

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
JULY 24, 2000 - 7:00 P.M.**

MINUTES

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

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Mayor Palmer gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the July 10, 2000 regular City Council meetings were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer extended sympathy to the family of Senator Paul Coverdell. He stated Senator Coverdell was a friend of local government and would be missed.
 - b. Mayor Palmer extended sympathy to Larry Phillips and his family on the loss of his father.
 - c. Mayor Palmer reminded the council of the zoning hearings scheduled for August 14, 2000 at 7:00 P.M.
 - 1) A zoning variance by Calhoun City Schools for 10 doublewide mobile units to be established at Eastside, Calhoun Elementary and Calhoun Middle School for use as classrooms.
 - 2) A zoning variance request of Nathan Merritt of U. S. Media, Inc., as agent for Glenn and Ann Carden for a sign to be located at 333 Highway 53 East. The request was for height, setback, minimum of other off-premise signs, and C-2 zoned area.
 - 3) A request for new zoning of R-1 and annexation by Hoyt Whittenburg for .906 acres off East Belmont Drive.
 - 4) An application for new zoning of R-2 zoning and annexation by Robert and Vivian Woodring for approximately 6 acres at 255 Davis Drive, behind Twin Oaks Subdivision off New Town Road.
 - d. Mayor Palmer stated he understood a group headed by Mr. Bob Conard was interested in providing information and a request to the Mayor and Council regarding the median on the proposed improvements to Highway 41 North.

- 1) Mr. Clifford Free stated he would not be directly affected by the median, since his business would be relocated as a result of the project. However, he was in sympathy with the remaining businesses on the street.
 - 2) Mr. Ross Gilbert stated he owned a business on Highway 41, which necessitated the moving of large tractor-trailer traffic in and out of his place of business. With the raised median, it would be impossible for his business to operate properly.
 - 3) Mary Alice Sutherland stated she had looked long and hard for an office in the downtown area. She stated it had been the desire of the real estate company to locate in the downtown area and offer support for the community. She stated the median will affect traffic traveling north, trying to enter their business.
 - 4) Jonathan Moss at 707 North Wall Street stated his property will be affected and it will affect everyone. It will place more traffic on neighborhood streets, making it harder for the traveling public. He asked why it was imperative that this section of the overall improvements to Highway 41 have a raised median when the area south of Calhoun and extending on out to Highway 53 does not have raised median but a flat turning lane. He stated the current speed limit is 25 and 35 miles per hour and is not promoting high-speed traffic. He stated the raised median will also add time for emergency vehicles to navigate and get to those in need of their services. He stated the middle lane, if left flat, has many uses such as being used as an extra lane of traffic in an emergency. However, when it is a raised median, these other uses will disappear.
 - 5) Charlie Baker stated he owned property on the north part of Highway 41 and he was opposed to the raised median.
 - 6) Tom Strubb stated he has a tire business and it will make it harder for traffic to enter his business place. He understood that his business will be affected directly by reducing the front portion of his property.
 - 7) Ms. Hazel DeFoor stated she was opposed to the raised median. However, she understood the need to move forward with the road widening.
 - 8) Bob Conard stressed there was a change in the management of D.O.T. and if the Council would support the citizens in this endeavor to eliminate the raised median, he felt it could be done.
 - 9) Mayor Palmer stated he and J. C. Maddox had made a trip to Atlanta to discuss the raised median with the D.O.T. Commissioner and his staff. He stated it was their understanding that they had pursued the raised median due to safety reasons and reasons they could back up with statistics. He stated while the city understands the concerns of the businesses located on this portion of the highway, they also understood that should there be a change, it would delay the project for some time while plans were redeveloped. This project has been ongoing for many years and it is the desire of the city to see the project move forward as quickly as possible.
5. Public Hearings and Comments:
- a. Mayor Palmer opened a hearing on the Golden Gallon, GA, LLC beer package license request for the facility on Highway 53 East, with Douglas Manley Morse as manager. The request is for a previously approved location under new ownership. The police report is clear. There were no comments and the public hearing was closed. Mayor Pro Tem Woods made a motion to approve the

request for the change in ownership, second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.

- b. A second reading was given of an ordinance regarding the regulation of metered and unmetered water from fire hydrants on the system.
- 1) Mayor Palmer opened a public hearing.
 - 2) Mr. Tom Strubb stated he finds it necessary in his business to purchase water in various locations. He stated the one hundred dollar fee for each approved location would be expensive for his business. Mayor Palmer asked Mr. Strubb to meet with the Director of Utilities and Public Works to determine if there was a way to work with Mr. Strubb in his business.
 - 3) There were no other comments and the hearing was closed.
 - 4) Mayor Palmer stated the reasons for the ordinance is to prevent water losses, to prevent damage to hydrants that are installed county wide and to regulate backflow to protect the safety of the water system.
 - 5) There were no other comments by the elected officials.
 - 6) Councilman Denmon made a motion to waive the third and fourth readings and to and to approve, second by Mayor Pro Tem Woods, with Councilman Denmon, Mayor Pro Tem Woods, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.
- c. A second reading was given of an ordinance regarding a zoning change to allow an increase in the number of Zoning Advisory Board members to five. A public hearing was opened. There were no comments and the hearing was closed. Mayor Palmer stated a second hearing would be held on August 14, 2000 at 7:00 P.M.
- d. A second reading was given of a speed limit ordinance for on-system and off-system streets. A public hearing was opened. Mayor Palmer stated the ordinance was an attempt to firm up the speed limit ordinance adopted in 1998, which failed to include information regarding school zones. Police Chief Goswick stated the ordinance will allow the state to come in and replace signage, once the ordinance has been adopted. There were no other comments and the hearing was closed. Councilman Denmon made a motion to waive the third and fourth readings and to approve, second by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Councilwoman Potts and Mayor Pro Tem Woods voting affirmatively, motion carried.
- e. A public hearing was opened on a joint city/county application for a Georgia Department of Community Affairs Employment Incentive Program grant of \$250,000.00, for providing jobs for the low and moderate income persons for the Kerry Ingredients, Inc. project. Mr. David Howerin of Coosa Valley Regional Development Center stated the application would allow the city and county to install a rail spur and sewer service for the Kerry project for a total project cost of \$369,310.00, with \$250,000.00 being provided by the grant. He stated the initial jobs that would be available for the new industry would be 50, with additional jobs for any improvements to the operation. Jimmy Phillips, Executive Director of the Chamber of Commerce and the Industrial Development Authority stated he was in attendance to indicate support of the application by the Industrial Development Authority. He stated this would assist the city and county in providing the local effort for the industry. There were no other comments and the hearing was closed.

- f. Mayor Palmer opened a public hearing on the city's State Revolving Loan Fund application to replace the sewer interceptor line for the north industrial area. City Administrator Harrison stated the city would apply for funding in two phases. The first phase would be for approximately \$3,700,000.00. The second phase would be for \$850,000.00, with the anticipation of a \$300,000.00 ARC grant being forthcoming to assist with the second phase of the project. Harrison stated the current interceptor line is approximately 30 years old, it is 36 inches in diameter for a portion of the line, 30 inches in diameter for another portion, 24 inches in diameter in another section, and 18 inches in diameter for the final section of the line. It is almost at capacity at this time. The replacement interceptor line will be a new 36 inch diameter line, discharging into the existing 36 inch line at the crossing of Highway 136 at the Oostanaula River. The interceptor will run parallel to the existing interceptor to the Damascus Church Road. The total project will cost approximately \$4,500,000.00. It will require additional easements. These properties have been identified and initial contact has been made with the property owners. City Attorney Bailey is presently preparing the necessary documentation to begin the procurement of easements. Once this has been accomplished and the funding is in place, bids can be let for the project. There were no questions regarding the proposed project and the hearing was closed.
- g. A public hearing was opened on the 1996 CDBG grant for the Mill Village area. Mayor Palmer stated each of the council had a report on the project, which indicates the following:
- 1) The project was completed May 1, 2000, following 22 months of construction by Carver & Carver of Rome, Georgia. The improvements provided better fire protection and water service replacement of small mains in the area. It added three fire hydrants, replaced old water meters and service laterals. There were approximately 2,500 feet of new 6-inch main installed and 1,800 feet of 2-inch water main. New water meters and meter boxes were installed for 52 houses and all houses that did not have copper services were reinstalled with copper to within 5 feet of the house. The new water system benefits a total of 62 water customers in phase one of the Echota Mill Village Project.
 - 2) An entire new sanitary sewer system was constructed in the project area from 1st Street to 8th Street and included Green Row. The new sewer system includes approximately 5,000 of 8-inch sewers, 30 manholes, approximately 5,000 feet of 4-inch PVC lateral sewers, and 220 cleanouts. The new lateral sewers were constructed from the street sewer mains to each house and connected to the house plumbing. The new sewer system serves 72 residents, including 8 on Green Row.
 - 3) The project also includes street improvements, consisting of approximately 1,800 feet of new curb and 5-foot sidewalks along the east side of College Street.
 - 4) There were also storm drainage improvements related to the project.
 - 5) Traffic and safety improvements were made in order to provide better sight distance and turning radii at the street intersections. The streets within the project area were repaved and the city repaved a portion of College Street with local funds. This portion was 2,057 feet in length and 27 feet in width. The total length paved in the project area was 4,072 in length and 13 feet in width, from 1st Street to 8th Street.

- 6) The total project of improvements was \$500,000.00 provided by the grant and over \$200,000.00 in local efforts for engineering, drainage problem corrections, and for sidewalk improvements as part of the projects, as well as the paving of the north portion of College Street.
- 7) There were no other comments and the hearing was closed.

6. Old Business:

- a. Mayor Palmer stated there was an additional request from the Electric Department to declare the following as surplus property:

ITEM	VIN/SERIAL #
Ford tractor, model 455, with front-end loader and backhoe	C736363
4-wheel, steerable, 8-foot wide, military type equipment trailer	
2-wheel pole trailer, military type	
1979 Chevrolet heavy duty cab and chassis with PTO, model C60	C17DE9V152901

Following discussion, Mayor Pro Tem Woods made a motion to declare the property as surplus, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

7. New Business:

- a. Mayor Palmer gave a first reading of a purchasing policy change in order to comply with HB-1079, regarding public works contracts. Attorney Bailey stated House Bill 1079 incorporated all the state statutes dealing with public works contracts into one area of the statute. This makes it much easier for the general public and local governments to locate and comply with. He stated there were also changes such as increasing the public works contract level from \$40,000.00 to \$100,000.00 and the possibility of accepting proposals, as opposed to bids, which allows local governments to negotiate with their contractors. Mayor Palmer stated Representative Shanahan had sponsored the bill and it was a bill that was an improvement over prior legislation that was beneficial to cities and counties. He stated Representative Shanahan had been recognized for his work with local governments in improving legislation helpful to local government. Mayor Palmer stated a second reading of the proposed policy changes would be held on August 14, 2000.
- b. Mayor Palmer stated a traditional parade permit request had been received from Gordon Central High School for their Homecoming Parade for October 20, 2000 at 3:30 P.M. Following discussion, Mayor Pro Tem Woods made a motion to approve, subject to D.O.T. approval. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.

8. Other written items not on the agenda:


- a. Mayor Palmer stated there was a proposed resolution authorizing the Downtown Development Authority and the Main Street Partnership of the City of Calhoun to apply for D.O.T. Transportation Enhancement (TE) funds, which would provide 80% of the funding for a streetscape for the downtown area. The resolution authorized the filing of the application and a commitment to provide the 20% of eligible cost for the project from the local level and to authorize the Mayor to sign all documents pertaining to the application. Councilwoman Potts made a motion

to approve the resolution, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon, Councilman Shelton and Mayor Pro Tem Woods voting affirmatively, motion carried.


9. Work Reports:
 - a. Director of Utilities and Public Works, Kelly Cornwell:
 - 1) Director Cornwell stated the Corps of Engineers water extension project is progressing well. He stated activity was extremely heavy in all departments at this time of year and the rain received over the weekend is most helpful to our water system.
10. Mayor Palmer stated it was necessary to move to Executive Session for discussion of personnel matters. Mayor Pro Tem Woods made a motion to move to Executive Session, second by Councilwoman Potts, with Mayor Pro Tem Woods, Councilwoman Potts, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
11. Mayor Pro Tem Woods made a motion to move to General Session, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
12. Mayor Pro Tem Woods made a motion to approve the pay increases for city employees as per discussion in Executive Session for the fiscal year. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
13. Mayor Pro Tem Woods made a motion to adjourn, second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilwoman Potts voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**CITY OF CALHOUN
CITY COUNCIL MEETING
EXECUTIVE SESSION
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
JULY 24, 2000 – 8:15 P.M.**

MINUTES

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

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

1. Mayor Palmer called the executive session to order.
2. Mayor Palmer stated the current budget contains 4% of salaries available for merit pay increases to be determined by department heads for their employees. He asked if there were any comments from the Council regarding any changes in the proposed budget. There were none. Mayor Palmer stated the Mayor and Council had a list of the proposed pay increases for the department heads submitted by the Director of Utilities and Public Works, the Assistant Director and the City Administrator. Following discussion, those proposals were accepted. Mayor Palmer stated the Mayor and Council will review the Director, the Assistant Director and the City Administrator with their findings to be forwarded on August 14, 2000.
3. There was no further business and the Executive Session was closed at approximately 8:45 P.M.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

**STATE OF GEORGIA
COUNTY OF GORDON
CITY OF CALHOUN**

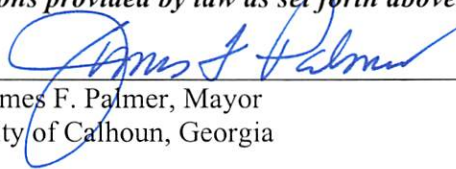
AFFIDAVIT REGARDING CLOSURE OF OPEN MEETINGS

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 July 24, 2000, the City 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. [O.C.G.A §50-14-3(4)]
- 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.

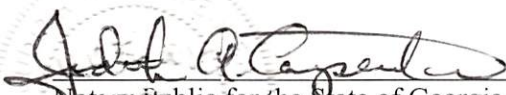


James F. Palmer, Mayor
City of Calhoun, Georgia



Witness

Sworn to and subscribed to before
me this 24th day of July 2000.



Notary Public for the State of Georgia
Notary Public, Gordon County, Georgia
My Commission Expires April 30, 2002

**CITY OF CALHOUN
CALHOUN, GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun is continually seeking ways to improve the city's image, as perceived by the general public; and

WHEREAS, the Calhoun Downtown Development Authority and the Main Street Partnership are also reviewing ways to improve the economic and esthetic appearance of Calhoun, specifically the downtown area; and

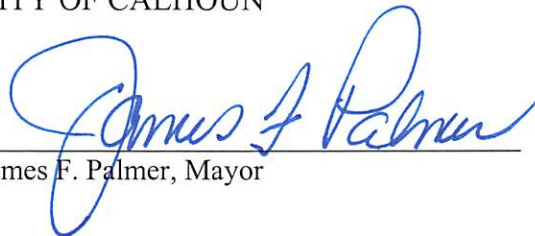
WHEREAS, the Transportation Enhancement (TE) program is available and will provide funding of 80% of approved costs;

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the City of Calhoun, Georgia hereby agree to provide 20% of eligible costs for the approved project, enabling the City of Calhoun to provide a downtown streetscape with the assistance of the Transportation Enhancement (TE) program.

BE IT FURTHER RESOLVED, Mayor James F. Palmer is hereby authorized to sign the application and all other necessary documents.

ADOPTED this the 24th day of July 2000.

CITY OF CALHOUN


James F. Palmer, Mayor

ATTEST:


Cathy Harrison, City Administrator/Clerk