

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST
AUGUST 22, 2016 7:00 P.M.**

MINUTES

**PRESENT: James F. Palmer, Mayor
David Hammond, Mayor Pro Tem
Al Edwards, Councilman
Matt Barton, Councilman
Jackie Palazzolo, Councilwoman**

ALSO: Eddie Peterson, City Administrator; Larry Vickery, Utilities General Manager; George Govignon, City Attorney; Paul Worley, City Clerk; Garry Moss, Police Chief; Jeff Defoor, Director of Electric Utilities; Brad Carrick, Telecommunications Director; Lenny Nesbitt, Fire Chief; Todd Holbert, Battalion Chief

- 1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.
A. Mayor Palmer gave the invocation.**
- 2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.**
- 3. Mayor Palmer made a recommendation to add an item D. under old business to discuss the Police Station. Mayor Palmer stated that a new option was discussed at the work session and would like for it to be discussed further. Councilman Hammond made a motion to approve the amended agenda as requested. Councilman Barton seconded the motion. All voted aye, motion approved.**
- 4. Councilman Hammond made a motion to approve the minutes of the August 8, 2016 City Council Meeting. Councilman Edwards gave a second with all voting aye, motion approved.**
- 5. Mayor's Comments:**
 - A. Mayor Palmer commented that former Councilmember Ron Woods had passed away since they had last met. Mr. Woods had served on the Council for eight years and our thoughts and prayers are with his family. Also, Mr. Curtis Craig, a City employee for 27 years, passed away and our thoughts and prayers are with the Craig family as well.**
- 6. Public Hearings and Comments:**
 - A. Mayor Palmer opened a public hearing of an ordinance change for the on-system and off-system streets within the City of Calhoun. The changes made reflect updating Mile Post for the State Routes. No Off-System roads were revised.
 - Administrator Peterson stated that all advertising requirements have been met.****

- Mayor Palmer asked for comments. This update is required by the Georgia Department of Transportation every five years. There were no more comments and the public hearing was closed.
- Councilman Hammond made a motion to approve the ordinance change. Councilman Barton gave a second with all voting aye, motion approved.

7. Old Business:

- A. Mayor Palmer conducted the second reading of a variance request by Ronnie Holbrook: GAH Properties, LLC at a location of 114 Erwin Street. The variance request is for a 29 foot variance from the required 30 foot front setback on the southeast corner and the southwest corner. Also, a 15 foot variance from the required 20 foot side setback on the east side of the property to be able to construct new mini store all units. The Zoning Advisory board is scheduled for September 8th and public hearing will be on September 12th.
- B. Mayor Palmer conducted the second reading of a Taxi Cab License request for Juana Rodriguez D/B/A: Boricua Taxi Cab at a location of 820 North Wall Street. The public hearing will be on September 12th.
- C. Mayor Palmer conducted the second reading of an ordinance change to Article X: Sign Ordinance. The proposed ordinance would be to eliminate Hwy 156 from the Highway Interstate Exchange zone (HIE). The HIE currently allows for one freestanding pole sign that is 100 feet in height, and not to exceed 300 square feet. The ordinance change would implement greater limitations and restrictions for interstate signage and to follow design guidelines to be enacted at a later date. The public hearing will be on September 12th. Mayor Palmer stated that the City is contracting with the Jaeger Company for design guidelines and standards for primary connectors/corridors and gateways for the City of Calhoun.
- D. Mayor Palmer stated that there was a motion during the last City Council meeting to pursue either option #2 or option #6 for the Police Station. However, since that time City Administrator Eddie Peterson sent out an email to the Mayor and Council concerning new information with another option and this option was discussed at the last work session. At the work session, the Council directed Mr. Peterson to look at all of these options and try and get more detailed information about potential costs and pricing. Mr. Peterson stated that he did get more information to help fine tune some of the estimates on the different options being considered. The newly considered option has become available at no cost to the City for the property. The three options costs are option #2 at \$2,450,000, option #6 at \$2,470,000, and the new option is \$1,970,000. The lower cost for the new option is mainly due to the property donation at no cost. Chief Moss and some of his staff came up with some square footages for a police station and we have been using 14,000 square feet as a target for any new police station building. Option #2 already has a building on it and it is 16,000 square feet and almost nine acres. After further information was gathered, Option #6 is actually only two acres, when originally we thought it was four acres. Councilman Edwards stated that according to the property owner all he intended to sell the City was two acres and not the whole parcel of undeveloped land. Mayor Pro Tem Hammond stated that he was not interested in pursuing this option with the new information. Councilman Barton discussed the new option of land at no cost, but made the point that there is a

cost being that the land does have value. If the property is not available to be sold at a later day, then that is a value not realized in the future. Basically there is no out of pocket cost now, but it is a value loss at a later time. Councilman Edwards stated that the Development Authority already has possession of the property and the City would not realize the sale proceeds from the property. Mayor Palmer stated that the City funds the Development Authority around \$185,000 per year. Also, the Development Authority has given Gordon County seven acres where the George Chambers Center is located and another five acres for the new Agriculture Center. Mayor Palmer asked the Council if there was a willingness to consider the new option of the Development Authority land. Mayor Pro Tem Hammond stated he was willing to consider the new option along with option #2 on Curtis Parkway. Mayor Pro Tem Hammond stated that either one of these would work well and there are advantages with both options. The new option brings better security to the Recreation Park and would help prevent vandalism. Option #2 on Curtis Parkway has a large school system close by with Kindergarten through fifth grade and also three different neighborhoods, which Mr. Hammond stated he liked a lot. There are negatives with both areas and also positives with both areas, but these two options need to be looked at and a decision made so management can move forward with the project. Mayor Palmer stated that the existing building is currently paying property tax and collects sales tax and the other property is already tax exempt. Therefore, Option #2 would be taking a property off of the tax rolls. Mayor Palmer read the email sent out by Administrator Peterson as follows, "I just found out that the GBI has acquired the Experiment Station property off of McDaniel Station road and plans to build a regional facility at this location. In a related matter, talking to Bill Thompson, he indicated that the IDA would have no problem with the City using 4 acres on the north side (Recreation side) of McDaniel Station road for a police station, at no sales charge. It was pretty much agreed that an industrial plant would not locate on the north side due to the flood plain issues and recreation area. Bill seemed to think that a city police department and a GBI headquarters might spur commercial development on the north side. The property west of Engineered Flooring will certainly locate some type of manufacturing or warehousing in the future." Mayor Palmer stated the Kathy Johnson, President and CEO of the Gordon County Development Authority, attended the last work session discussing the development authority property on McDaniel Station Road and discussed a desire to market some of this property for some type of convention center. These moves could help to develop some of this land for other commercial projects and also the Recreation Director is planning on bringing in a lot of activities with the new park development. Councilwoman Palazzolo asked Chief Moss about the City property across from the Armory and the uses of that building for the Police Department. Chief Moss stated that this location was used as a precinct for officers to be able to do reports and give them a little more space. Also, to help add security for the City's fuel depot. Councilwoman Palazzolo made the point that this gives us a precinct on the other side of the railroad. Mayor Pro Tem Hammond asked Fire Chief Nesbitt if he has thought about closing Fire Station #3 on Curtis Parkway near the hospital because of the close proximity of the apartments and congestion in that area, and the reason for asking is thinking about the possibility of building a Fire Station on the piece of property we are looking at for the Police Station (option #2). Chief Nesbitt stated that if Fire Station #3 was closed, the City would still need a station in that area. Mr. Hammond asked if the other location on Curtis Parkway would still be considered

in the area. Chief Nesbitt stated it would probably still be considered in the general area. Chief Nesbitt stated that the current Fire Station #3 does benefit the hospital, but there are concerns with the amount of kids that play around the Station and they have considered doing some fencing to help secure the property. Mayor Pro Tem Hammond stated that the thought had just occurred to him recently that option #2 could possibly be enough land to have a police station and a fire station. Mayor Palmer stated that they all wanted to make the right decisions and read an email communication sent by Councilman Edwards as follows, "I think we owe it to ourselves and the community to consider all options in the interest of doing the right thing, in the right place, for the best price." Mayor Pro Tem Hammond stated that the Council does need to bring this to an end to be able to make plans to transition the Police Department out of their current location, and felt confident that a decision could be made by the end of September at the very latest. Mayor Palmer stated that hopefully a decision could be made at the next Council meeting. Councilwoman Palazzolo made a motion to amend her original motion by adding the new property on McDaniel Station Road as another option to consider. Councilman Barton gave a second with all voting aye, motion approved.

8. New Business:

- A. Mayor Palmer read a recommendation by the Revolving Loan Commission to appoint Brad Rains to a six year term on the Revolving Loan Commission. The term would expire on June 30, 2022. Councilman Barton made a motion to approve the recommendation. Councilman Edwards gave a second with all voting aye, motion approved.
- B. Mayor Palmer read a special event/road closure request by the Gordon Hospital Foundation for the annual "Run for Your Life 5K". The run is scheduled for Tuesday, October 25th with the race beginning at 6:00pm. The race route would start on Warrior Path, crossing Red Bud Road to Curtis Parkway, turn right on Dew Pond Road, turn right on Devonwood Drive, right on Normandy Lane, right on Windsor Drive, left on Derby Lane, right on Kent Drive, left on Curtis Parkway, and finishing at Gordon Hospital. Councilman Barton made a motion to approve the request. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
- C. Mayor Palmer conducted the first reading of the proposed 2016 property tax millage rates for the City of Calhoun and Calhoun City Schools and will be eligible for a public hearing and adoption at the next scheduled City Council meeting on September 12th. The City of Calhoun proposed millage rate remains the same as 2012 through 2015 at 1.98. The City's millage rate has been below 2 mills since 1998. The Calhoun City Schools proposed millage rate remains the same as 2014 and 2015 at 17.985. The City of Calhoun current year's tax digest and levy, along with the history of the tax digest and levy for the past five years will be advertised in the Calhoun Times on August 24th and 27th and available for review at www.cityofcalhoun-ga.com. Mayor Pro Tem Hammond stated that he has been looking at some data concerning current exemptions and most of the exemptions are due to Freeport. However, also affecting the net digest is the senior citizen exemptions due to the changing demographics of the baby boomer generation. The amount of senior citizen exemptions is definitely trending up due to an increase in the age of the general population. Mayor Palmer stated that Calhoun has one of the largest senior citizen exemptions as compared to surrounding communities. Administrator Peterson stated that the City's gross digest for 2016 is \$897 million and

five years ago it was \$739 million, which is an increase of \$158 million. However, exemptions have increased from \$24 million up to \$169 million. Most of this increase is due to the City moving from a 20% Freeport exemption up to an 80% exemption in an effort to stay competitive with our surrounding communities. Also, as Mayor Pro Tem Hammond mentioned, there is a 20% increase in elderly exemptions that will continue to increase going forward.

9. Other written items not on the agenda:

10. Work Reports:

A. Administrator Eddie Peterson

- Administrator Peterson discussed a proposal from the Jaeger Company for design guidelines and standards for primary connectors/corridors and gateways for the City of Calhoun. Mr. Peterson stated that the proposal was originally presented in 2014 and stated that Dale Jaeger, who was the President and owner of the Company before selling the company, would be at the next work session to discuss the project. Ms. Jaeger is still on the company's Board and selects to work a couple of projects per year and really wants to be a part of the Calhoun design guideline project.
- Administrator Peterson reviewed the General Government monthly cash report with the general fund in a good cash position as compared to previous years. The City's reserves continue to allow for three months total operations, which is consistent with the Financial Policy. The 2011 SPLOST account currently shows a negative number and this is due to our ongoing Recreation Project payouts. The City will have to borrow out of the Peters Street SPLOST reserves to complete the Recreation project and then will pay it back over the next six months. The Peters Street Phase One Project bid opening will be Wednesday August 24th. Also, things have been worked out with NGEMC for utility relocation and we hope they will start construction soon. Currently there are three bids submitted for the Peters Street Phase One project.

B. General Manager Larry Vickery

- General Manager Vickery stated that the Electric Department cash balance was down as compared to last month's report. This is due to some expenses and a large portion was moved into the investment account. Councilman Hammond made a motion to approve the General Government and Utilities Cash Reports. Councilman Barton gave a second with all voting aye, motion approved.
- Mr. Vickery stated that the Electric Department would like to surplus three vehicles as follows:

- (1) 1996 Ford Explorer, it has 310,281 miles, and the VIN is 1FMDU32P5VUA26395
- (2) 1999 Ford Explorer, it has 187,257 miles and the VIN is 1FM2U34E5XUC22714

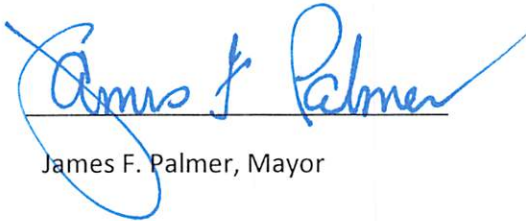
- (3) 2003 Ford Super duty Bucket Truck, it has 37,174 miles and the VIN is 3FRXF75684V659377. This bucket truck is a 1988 platform and has had at least two cab and chassis replacements. It now has a cracked boom and cannot be used for electrical work.

Councilman Hammond made a motion to declare the vehicles as surplus. Councilman Barton gave a second with all voting aye, motion approved.

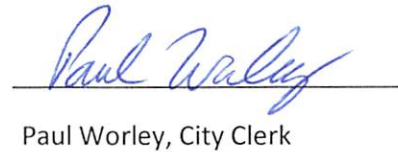
11. Attorney Govignon advised that there was a need for the governing authority to move into Executive Session pursuant to O.C.G.A. § 50-14-2 to discuss one issue to which Chapter 14 of Title 50 would not apply, to wit: (1) pursuant to O.C.G.A. § 50-14-3(b)(1)(A) the settlement of pending civil rights litigation. Also, for privileged consultation with legal counsel according to OCGA 50-14-2 on the issue. Councilman Hammond made a motion to go into executive session. Councilman Barton gave a second with all voting aye, motion approved.
12. Councilman Hammond made a motion to adjourn the executive session. Councilman Barton gave a second with all voting aye, motion approved.
13. Councilman Barton made a motion to return to regular session. Councilwoman Palazzolo gave a second with all voting aye, motion approved.
14. Councilman Barton made a motion to adjourn the regular session. The motion was seconded by Councilman Hammond with all voting aye, motion approved.

Approved:

Submitted:



James F. Palmer, Mayor



Paul Worley, 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 8/22/16 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 Walby
Witness

James F. Palmer
James F. Palmer, Mayor

Sworn to and subscribed to before
me this 22 day of
August, 2016.

Brooke Land
Notary Public for the State of Georgia

