 235 West Line Street.
 - 1) A public hearing was opened. Mayor Palmer asked if there were any comments by the applicants. There were none.
 - 2) He then asked if there were comments by others.
 - 3) Mr. John Flemming, who lives in the immediate area, stated he is concerned about the proximity of the proposed facility to the Friendship Baptist Church and one other church on King Street. He stated this is not a good location for a liquor store, due to the homes in the immediate area and due to the number of churches in the immediate area.
 - 4) Mr. Lawrence Garrigan stated he was concerned also with the proximity to the Victory Fellowship Church, which has been established in the area for several years and was also concerned with the homes in the immediate area.
 - 5) Ms. Laura Pullum stated the area has been prone to floods and homes in the area have withstood the floods and are still standing and are homes for citizens who have remained in them for years. She stated now a manmade disaster is in the making and she is concerned with the location in the midst of the homes.
 - 6) There were no other comments and the hearing was closed.
 - 7) Mayor Palmer stated at this time, the license may be approved, denied or continued.
 - 8) Councilwoman Potts made a motion to continue the matter until June 12, 2000. The motion was seconded by Councilman Shelton, with Councilwoman Potts, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
 - b. Mayor Palmer gave a second reading of a beer pouring license for El Rayos Restaurant, Karrie Ann Comparan, Manager, at 360 Piedmont Street.
 - 1) A public hearing was opened.
 - 2) Mayor Palmer asked if there were any comments by the applicant. There were none.
 - 3) Mayor Palmer asked if there were other comments.
 - 4) Administrator Harrison stated the police report on the proposed manager was clear. The area had previously been approved for a license and it is not a new location for a beer pouring license. She stated that according to the application, the manager lives within Gordon County, as required.
 - 5) There were no other comments and the hearing was closed.
 - 6) Mayor Palmer stated at this time, he would entertain a motion to approve, deny or continue.
 - 7) Councilwoman Potts made a motion to approve the request for the beer pouring license for Karrie Ann Comparan as manager of El Rayos Restaurant at 360 Piedmont Street. The motion was seconded by Councilman Shelton, with Councilwoman Potts, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
 - c. A second reading was given to an ordinance regarding demolition of a partially burned house at 611 College Street.
 - 1) A public hearing was opened and Mayor Palmer asked the City Attorney to review the proposed ordinance.
 - 2) Attorney Bailey reviewed the ordinance, stating that since the owners of the partially burned house, which was destroyed in December 1998, had

not removed the building, the City of Calhoun would be authorized to remove the building and to place a lien upon the property. The lien would be required to be paid within the first three years. However, the Mayor and Council would have the option to hold for a seven-year period prior to the actual forced sale of the property for collection of the fees.

- 3) A Mrs. Fox, who represents one of the owners of the property, stated the family was concerned that the City would immediately require a sale of the property in order for the bill to be paid.
 - 4) Following discussion, the public hearing was closed.
 - 5) Mayor Palmer asked for a motion to approve the ordinance with the understanding that the forced sale of the property would not occur within the first seven years, to allow the family sufficient time to make arrangements.
 - 6) Following discussion, Councilman Denmon made a motion to waive the third and fourth readings and to adopt the ordinance with the understanding as stated by Mayor Palmer. The motion was seconded by Councilman Shelton, with Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
6. Old Business: **none.**
 7. New Business: **none.**
 8. Other written items not on the agenda:
 - a. Mayor Palmer stated the state had requested a resolution of support for Rapid Rail between Chattanooga and Atlanta, since Atlanta was one of the cities in the United States applying for Rapid Rail funds. A proposed resolution was read. Following discussion, Councilman Denmon made a motion to approve the resolution, second by Councilman Shelton, with Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
 - b. Mayor Palmer stated the lease-purchase agreement had been completed as authorized, with the Calhoun First National Bank for the acquisition of a Tymco-600 Air Sweeper on a Navstar 4700 truck. He stated a resolution was needed to fully authorize the multi-year lease-purchase contract. Following discussion, Councilwoman Potts made a motion to approve the resolution, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon and Councilman Shelton voting affirmatively, motion carried.
 9. Work Report of Director of Utilities and Public Works, Kelly Cornwell:
 - a. Director Cornwell stated at this time of year, the state continues to have water shortages and he would ask that citizens try to water lawns and shrubs in off-peak times, in order to aid the City in maintaining water pressure. He stated while there is water, there is a demand for water at peak times by everyone, which makes it extremely hard for the water system to maintain its level of pressure, which affects those people who live in the higher elevations.
 - b. Director Cornwell stated the Corps of Engineers project for water to the Carters Lake area should begin in early June.
 - c. Director Cornwell stated the generator is performing well in testing after its warranty work. It is at least 10% more efficient than the operation at this time last year. He stated the air quality test has been completed in good order.
 10. Mayor Palmer inquired if it would be necessary to move to Executive Session. The response was negative.
 11. Councilman Denmon made a motion to adjourn, second by Councilwoman Potts, with Councilman Denmon, Councilwoman Potts and Councilman Shelton voting affirmatively, motion carried.

Approved:

Submitted:



 James F. Palmer, Mayor



 Cathy Harrison, City Administrator

RESOLUTION

WHEREAS, the City of Calhoun desires to enter into a multiyear lease purchase contract with The Calhoun First National Bank ("CFNB") for the acquisition of a Tymo 600 Air Sweeper on a 2000 Navistar 4700 Truck ("Equipment"), pursuant to the provisions of Official Code of Georgia Annotated Section 36-60-13; and

WHEREAS, such an arrangement as described above is in the best interests of the City of Calhoun.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Calhoun, and it is hereby resolved by authority of same, that the City of Calhoun is authorized to enter into a multiyear lease purchase contract with CFNB to acquire the Equipment.

BE IT FURTHER RESOLVED that the Mayor and City Administrator/Clerk of the City of Calhoun are hereby authorized and directed to execute and deliver to CFNB the Municipal Lease Agreement attached hereto and incorporated herein, and such other documents as may be necessary to acquire the Equipment and complete the transaction approved herein.

ADOPTED, this 22nd day of May, 2000.


ATTEST:



CATHY HARRISON,
CITY ADMINISTRATOR/CLERK

CITY OF CALHOUN

BY:



JAMES F. PALMER, MAYOR

**CITY OF CALHOUN,
GEORGIA**

**RESOLUTION ACKNOWLEDGING THE BENEFITS TO CALHOUN,
GORDON COUNTY OF THE PROPOSED HIGH-SPEED MAGNETIC
LEVITATION TRAIN LINK BETWEEN ATLANTA AND
CHATTANOOGA, ENDORSING THE PROPOSED ALIGNMENT, OF
DEVELOPMENT FOR SYSTEM IMPLEMENTATION.**

WHEREAS, Calhoun, Gordon County acknowledges that traffic congestion, deteriorated air quality, and public mobility are current and growing concerns for the residents and visitors to Calhoun, Gordon County; and

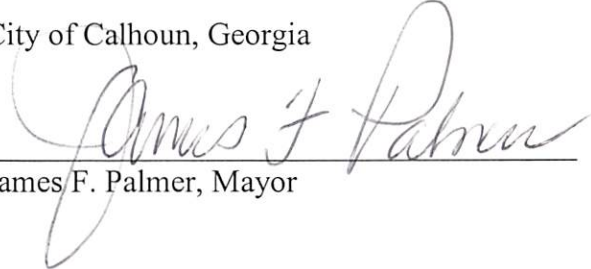
WHEREAS, the proposed high-speed magnetic levitation train linking the airport facilities in Atlanta and Chattanooga with high density intermediate metropolitan areas, when implemented, will significantly contribute to the mitigation of the traffic, air quality, and mobility concerns; and

WHEREAS, the introduction of the magnetic levitation technology application to the region can materially contribute to the economic growth of Calhoun, Gordon County through increased jobs, economic redevelopment and new industry;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of Calhoun endorse and actively support the plan to implement a high-speed magnetic levitation train in the region.

ADOPTED this the 22nd day of May 2000.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the Calhoun High School baseball team won 33 games and lost only 4 games in the current season; and

WHEREAS, the Calhoun High School Baseball Team lost the Region-A title to Lovett High School in April 2000, by a score of 4 to 2; and

WHEREAS, the Calhoun High School baseball team earned the right to play in the state finals and won the State-A High School Baseball Championship by defeating Lovett High School in two games on May 19, 2000, with scores of 18 to 3 and 8 to 3; and

WHEREAS, Calhoun High School has not won a state baseball championship since 1974; and

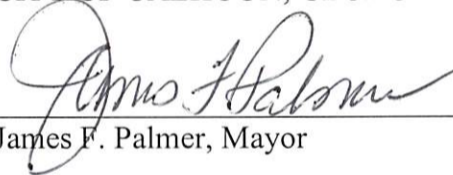
WHEREAS, Calhoun High School's baseball team played two exceptional games to win the title, with excellent fielding, pitching and hitting; and

WHEREAS, the team and coaches were committed to playing their very best in the championship finals;

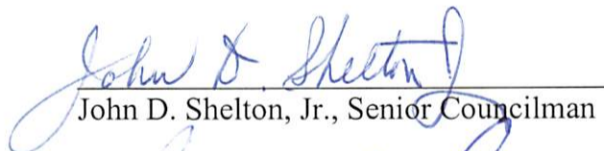
NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby commend each member of the team and coaching staff for their excellent season; for the undisputed championship title; and for the manner in which they have played the game.

ADOPTED this the 22nd day of May 2000.

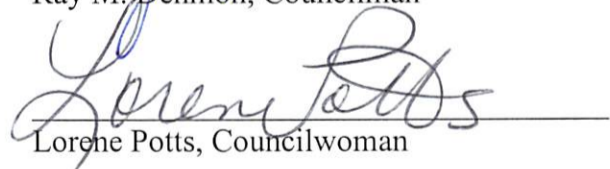
CITY OF CALHOUN, GEORGIA


James F. Palmer, Mayor


Ronald H. Woods, Mayor Pro Tem


John D. Shelton, Jr., Senior Councilman


Ray M. Denmon, Councilman


Lorene Potts, Councilwoman

ATTEST:


Cathy Harrison, City Administrator/Clerk