

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
NOVEMBER 10, 2003, 7:00 P.M.**

MINUTES

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

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

1. Mayor Palmer called the meeting to order, welcomed everyone in attendance.
 - a. Councilman Woods led the group in the Lord's Prayer.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the October 27, 2003 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer recognized the Gordon County Youth Leadership group sponsored by the Chamber of Commerce to the City Council's regular meeting. He asked Lenny Nesbitt to introduce those leaders who were present. Mr. Nesbitt introduced Jonathan Moss, Beth Fern, and Deborah Moyer and stated there were several others that were not able to attend. He stated the youth that was in the leadership, almost 100% for 2003-2004, had been able to attend. Mayor Palmer asked each one to give their name and state what school they attend. Following introductions, Mayor Palmer expressed appreciation to the youth for taking the time from their personal schedules to be a member of the youth leadership group and to attend a City Council meeting. He invited each one to attend again in the future.
 - b. Mayor Palmer congratulated the successful candidates in the city and city school board races. Those included the two that had opposition: Councilwoman Potts and City School Board Member Tony Swink. He also congratulated those who had no opposition: Al Edwards on the City School Board and George Crowley on the City Council. He stated he also was reelected as Mayor. Mayor Palmer also expressed appreciation to Bob Butler and Loel McKinnon for their efforts and for their interest in the city and the school system.
 - c. Mayor Palmer reminded everyone of the annual Mayor's Christmas motorcade to Northwest Georgia Regional Hospital on December 4, 2003 at 10:00 a.m. He stated this allows gifts to be taken to the hospital that can be used for the patients, not only at Christmas but also for birthdays and other holidays during the year. He stated without this observance, many patients would not have any gifts or recognition during the holidays. Gifts may be delivered to City Hall at 226 South Wall Street any time between now and December 3, 2003.

- d. Mayor Palmer reminded the Council of the public hearing to be held on November 24, 2003 at 7:00 p.m. on a beer package license application of Sheona, Inc., Earl Bethea, Manager for 703 Oothcalooga Street.

5. Council Comments:

a. Mayor Pro Tem Shelton stated:

- 1) The Calhoun police department made 855 cases during October. They issued 164 warrants, 148 for tickets and 543 others. Anticipated fines for the month were \$143,785.00 and actual fines collected on previous cases were \$94,126.06. There were 20 DUI cases, 519 warnings tickets, 71 highway accidents and 31 private property accidents with 2 injuries. They provided 115 escorts, completed 1,880 incident reports, responded to 127 alarms, and drove 49,023 miles on patrol. They responded to 6,779 calls for service via E-911.
- 2) The fire department responded to a total of 65 calls for service during the month of October 2003. The calls included 13 fire incidents, 17 EMS or rescue incidents, 10 hazardous condition incidents, 4 service calls, 2 good intention calls, and 19 false alarms. The fire department completed training of all firefighters on fire prevention and public relations. They conducted safety presentations at Ryans. They gave presentations regarding fire safety month to 135 children at First Baptist Church; Calhoun City Schools for grades K-5; for the children at Step By Step Daycare and for personnel at the Calhoun-Gordon County Library. Firefighters completed painting and maintenance on all fire hydrants (approximately 600.) Seven fire department members completed training at the Georgia Fire Academy. The firefighters completed routine maintenance at the station and on vehicles.
- 2) The fire inspector conducted 38 inspections in October: 2 annual, 6 new business, 24 requested and 6 follow up. They conducted fire prevention programs for 1820 children at the schools and daycares. They conducted 9 burn site inspections and issued 3 commercial burn permits.

b. Councilman Woods stated:

- 1) The electric department has several projects under construction. Home Depot is completed and was energized in late October. Underground primary construction for the new Calhoun Elementary School is nearing completion. Lighting of the campus is under construction. The hospital service was energized in September. Existing overhead facilities and transformers were removed and returned to stock. The Eckerd Drug Store services have been installed and were energized in October. Line re-conducting on East Line Street and Hillcrest Drive is under construction and should be completed in January. There are several projects in engineering and design at this time. Work orders in progress include 65 for street and security lighting, 38 for new business and maintenance and 17 after hour callouts. They purchased 37,027,178 kWh of electricity.
- 2) The electric inspection division issued 22 permits in the month of October, provided 58 inspections and set 8 meters.
- 3) The telecommunications department participated in the Business Expo, making several new contacts and signing 6 sales contracts for the month.

They have started construction on a 36 count fiber installation on Executive Drive. This project will create a sub-ring connecting the existing backbone system to circuits along Marine Drive.

- 4) He stated he had no report at this time from the Coosa Valley RDC. He stated they are presently in the process of selecting a new Executive Director and he will keep the Council informed.

c. Councilman Denmon stated:

- 1) The water and sewer construction department completed 57 water taps and 6 sewer taps in October. They continued work on replacement of the downtown water and sewer lines and the Covington Bridge Road 12-inch water line. They completed work on the 12-inch water line along Boone Ford Road. They repaired 67 water leaks and 23 water meters. They responded to 125 miscellaneous calls.
- 2) The water treatment plant pumped 409,818,000 gallons of water for a daily average of 13.220 million gallons.
- 3) The waste treatment plant treated an average flow of 6.597 million gallons per day. The average BOD effluent was 12, the average suspended effluent was 34 and the average COD effluent was 126.
- 4) A note from Director Cornwell indicated the 6.597 million gallons is the lowest daily average flow for the waste treatment plant in the past 13 years. He stated the new interceptor line and sewer replacement lines in the downtown area, plus our ongoing infiltration project headed up by three work crews, is paying dividends.
- 5) Mr. Cornwell also provided a special project status report for the record (Attached as "EXHIBIT A")

d. Councilwoman Potts stated:

- 1) During the month of October, the street sweeper cleaned 40 miles of curb and gutter. The street department hauled 130 loads of stone, placed 11 new street signs and completed 40 shop work orders. They patched College Street and Court Street, utilizing 52.13 tons of asphalt. They dug out and poured 48 yards of concrete, filling in DOT road cuts on Court and North Wall Streets. They laid 120 feet of 24-inch pipe at the soccer fields on Mauldin Road. They completed the storm water pipe installation on the downtown Streetscape Project. They also worked on the north and south ends of the McDaniel Station Road, hauling base material and grading and compacting for paving. The road is now open to the public.
- 2) The sanitation department ran their commercial trash routes and serviced and washed vehicles. They gained one 4-yard commercial dumpster account.
- 3) The parks department crews provided their routine maintenance on city property, water tank sites and right-of-ways, raking leaves and picking up litter. They painted the bathrooms at the recreation department pavilion. They built drafting tables for the building inspector and started a new office at City Hall.
- 4) The cemetery department marked and supervised the opening and closing of 13 gravesites. They sold 3 burial spaces. They performed routine maintenance at both Fain and Chandler Cemeteries.

- 5) There were 4 workers' comp accidents and 5 vehicle accidents during the month.
- 6) Animal control issued no warnings regarding leash law violations. They responded to 48 customer calls.

6. Public Hearings and Comments:

- a. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials had filed a disclosure statement regarding ownership or special interest in the agenda items. The response was negative. Mayor Palmer reviewed the Standards Governing the Exercise of Zoning Power, as follows:

STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- (1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- (4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (5) Whether there will be capital costs for capital improvements to serve the area. Capital costs shall include water mains, sewer mains, new street pavement or widening, new fire stations or equipment, new police stations or equipment, and other like costs.
- (6) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.
- (7) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for their approval; or disapproval of the zoning proposal.
- (8) Whether there are other factors relevant to balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property.

VARIANCE CONSIDERATIONS (ONE OR MORE)

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance to the particular piece of property would create an unnecessary hardship.
- (c) Such conditions are peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

- 1) Mayor Palmer gave a second reading of a zoning change request from R-2 to C-2 by Terry Brumlow as agent for Scott Williams and Robert W.

Miller for a lot on Curtis Parkway, being approximately 3 acres in Land Lot 231 of the 14th District and 3rd Section of Gordon County, Georgia.

- a) A public hearing was opened.
- b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
- c) Councilwoman Potts stated the matter had been heard by the Zoning Advisory Board on November 6, 2003 at 4:30 p.m. and their findings included the following:

- (1) The zoning proposal would permit a use that is suitable in view of the use and development of the adjoining and nearby property.
- (2) The proposal will not adversely affect the existing use or usability of adjacent or nearby property.
- (3) The property as currently zoned (R-2) has a reasonable economic use.
- (4) The zoning proposal would not result in an excessive impact on existing streets and utilities.
- (5) All costs for capital improvements for the property will be borne by the developer.
- (6) The request is in conformance with the policy and intent of the land use plan.
- (7) There are no existing or changing conditions affecting the use or development of the property.
- (8) There are no other factors relevant to balancing the interest and promoting the public health, safety, morality or general welfare against the right to unrestricted use of the property.

- d) Councilwoman Potts stated that based upon these findings, the Zoning Advisory Board had recommended approval of the zoning change request from R-2 to C-2.
 - e) Mayor Palmer inquired if there were any comments by the applicant. There were none. He inquired if there were any registered speakers on the application. There were none and the hearing was closed.
 - f) Councilwoman Potts made a motion to waive the third and fourth reading and approve the request for a zoning change from R-2 to C-2 based upon the findings of the Zoning Advisory Board. The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon, and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 2) Mayor Palmer gave a second reading of a zoning variance request by the Calhoun First Methodist Church for an on-premise sign that meets code except for two feet in height.
- a) A public hearing was opened.
 - b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
 - c) Councilwoman Potts stated the matter had been heard by the Zoning Advisory Board on November 6, 2003 at 4:30 p.m. and

approval of the request was recommended based on their findings as follows:

- (a) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance to the particular piece of property would create an unnecessary hardship.
- (c) There are no conditions peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance.

d) Mayor Palmer inquired if there were any comments by the applicant. Stuart Lance stated he had no comments for the church. Mayor Palmer inquired if there were any registered speakers who wished to enter any comments. There were none and the public hearing was closed.

e) Councilwoman Potts made a motion to waive the third and fourth reading and approve the request for the 2-foot height variance, second by Councilman Woods and Mayor Pro Tem Shelton, with Councilwoman Potts, Councilman Woods, Mayor Pro Tem Shelton and Councilman Denmon voting affirmatively, motion carried.

3) Mayor Palmer gave a second reading of a variance request by Southern Advertising for two Home Depot signs at 1280 Curtis Parkway. The request is for two 102 square foot, 25-foot tall pylon signs for adequate exposure.

- a) A public hearing was opened.
- b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
- c) Councilwoman Potts stated the matter had been heard by the Zoning Advisory Board on November 6, 2003 at 4:30 p.m. and approval of the request was recommended based on their findings as follows:

- (a) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, other than the large site that will be utilized.
- (b) The strict application of this ordinance to the particular piece of property could create an unnecessary hardship.
- (c) There are no conditions peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance.

d) Councilwoman Potts stated the Zoning Advisory Board had determined that Home Depot would need only one sign on Curtis

- Parkway. The other sign would be located on Highway 53 and would not require a variance.
- e) Mayor Palmer inquired if there were any comments by the applicant. There were none. Mayor Palmer inquired if there were any registered speakers who wished to enter any comments. There were none and the public hearing was closed.
 - f) Councilwoman Potts made a motion to waive the third and fourth reading and approve the request for a variance for one 25-foot tall pylon sign, based on the findings of the Zoning Advisory Board. The motion was seconded by Councilman Woods and Councilman Denmon, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 4) Mayor Palmer gave a second reading of a zoning variance request by Whittenburg Properties, Inc. to build a triplex at 605 College Street on property zoned R-2, which previously had a single-family frame house located thereon.
- a) A public hearing was opened.
 - b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
 - c) Councilwoman Potts stated the matter had been heard by the Zoning Advisory Board on November 6, 2003 at 4:30 p.m. with the following findings:

<ul style="list-style-type: none">(1) The zoning proposal would permit a use that is not suitable in view of the use and development of the adjoining and nearby property.(2) The proposal will adversely affect the existing use or usability of adjacent or nearby property.(3) The property in question has a reasonable economic use as currently zoned.(4) The zoning proposal would result in additional traffic and runoff and have an excessive impact on existing streets and utilities.(5) All costs for capital improvements for the property would be borne by the developer.(6) The request is not in conformance with the policy and intent of the land use plan.(7) There are no existing or changing conditions affecting the use or development of the property.(8) There are other factors relevant to balancing the interest and promoting the public health, safety, morality or general welfare against the right to unrestricted use of the property.
--
- d) Councilwoman Potts stated based on these findings, the Zoning Advisory Board had recommended denial of the request for a zoning variance.
 - e) Mayor Palmer asked if there were any comments by the applicant.
 - f) Mr. James Wyatt, Attorney for Whittenburg Properties, stated the variance had been filed since there had been a change in the code

since the May 2002 tornado regarding R-2 property. He stated his client had originally filed a building permit for eight units to be built on the property. The building permit had been denied. After this period of time, a moratorium had been issued while the Council drafted a change in the ordinance as a result of the May 2002 storm. He stated since that time, his client had filed a request to build a triplex and in accordance with the changes in the code, had filed a variance request in order to locate a triplex on the property. He asked the Mayor and Council, based upon these conditions, to approve the request.

g) Mayor Palmer asked if there were any registered speakers who wished to make comments.

(i) Suzanne Hutchinson, who resides at 516 College Street, stated she lives across the street from the property and the lot is visible from her home. She stated at the Zoning Advisory Board, she had filed a petition signed by over 150 friends and neighbors objecting to the construction of a triplex in the neighborhood. She asked that the petition also be considered by the Mayor and Council. She stated the zoning ordinance considers the economic condition of property as it currently exists and she stated that recent sales in the area confirm that there is economic value to the property as it is currently zoned. She stated the public health and welfare would be damaged should the variance be granted. She stated the applicant has no vested rights, since the ordinance has not been changed since he filed a variance request. Hutchinson stated the surrounding property is predominately single family housing. The neighborhood is continually being restored and upgraded. This conforms to the upgrading of the downtown area. She asked that the variance be denied in order that the residents and property owners may have the opportunity to continue to improve an area composed of single-family homes.

(ii) Julia Ann Martie stated she owns the home next door to the property in question. She can attest to the drainage during rainy periods and the problems that occur. She was very concerned with the construction of a triplex that would almost completely cover the entire lot, which would increase these drainage problems. She stated she is also concerned about the property values for her home, should the request be granted.

(iii) Sue Haney of 408 College Street stated owners in the immediate area have spent a great deal of money on renovations of homes that date back to 1908. She stated these homes are being preserved. Some are being purchased by young people who want to renovate and move into the area. She stated a triplex located in the area would cause additional traffic, would add to drainage problems and would encourage other vacant lot owners to

also seek permits to build multi-family housing, lowering the value of the homes in this single-family housing area. She requested that the Mayor and Council vote to deny the request.

- (iv) Ed Weldon stated he and his wife, Jane, live on College Street in a home that has been owned by his wife's family for over 100 years. He stated they have recently completed renovation of the home. The street has many similar older homes that have been renovated at great expense. The owners are very proud of the result and consider that they area safe and secure. He stated, while there is a need for rental property and multi-family housing, he does not feel that being in the midst of a single-family housing area is the answer. He asked that his comments that were provided to the Zoning Advisory Board be considered by the Mayor and Council.
 - h) Mayor Palmer asked if there were additional questions by the Council. There were none and the public hearing was closed.
 - i) Councilwoman Potts stated based upon the findings of the Zoning Advisory Board, she would make a motion to deny the request for a variance to allow a triplex to be built on the lot in question. The motion was seconded by Councilman Woods and Councilman Denmon, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- b. Other hearings or comments:
- 1) Mayor Palmer gave a third reading of an ordinance establishing rules and regulations for public parks and recreation areas.
 - a) A public hearing was opened.
 - b) Mayor Palmer stated that after lengthy discussion at the work session, it was the consensus of the Council to consider the ordinance with the understanding that although permits would be required for use of the property, it would not carry any cost or insurance requirements, with the understanding that the absence of these two items would grant the city liability immunity in these areas.
 - c) Attorney Bailey stated that in reviewing the law, he had determined that the Mayor and Council could require a permit in order to establish that a person is of legal age to accept responsibility for use of the facilities, but fees would be excluded, as well as insurance requirements. However, the individual would be responsible for the facilities and should all care not be taken, it will eliminate the possibility of the group or individual using the property in the future.
 - d) Following additional discussion, the public hearing was closed.
 - e) Councilman Woods made a motion to adopt the ordinance, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro

Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

- 2) Councilman Woods made a motion to remove from the table the Charles A. Farrell, Personal Tax Services, Inc. revolving loan application for \$270,000.00 for creation of six full-time and 17 seasonal jobs in Calhoun, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - a) The public hearing was reopened.
 - b) Mayor Palmer stated the application consisted of a request for \$270,000.00, which would include creation of 6 full-time jobs and 17 seasonal jobs. Councilman Woods stated the Loan Advisory Commission had met on November 7, 2003 at the offices of Personal Tax Services, Inc. and based upon the conversations between the applicant and the Loan Advisory Commission members, they had recommended the loan that would be suitable to meet the needs of the applicant. The recommendation was for a loan of \$270,000.00 to Mr. Farrell as the owner of the building (the former Impact Furniture Building) on Park Avenue. The revolving loan program would accept a second mortgage. The proceeds would pay down the first mortgage, reducing the first and second mortgage to a level below the appraised value of the property. The applicant would be required to provide an assignment for \$270,000.00 of life insurance. Following discussion at the work session, Councilman Woods stated it had been determined that the cash flow from the Personal Tax Services, Inc. would provide funding for repayment of the loan and would also be responsible for job creation. Therefore, they would also ask for an endorsement of the company and the owners, in addition to the other items recommended by the Loan Advisory Commission.
 - c) Mayor Palmer asked if there were any questions or comments regarding the application. There were none and the public hearing was closed.
 - d) Councilman Woods made a motion to approve the loan application for \$270,000.00 to Mr. Farrell, with the understanding that the proceeds would pay down the first mortgage, which would be subrogated to the city for a second mortgage of \$270,000.00, with the understanding of the 6 full-time and 17 seasonal jobs to be created, and with the understanding that life insurance would be assigned in the amount of the loan to the City of Calhoun. The loan would be guaranteed by Personal Tax Services, Inc. and its respective owners. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

7. Old business: **none.**

8. New business:

- a. Mayor Palmer gave a first reading of a request by Ronald B. and Lorene Potts for zoning of R-1B and annexation of a house and lot at 405 Peters Street in Land Lots 265 and 266, 14th District and 3rd Section of Gordon County, Georgia. He stated the earliest date for a public hearing would be December 8, 2003 at 7:00 p.m. Councilman Woods made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- b. Mayor Palmer gave a first reading of a request by Ronald B. and Lorene Potts for zoning of R-1B and annexation of a house and lot at 126 Erwin Street in Land Lot 265, 14th District and 3rd Section of Gordon County, Georgia. He stated the earliest date for a public hearing would be December 8, 2003 at 7:00 p.m. Councilman Woods made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- c. Administrator Harrison, who served as the Election Superintendent, gave the official election report as follows:

Total Votes Cast		808
Total Registered Voters for Precinct		5,299
Percentage of Voters on November 4, 2003		15.25%
Candidate Results:		
Mayor	Jimmy Palmer	707
Council Post 1	George Crowley	675
Council Post 2	Loel McKinnon	188
	Lorene Potts	611
School Board Post 4	Al Edwards	680
School Board Post 5	Bob Butler	274
	Tony Swink	500

- d. Mayor Palmer stated in order to provide the 60-day notification to taxpayers, as required by state law, and due to a slight delay in digest approval, he would ask for a motion to extend the tax due date from December 20, 2003 to December 31, 2003. Councilwoman Potts made a motion to approve the extension of the due date to December 31, 2003, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - e. Mayor Palmer gave a first reading of a zoning variance request regarding parking spaces by Terry Brumlow as agent for Scott Williams and Robert W. Miller for property on Curtis Parkway, being approximately 3 acres in Land Lot 231 of the 14th District and 3rd Section of Gordon County, Georgia. Mayor Palmer stated the earliest date for a public hearing would be December 8, 2003 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing for that date and time, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
9. Other written items not on the agenda: **none.**
10. Work Reports:
- a. Kelly Cornwell, Director of Utilities stated in addition to his written report provided earlier, he would acknowledge that all easements for property to

complete the Spring Project has been acquired and the project is moving forward satisfactorily. Also, EPD has completed testing and determined that no treatment will be necessary.

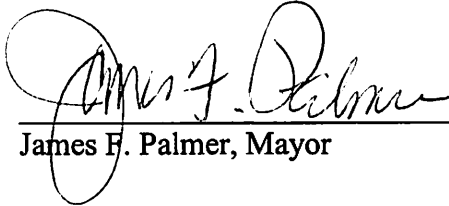
- b. Eddie Peterson, Director of Public Safety and Public Works stated he had also filed a written report to be entered in the minutes (Attached as "EXHIBIT B") He acknowledged that McDaniel Station Road is now open to traffic and the project came in \$67,000.00 under budget.
- c. Mayor Palmer also commented on the written report regarding the meeting with DOT Commissioner Harold Linnenkohl regarding 41 North. The result of the meeting indicated that DOT will not have any funding available to purchase right-of-way that would be in the neighborhood of \$16 million for a four or five lane project. Therefore, a study is currently under way for a lower level of improvements. Mayor Palmer stated he is desperately pushing for intersection work that will relieve some of the traffic problems.

11. Mayor Palmer stated there was no need to move to executive session.

12. Councilman Woods made a motion to adjourn, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts, and Mayor Pro Tem Shelton voting affirmatively, motion carried.

Approved:

Submitted:



James F. Palmer, Mayor



Cathy Harrison, City Administrator

“EXHIBIT A”

**Water and Sewer Special Projects Status Report
By Kelly Cornwell, Director of Utilities**

- Mauldin Road Water Treatment Plant Modifications and Water System Improvements, Phase IV: The SRF loan has been approved. We are acquiring property for the two new water storage reservoirs. Engineering has begun on the Mauldin Road WTP improvements. Bids have been received for the two new high service pumps. Two new rate of flow control valves are out for bids. Bids will be received on November 13, 2003. The design has begun for the 85,000 feet of new water mains as part of the SRF project. The Motor Control Centers are out for bids. Bids will be received November 25, 2003.
- Mauldin Road Water Treatment Plant (Carbon Feed System for taste and odor): The installation is complete.
- The 24" bore under 1-75 has been completed. The contractor is continuing with the installation of the 12" water main on Boone Ford Road. This project is complete and fire flows have been verified by Home Depot.
- The new 12" water main on Covington Bridge Road is complete. This water main will help serve Pickens County.
- Wastewater Treatment Plant Modifications: The new Belt Press has arrived and has been installed. The new lime system has been ordered and is under fabrication; delivery is scheduled for November 2003. The new sludge holding facility is under construction and is scheduled for completion in early December.
- North Interceptor replacement Sewer: The contractor has approximately 80% of the project completed. We now have the old interceptor abandoned downstream of U.S. 41.
- Echota Mill Village Phase II: The project is complete. The streets are ready for paving.
- Downtown Water and Sewer Rehabilitation Project: Our Water crews have installed 97 % of the new water mains. The sewer rehabilitation project is complete.
- The Gordon County/City of Calhoun Sewer Projects-Sonoraville Project is under design. We have given the county the easement drawings. This will allow the county to proceed with easement acquisitions.
- Surveying for the 41 South Sewer Project is scheduled for November 2003.
- We have received the bids and have completed the evaluation of the bids for the One Year Unit Price Contract for Water and Sewer Lines.
- Environmental Protection Agency- Vulnerability Assessment: EPA, as part of the "Homeland Security Act," is requiring all water systems to complete a vulnerability assessment of their water systems. The time frame for completion is based on population served. Our deadline is June 30, 2004. In addition to the assessment, we will have to develop an Emergency Response Plan along with addressing the possible threats by implementing countermeasures.
- Initial testing of the Big Spring by EPD indicates that the spring is not under the influence of surface water. Survey data and evaluation of options are planned for December 2003.

“EXHIBIT B”

Project Updates

by Eddie Peterson, Director of Public Safety and Public Works

1. **McDaniel Station Road:** McDaniel Station Road was reopened on November 5, 2003. The City and County committed \$240,570.50 each and the Development Authority agreed to provide \$423,767.00 (for a total of \$913,908.00). The project was completed at a cost of \$846,500.00, which was \$67,408.00 under budget. This completion cost also included the 53 Spur intersection, and 800' of three lane improvements, which was not part of the original contract. NWGP wanted \$60,000.00 to complete the 800' section. We decided that this was not a justified price and City of Calhoun forces completed the section for \$28,000. The Development Authority should see a savings of \$60,000.00 after some final invoices for engineering which GDOT Commissioner Harold Linnenkohl requested on the SR 53 intersection side. The new McDaniel Road consists of; three 12' lanes, 10" base, 4" GAB, 2" binder, 1 ½" E-mix, curb/gutter, 2,500' of drainage pipe, and a 5' sidewalk on the east side.
2. **Harris Beamer Landfill:** EPD conducted an inspection of the Harris Beamer Landfill on October 21, 2003. As soon as vegetation is established, Calhoun will receive a closure certificate for the landfill. We have been working toward this goal for several years. We have submitted an Assessment of Corrective Measures to EPD, on October 31, 2003 which, if approved, should allow Calhoun to be de-listed from the hazardous site index and allow for less comprehensive ground water and methane testing in the future. The closure certificate is good. Removal from the HSI would be great!
3. **Downtown Storm Water Project:** The storm water project from the Courthouse to Line Street is complete. When the Street Scape project begins we will install catch basins which align with the new curb elevations. The drainage system is currently on line.

Pipe Cost	\$ 72,400.00
C & S	138,000.00
Calhoun Street Overtime	24,000.00
Repair Paving	12,900.00
Stone	<u>36,000.00</u>
TOTAL	\$ 283,300.00
4. **Pavilion Update:** The River Street Pavilion is nearly complete. We will pour a sidewalk and entrance pad for ADA compliance in the next few days. The facility measures 38' x 90' and cost \$21.30/sq. ft. to rebuild. The pavilion is larger than the other facility. We added restrooms, lighting, electrical outlets, and a substantial increase in the rock area. The framing was beam and timber with the roof constructed 5/4" x 6" tongue and groove. The previous pavilion was used by 15,000 people a year before the May 1st storm of 2002. This facility should provide a usable and pleasing experience for the community. It will also provide restroom facilities for the youth league baseball players on the north field.
5. **DOT Meeting:** The Mayor and two Council members met with GDOT Commissioner Harold Linnenkohl on Tuesday, October 14, 2003, at 10:30 a.m., in the Atlanta DOT office. Those present included: Mayor Jimmy Palmer, Commissioner Harold Linnenkohl, Councilwoman Lorene Ports, DOT Assistant Jim Simpson, Councilman Ron Woods, DOT Assistant Peter Hortman, and Director of Public Works E. Peterson. Mayor Palmer and the Council congratulated Harold Linnenkohl on his recent appointment as Commissioner of the Georgia Department of Transportation. The SR 3 widening project, from Line Street to SR 156 (Red Bud Road), was discussed. This project was proposed by the DOT in the early 1990's as a one-way pair design, but was later redesigned as a four lane project with turn lanes. Commissioner Linnenkohl explained that during the past five or six years the right-of-way expense, for MLP-3 (226), increased to the point that the DOT was not in a position to fund a four lane with raised medians. Mayor Palmer suggested that the intersection at SR3 and Line Street and the intersection at SR3 and SR156 be improved. Mayor Palmer also felt that a three lane road configuration might be acceptable in lieu of the four lane. Commissioner Linnenkohl referred to a west by-pass study that the DOT was conducting in Calhoun. This by-pass study has been

ongoing for the past 14 months and would be complete in December 2003. At that time, DOT engineers could evaluate the possibility of a three lane project with intersection improvements. Commissioner Linnenkohl said the Federal Highway Administration would not fund a three lane project because of the traffic volume, but the DOT could use State monies for project MLP-3 (226). Commissioner Linnenkohl assured the Mayor and Council that he would look at every possibility to assist Calhoun with a solution to the SR3 traffic problems.

The intersection of SR53 at McDaniel Station Road, STP-0004-00(048), was discussed. The Mayor and Council requested that this project be expedited due to the development of the McDaniel Station Road Industrial Development Park. Commissioner Linnenkohl explained that this project was scheduled 25 months out. The Commissioner indicated that the best the DOT could do would be FY2005 funding with "possible" construction beginning in the fall of 2004. The City of Calhoun was to provide the DOT engineers information on elevations, contours, and alignment between the Calhoun McDaniel Station Road project and the DOT intersection project.

Signalization associated with the Calhoun Street Scape TE project as Court and SR3 was discussed. Commissioner Linnenkohl stated that his department would contact the Cartersville District Office and check on the status of this signalization project.

There being no further business the meeting was adjourned at 11: 15 a.m., Tuesday, October 14, 2003.

6. College Street and Mill Village Resurfacing: Atlanta Gas indicated a go this week for milling and repaving College Street. The Gas company had to get final approval from the PSC for a repaving project of this magnitude. While College Street is being resurfaced we plan on completing all of the Mill Village streets that had water and sewer construction.
7. Fire Department: In January 2004 eight of our fire fighter's will begin a 400 hour training class to become certified EMT's. The class will take 6 to 8 months to complete. This is a voluntary class and our goal is to have fully trained EMT's on each shift after the training is complete. Several years ago the County had four ambulance crews on call. Today the ambulance service has three units in service but each day at mid-night the units are reduced to two in service. The Calhoun Fire Department is called out on 70% of all ambulance calls and most of the time we are the first ones on the scene.
8. Erosion and Sedimentation: At this time, we have 369 acres permitted under land disturbing activities. There are 32 permits associated with this acreage.
9. Officer Honored: Former Calhoun Police Officer Freddy Arencibia received the Governor's Public Safety Award for Acts of Heroism for pulling a mother and daughter out of a burning car on 1-75 last year. Freddy is now a Marine Sergeant stationed at Camp Pendleton, California. The awards ceremony was held at Forsyth on October 22, 2003.
10. Recreation: Calhoun Recreation Director Ronnie Reeves received the Georgia Recreation and Parks Association 5th District Award for the Outstanding Athletic Staff Member/A1 Richardson Award on October 23, 2003 at Red Top Mountain State Park. The 5th district covers 18 counties in northwest Georgia. There will be a Recreation Board Meeting at 12:00 noon on November 13, 2003 at the Recreation Department. The 58 acre project will be discussed.