

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
JANUARY 13, 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 and welcomed everyone in attendance.
 - a. Councilwoman Potts gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Mayor Palmer gave the annual State of the City address, as per the attached.
4. Minutes of the December 16, 2002 regular City Council meeting were approved as written.
5. Mayor Palmer stated in reference to the appointment of City Council Members to departments for reporting purposes for the year 2003, he would make the following appointments:
 - a. Mayor Pro Tem Shelton: Police, Fire,
 - b. Councilman Woods: Electric Department, Telecommunications, Revolving Loan Advisory Commission, Liaison with Coosa Valley RDC
 - c. Councilman Denmon: Water Plant, Sewer Plant, Water & Sewer Construction Department, Building Inspection
 - d. Councilwoman Potts: Street, Sanitation, Cemetery, Animal Control, Parks, Zoning Advisory Board, Main Street Partnership and Downtown Development Authority
6. Mayor Palmer stated he would entertain a motion for Mayor Pro Tem for 2003. Councilman Woods stated it was his pleasure to nominate the senior member of the City Council, Mr. John D. Shelton, Jr., to the position of Mayor Pro Tem. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
7. Mayor Palmer stated he recommended the following city employees to staff positions and department heads for 2003:

- a. City Administrator/Clerk/Finance DirectorCathy Harrison
- b. Director of Utilities.....Kelly Cornwell
- c. Director of Public Safety and Public Works.....Eddie Peterson
- d. Police Chief.....Therrell Goswick
- e. Fire Chief.....Lenny Nesbitt
- f. Street Department Superintendent.....Kevin McEntire
- g. Director of Water & Sewer.....Jerry Crawford
 - Water Plant Superintendent.....Danny Stephens
 - Sewer Plant Superintendent.....Carlton Rogers
 - Sewer Construction Superintendent.....Mark Williamson
 - Water Construction Superintendent.....Kenneth Logan
- h. Electric Superintendent.....Larry Vickery
 - Telecommunications Superintendent.....Brad Carrick
- i. Golf Professional.....Robby Cole
- j. Golf Maintenance Superintendent.....Harold Franklin
- k. Director of Recreation.....Ronnie Reeves

Following discussion, Councilman Woods made a motion to approve those listed as staff and department heads for the year 2003, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

- 8. Mayor Palmer stated it would be his recommendation for Dr. Bert Vaughn to be appointed as City Chaplain for 2003, since he has served since 1986. Following discussion, Councilman Woods made a motion to appoint Dr. Bert Vaughn as City Chaplain for the year 2003, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- 9. Mayor Palmer stated he would recommend William P. Bailey to serve as City Attorney for 2003. Councilman Woods made a motion to reappoint William P. Bailey as City Attorney, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 10. Mayor Palmer stated it was his recommendation to reappoint Ms. Suzanne Hutchinson to serve as the Municipal Court Judge in 2003. Following review, Councilman Woods made a motion to reappoint Ms. Suzanne Hutchinson as Municipal Court Judge, second by Councilman Denmon, Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 11. Mayor Palmer stated it would be his recommendation to reappoint R. M. Dobbs & Co. as City Auditors for 2003. Following discussion, Councilman Woods made a motion to appoint R. M. Dobbs & Co. as City Auditor, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 12. Mayor Palmer read a proposed Banking Resolution regarding the investment of city funds and bank accounts. Following review, Councilwoman Potts made a motion to adopt the Banking Resolution, second by Councilman Denmon, with Councilwoman

Potts, Councilman Denmon, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.

13. Mayor's comments:

- a. Mayor Palmer reminded the Council of the GMA Mayors' Day meeting in Atlanta with State Legislators on January 25-27, 2003.
- b. Mayor Palmer reminded the Council and public the second meeting in January would be January 27, 2003. Since the Council would be in Atlanta at noon for the GMA meeting, there would be no noon work session.

14. Council Comments:

a. Mayor Pro Tem Shelton stated:

- 1) The police department made 588 cases during the month of December 2002, with anticipated fines of \$93,360.00. They collected \$65,322.55 in fines for previous cases. There were 13 DUI's made during the month of December and 390 warnings were issued. There were 78 highway accidents, 35 private property accidents, with 9 injuries. They provided 95 escorts, worked 1,107 incident reports, responded to 163 alarms and logged 43,415 miles on patrol. They received 5,652 calls through 911.
- 2) The fire department answered 67 calls during the month of December, with estimated damages of \$12,250.00. They responded to 21 accidents with 14 injuries and 1 fatality. There were 15 false alarms. During the month, firefighters trained on ground ladders and aerial apparatus. They participated in fire drills at the Calhoun Middle School, completed 3 days of classes with the Georgia Natural Gas Department for gas explosions and leaks. They assisted with the United Way food drive at Kroger and with the Christmas Lights parade and they completed all station and vehicle maintenance. The fire inspection division conducted 46 inspections during December. They conducted public safety education programs at the city schools with Pre-K through 2nd grade and held a holiday safety coloring contest. They held a safety essay contest for 3rd through the 5th grades.

b. Councilman Woods stated:

- 1) The city received a letter from the Sole Commissioner, William Lee Newton of Pickens County. Mr. Newton complemented Kelly Cornwell for the support and assistance he had supplied during the recent tornado in their community. He stated Mr. Newton appreciated the advice and recommendations Mr. Cornwell had given him based on his prior experience.
- 2) The electric department has completed its work at the Gordon Hospital. The changeover to new service there had gone well. The hospital construction crew damaged a newly installed transformer and it had to be replaced and shipped out for repair. The well and filter plant wiring is 90% complete and testing is under way.
- 3) The contracted construction of the telecommunications building is 100% complete, with the finishing of interior offices being done by city personnel.
- 4) The downtown park lighting and gazebo wiring are 50% complete.

- 5) Tree trimming for the current year's budget was completed in December. The Catoosa Senior Apartments on Timms Road have contracted with the city to install underground lines. Transformer service will begin in January. The Heritage Hills Condo project has all underground installation and services are completed at the building site. The Firehouse Gym outdoor leased lighting installation is complete.
- 6) All operations of the telecommunications system were relocated to the hardened vault in their new building on New Years Day. With the aid of Public Web, MEAG, Dalton, Mitel Corporation and Bellsouth, the project was completed within a 12 hour period, was massive and was well planned and executed by Brad Carrick and his staff. The Department of Transportation permit for a fiber line crossing of I-75 at Gee Road has been received, allow service to Georgia Machine Company. Calnet completed a connection to the 911 facility to provide for a new Georgia Central Information Center.
- 7) The electric department issued 9 permits during December, provided 38 inspections, set 25 meters and purchased 26,671,483 kilowatts of wholesale power.

c. Councilman Denmon stated:

- 1) The water treatment plant treated a total 343,791,000 gallons of raw water during the month for a daily average of 11.090 million gallons.
- 2) The waste treatment plant treated a daily average of 10.663 million gallons per day (MGD.) The average BOD effluent was 15, the average suspended effluent was 16 and the average COD effluent was 71.
- 3) The water and sewer construction department completed 45 water taps and 3 sewer taps during the month. They repaired 60 leaks and 23 water meters and changed out 9 meters. They responded to 105 miscellaneous calls and set 38 new meters. They also responded to 8 sewer service calls.
- 4) Councilman Denmon stated the building inspection department had a record year in 2002, with permits being sold for over \$45 million of construction during the year.

d. Councilwoman Potts stated:

- 1) The street department logged 22 miles of cleaning for the street sweeper. They hauled 84 loads of stone, installed 8 new street signs and completed 19 work shop orders. Progress continues to be made on the new downtown park. The fencing is $\frac{3}{4}$ complete and concrete is being poured on the walkways and the fountain. The gazebo is still under construction. Construction on the Line Street and Dews Pond Road sidewalk is 95% complete. Dirt is being hauled to backfill the sidewalks. Construction is under way on the sidewalk on Curtis Parkway from Dews Pond Road to Red Bud Road. The street department put up a new gate and built 100 feet of fence at the old industrial landfill. They also ran the storm water maintenance plan on December 4, checking all pipes and storm water drains. They poured 100 feet of curb and sidewalk and backfilled at the Fain Cemetery maintenance shop and they built a 20 x 35 corral for the street sweeper to dump debris at the shop.

- 2) The sanitation department ran its commercial trash routes, serviced vehicles and gained one 4-yard dumpster account.
- 3) The parks department provided their routine maintenance on city property, water tank sites and right-of-ways. They trimmed the hedges at the library along the railroad track and continued work on the new addition to the parks department.
- 4) The cemetery department marked and supervised the opening and closing of 11 gravesites, sold 14 spaces and assisted contractors with the setup of 8 new monuments. They performed routine maintenance at Fain and Chandler cemeteries.
- 5) The safety committee reported 1 workers' comp accident and 1 vehicle accident during the month. In order to encourage safety, those employees who remained accident free during the year were eligible for drawings for departmental cash prizes at the end of the year. Cash prizes were awarded, with the amount of the prizes being based on their current year departmental record vs. their prior departmental record as follows:

Winner	Amount	Department
Joyce James	\$500.00	Grand Prize
Clete Hawkins	300.00	Fire
Sharon Jolley	250.00	Police
Steven Day	325.00	Electric
Edwin Fox	250.00	Administration
Kenneth Taylor	350.00	Recreation
David Raines	300.00	Street
Max Mashburn	325.00	Sewer
Derrick Jenkins	250.00	Water & Sewer Const.
Oscar Giron	350.00	Golf
Harold Cronan	325.00	Water

- 6) The animal control department housed 15 dogs and 8 cats during the month. They issued 1 second warning and 1 third warning for leash law violations and responded to 42 customer inquiries.
- 7) Councilwoman Potts stated it would be the recommendation of the Downtown Development Authority Board to appoint Andrea Brumlow to fill the unexpired term of Howard Jones on the Downtown Development Authority Board. Following consideration, Councilwoman Potts made a motion to appoint Andrea Brumlow, second by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

15. Public Hearings.

- 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.

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 request for zoning of R-1 and annexation by CAHA, LLC, d/b/a Small World Day Care at 111 Jones Road, for approximately 1.5 acres adjoining other property within the city limits.
 - a) A public hearing was opened.
 - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been forwarded to the local legal organ for publication.
 - c) Councilwoman Potts stated the Zoning Advisory Board met on this matter on January 9, 2003 at 4:30 p.m. She stated based upon the information provided by the applicant and the Zoning Review Committee and based upon questioning of the applicant, the Zoning Advisory Board had determined that the R-1 zoning request would be a compatible zoning with the adjacent property. The zoning proposal would not adversely affect the use of the adjacent property. The property in question has a reasonable

economic use as currently zoned in the county. The use will not result in an excessive burden on the streets or other facilities. Capital costs associated with the project for utilities and entrances will be paid for by the developer. The proposed use is in conformity with the current land use plan of the city. She stated based upon these findings, it was the recommendation of the Zoning Advisory Board to approve the annexation.

- d. Mayor Palmer inquired if there were any comments by the applicant. There were none. He inquired if there were any comments by the public. There were none and the public hearing was closed.
- e. Councilwoman Potts made a motion to waive the third and fourth reading and to approve the request for R-1 zoning and annexation, based upon the following factors:

- (1) Zoning of R-1 will permit a use that is compatible with the adjacent and nearby property.
- (2) The zoning proposal will not adversely affect the use of the adjacent property.
- (3) The property in question has a reasonable economic use as currently zoned in the county.
- (4) The use will not result in a use that will not excessively burden streets or other facilities.
- (5) The capital costs associated with the project for utilities and additional entranceway to existing streets would be at the expense of the owner.
- (6) The proposed use is in conformity with the current land use plan of the city.
- (7) N/A
- (8) N/A

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 request for a zoning variance by Gordon County Board of Education for five mobile classrooms, 50 x 76 feet, at 333 New Town Road NE.
 - a) A public hearing was opened.
 - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been forwarded to the local legal organ for publication.
 - c) Councilwoman Potts stated the Zoning Advisory Board also met on this matter on January 9, 2003 at 4:30 p.m. They determined the application of the ordinance for this particular request would create an unnecessary hardship if not approved. The variance would not cause any substantial detriment to the public good. She stated based upon these findings, it was the recommendation of the Zoning Advisory Board that a 12-month variance be granted with an opportunity for the school to apply for one renewal of another 12-months.

- d) Mayor Palmer inquired if there were any comments by the applicants. There were none. He inquired if there were any comments by the public. There were none and the public hearing was closed.
- e) Councilwoman Potts made a motion to grant the variance allowing a mobile unit for the Gordon County Board of Education at 333 Newtown Road for a 12-month period, with an opportunity for one renewal to be applied for, based upon the following factors:

- (a) N/A
- (b) The application of the ordinance for the particular request would create an unnecessary hardship if not approved.
- (c) N/A
- (8) The approval of the variance would not cause any substantial detriment to the public good and is not prohibited by the ordinance

The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

- 3) Mayor Palmer gave a third reading of a request for a zoning change from R-2 to C-2 by Alex Feagin for 9 lots located between Old Dixie Highway and North Drive.

- a) A public hearing was opened.
- b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been forwarded to the local legal organ for publication.
- c) Councilwoman Potts stated the Zoning Advisory Board also met on this matter on January 9, 2003 at 4:30 p.m. It was their findings that the commercial activity for the property would correspond with other commercial activity in the area. The zoning would not adversely affect the adjoining property. The light commercial activity would not pose an excessive burden on existing streets or facilities. The developer would be responsible for infrastructure to serve the property, such as water, sewer and street access. The proposal would be in conformity with the long-range plans of the city. Based upon these findings, the Zoning Advisory Board recommended approval of the zoning change request.
- d) Mayor Palmer inquired if there were any comments by the applicants. There were none. He inquired if there were any comments by the public. There were none and the public hearing was closed.
- e) Councilwoman Potts made a motion to approve the zoning change from R-2 to C-2, based upon the following factors:

- (1) The commercial activity would correspond with commercial activity currently present in the surrounding area.
- (2) The zoning request will not adversely affect existing or nearby property.
- (3) The property would have a reasonable economic use as currently zoned.

- (4) The board determined the proposed light commercial activity would not pose an excessive burden on existing streets or facilities in the area.
- (5) The developer would be responsible for the capital costs for infrastructure to serve the property. This includes water, sewer and street access.
- (6) The zoning proposal is in conformity with the intent of the long range land use plan of the city.
- (7) N/A
- (8) Light commercial activity would be a better use of the property, as opposed to multi-family housing.

The motion was seconded by Councilman Woods, 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 request by James Wyatt for a variance to build apartments in the R-3 zoning area, since the R-3 zoning covers R-2 opportunities as well, and based upon the ordinance which was passed in July 2002 regarding building of multiple-family units in an area that has a 40-year history of single family housing. He stated a second variance of 7 feet had also been applied for since there would only be 13 feet of distance between the proposed building and a garage that is located on the property at the intersection of Court Street and McConnell Road.
 - a) A public hearing was opened.
 - b) Harrison reported that notification to adjoining property owners had been completed, signs had been placed on the property and notices had been forwarded to the local legal organ for publication.
 - c) Councilwoman Potts stated the Zoning Advisory Board also met on this matter on January 9, 2003 at 4:30 p.m. Councilwoman Potts read Section 7.5.1 of the zoning ordinance, which includes the change in the ordinance made July 2002. She stated based upon the ordinance and based upon the opposition of the neighborhood, it was the recommendation of the Zoning Advisory Board to deny both variance requests.
 - d) Mayor Palmer inquired if there were any comments by the applicant.
 - e) Mr. Wyatt stated at the Zoning Advisory Board, a petition had been forwarded to the Zoning Advisory Board regarding the matter and at that time, he did not have proper time to examine the petition; however, following examination after the meeting, he determined it is not correct in several instances: the signatures appear to be of several people who do not live in the city nor in the neighborhood and it contains several forgeries. He stated the petition was submitted to the Zoning Advisory Board and it was incorrect information and could have influenced their decision. He stated his request is for R-3 zoning and he covered construction allowed in R-3 zoning. He stated he felt the R-2 restriction had been applied inappropriately to the request. He stated the home that had previously been located on the property had been vacant for approximately 15 years. The property had been in his family

for over 70 years and at one time, had actually been a boarding house. In the recent years, it has become an area of crime and drugs and he had moved his mother to another location. He stated there are apartments in the immediate area that are well maintained and it is his intention to build well-maintained units in the area that will enhance the area.

- f) Mayor Palmer inquired if the R-3 district as outlined in the ordinance does include the R-2 district. Attorney Bailey stated the ordinance does have the specific distinction which calls for the R-3 district to allow the construction as included in R-2 district. Therefore, the reference to the July 2002 change does come into being, based upon the allowance of the R-2 to be included in the R-3 district.
- g) Mayor Palmer inquired if there were other individuals in support of the application.
- h) Mr. Forester, 208 Crest Drive, stated he has apartments in the Crest Drive area and they have improved the area. He would be in favor of the project.
- i) Mrs. Mary Wyatt, who resides at 286 Lake Drive stated the area in question has included apartments and boarding houses for over 40 years. There are apartments currently in the area and there have been trailers in the past. She requested that the older generation not block the younger generation from utilizing land and attempting to improve the neighborhood.
- j) Mayor Palmer asked if there were others from the general public who wished to speak on the matter.
- k) Mary Mays from McConnell Road stated her property is located south of the property in question. She has lived in that neighborhood for over 40 years. It is her request that the neighborhood be preserved with single-family housing.
- l) Mr. Lawrence Garrigan stated he wished to remind everyone that the petition was signed by not only members of his church but also from several other area churches and the entire community is concerned with preserving the historical housing in the area. He requested denial of the variances in order to preserve the neighborhood.
- m) Mrs. Lawrence Garrigan stated she wished to rebut the remarks made by Mr. Wyatt regarding the petition. It was her understanding that the signatures for the petition would be those individuals who were concerned about the neighborhood, regardless of whether they lived in the immediate area or not.
- n) Mr. Walter Printup stated he wished to acknowledge that his signature and that of his wife were their own signatures listed on the petition and there was no forgery of these signatures, even though their writing was similar.
- o) Mr. Wyatt, in rebuttal, stated it was wonderful that there was such participation from the neighborhood and such a good turnout. However, he stated his request is for continued usage for the R-3 zoned area, which had been zoned as such for over 60 years and it

is his request to continue the R-3 zoning and to allow apartments to be built.

- p) There were no other comments and the hearing was closed.
- q) Councilwoman Potts stated the petition referred to by Mr. Wyatt had been presented to the Zoning Advisory Board at the end of the presentation and was not reviewed by the members and had no effect on their decision. She made a motion to waive the third and fourth reading and to deny both variance requests, based upon the following factors:

- (a) N/A
- (b) N/A
- (c) N/A
- (d) Should the application be approved, it would cause substantial detriment to the public good and was not in keeping with the intent of the ordinance adopted in July 2002.

The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively to deny, motion carried.

- b. Other hearings and comments: **none.**

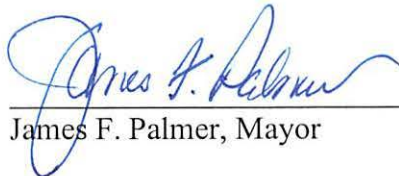
16. Old business: **none.**

17. New business:


- a. Mayor Palmer gave a first reading of a request for a zoning variance by Daniel Burger to allow a mobile unit at the entrance to the Prime Outlet Mall on Belwood Road. The space is to be lease for the sale of fruit, vegetables, etc. He stated the earliest date for a public hearing would be February 10, 2003 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing at 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.
- b. Eddie Peterson, Director of Public Safety and Public Works stated the City of Calhoun had applied to the Environmental Protection Division for a grant to provide assistance with the ongoing costs for a closed landfill site on Harris Beamer Road. He stated the original application had been for over \$100,000.00 and if a resolution is adopted, the city would be eligible to receive approximately \$75,000.00, reimbursing the city for those costs. Mayor Palmer read the resolution. Councilman Woods made a motion to adopt the resolution and to authorize the Mayor to sign, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- c. Mayor Palmer gave a first reading of a request for zoning of C-2 and annexation by James F. Ledbetter as Agent for Rodney Harbin for 0.64 acres of undeveloped land off Red Bud Road, directly behind Harbin Drugs. The property is to be used for future office space and parking. Mayor Palmer stated the earliest date for a public hearing would be February 10, 2003 at 7:00 p.m. Councilman Denmon made a motion to set the public hearing at 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.
- d. Mayor Palmer gave a first reading of a fee schedule resolution for sewer rate amendments. He stated these amendments would be for changing the minimums for both inside sewer and creating an outside sewer rate per 1,000 gallons, as well as county sewer minimums. He stated the second reading and hearing on the matter could be set for January 27, 2003 at 7:00 p.m. Councilman Woods made a motion to set the public hearing at that date and time, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - e. Councilman Woods gave a reading of a proclamation honoring Dr. Martin Luther King, Jr. and recognizing January 20, 2003 as Dr. Martin Luther King, Jr. Day. Following reading, Councilman Denmon made a motion to adopt the proclamation, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
18. Other written items not on the agenda:
- a. Mayor Palmer gave a first reading of an ordinance adopting the latest building and electrical codes as recommended by the Department of Community Affairs. Mayor Palmer stated the second reading and public hearing on the ordinance amendment would be held on January 27, 2003 at 7:00 p.m.
19. Work reports:
- a. Director of Utilities, Kelly Cornwell: **none.**
 - d. Eddie Peterson, Director of Public Safety and Public Works: **none.**
20. Mayor Palmer stated it was not necessary to move to executive session.
21. Councilman Woods made a motion to adjourn, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Cathy Harrison, City Administrator

STATE OF THE CITY OF CALHOUN

JAMES F. PALMER, MAYOR

JANUARY 13, 2003

First, I want to say thank you for allowing me the opportunity to serve. It is an honor and a privilege and I will always do my best to make decisions that are in the best interest of the City of Calhoun and its citizens.

I want to begin tonight by commending the department heads and employees for the job they do. It was never more evident than on May 1, when a severe thunderstorm and several tornados changed the landscape of Calhoun forever. They worked 16 to 18 hours a day, not only at their job but helping other departments when needed.

- The storm uprooted many trees, damaged or destroyed 151 homes and school buildings and several industrial and commercial sites.
- Wednesday morning, many streets were blocked by fallen trees, making transportation almost impossible.
- 3,900 out of 4,000 residential customers were out of power.
- 14 out of 16 feeder circuits and a major transmission line were out.
- 115 poles, 85 transformers and 20 miles of electric lines needed to be replaced.
- The telecommunications center was completely destroyed, as well as the communications towers that were used for city and county departmental communications, as well as police, fire and emergency management.
- Calhoun had its first curfew in 150 years.
- As a result of the storm, the city filed a claim with GEMA for \$2.7 million dollars for uninsured damages and \$1 million with the insurance company.

The city employees, with the help of Gordon County and several municipalities and agencies:

- Cleaned all major streets for traffic within 12 hours.
- Restored electric service to the hospital, nursing homes, water and sewer plants and public safety centers within 12 hours.
- By Friday afternoon, 80% of residential customers had power.
- During the cleanup, we collected 20 acres of trees, brush, limbs and stumps.
- The first day after the storm, we had 84 skilled electric workers on the job and another day we had over 200 people operating chain saws.

I want to once again thank the many people involved in the cleanup – all the other governments and agencies, the contractors, the volunteers and neighbors that helped one another. It took everybody to accomplish what we did in such a short period of time.

With all the damage and destruction, we were fortunate that there were no deaths or serious injuries directly related to the storm.

Calhoun remains one of the 5 fastest growing cities in the state. Cities of all sizes are facing new challenges and issues are becoming more complex. It is becoming increasingly important that we stay informed and involved. I am pleased to work with a Council and staff that are willing to give of their time and efforts to serve not only locally but also on a regional and state level.

2002 was a very successful year, with advancements in safety of our citizens, electric generation, water and sewer capacity and quality of life.

Our community is much safer today than it was a few years ago. We are better equipped and better trained to handle major disasters. We have mutual aid agreements and partnerships with other governments and neighbors.

This past year, the Calhoun police department recognized three officers with valor awards. The officers placed themselves in danger to assist and save lives of others.

The volume of traffic continues to increase but the number of accidents were reduced for the third straight year. Personal injuries were reduced by 37% and there were no traffic fatalities inside the city.

All police and fire dispatching services were moved to 911 and there were over 15,000 calls for police service.

The fire department responded to 715 calls with a total of \$1,419,800 in damages and made 342 inspections.

The Calhoun fire department played a major role in planning and coordination of a hazardous materials and weapons of mass destruction drill. The drill took months of planning and included participation by the Calhoun police and fire departments, the county fire department and sheriff's department, emergency management, the state patrol, the 1st army and a civil support team from Dobbins.

During the past year, we paved 10 miles of city streets. Through an agreement with the county Commissioners and with the aid of the state LARP program, we have paved about 30 miles of city streets in the last 3 years. The street department spent most of their time in May, June and July in street cleanup, repairing storm drainage systems and repairing sidewalks.

The water department set a record for monthly sales in June. We are 90% complete with a well project that will provide an additional 4 million gallons a day to the city raw water supply. We completed preliminary engineering for filter improvements at the water plant and for the construction of two reservoirs in the unincorporated areas of the county.

They replaced 1/3 mile of water line to increase flows and provide better fire protection, installed 6 miles of new water lines, and we installed 29 new fire hydrants. The sewer department added 1.25 miles of line to the system and began a sewer interceptor project for the north end of the city, which is approximately 30% complete.

We have completed the preliminary engineering and received approval of a \$4 million loan for upgrading of the old portion of the sewer plant.

The city set a record for monthly electric sales in June, selling 34,423,507 kWh and they added 8 miles of new lines during the year. The generator continues to operate as planned, stabilizing prices and covering needed reserve demands.

The telecommunications department added 8.2 miles of fiber and completed connectivity with Dalton. They added 13 commercial or industrial customers during the year and have rebuilt their department, which was destroyed during the tornado.

The planning for the streetscape project was completed and bids will be taken in early 2003. We awarded a contract for phase II of the Echota Mill Village project for water and sewer improvements and issued \$14,995,000 in G.O. bonds for the construction of a new primary and elementary school.

Calhoun's 150th year anniversary was highlighted by the donation of a block of property from BB&T to the city. This one acre property is now being transformed into a downtown park that will provide opportunities to our community for generations to come.

The passage of the countywide SPLOST allowed the city to complete a recreation renovation project at the River Street Complex

The City of Calhoun and Gordon County worked together to complete the renegotiations for the local option sales tax distribution and to update several services covered in the House Bill 489 legislation. These updates will allow sewer extensions into the unincorporated area and updated agreements on streets and recreation.

We offer our help and cooperation to the new board of commissioners and Chairman Roy Davis. We look forward to working with them to make all of Gordon County a place in which we want to live, work and raise our children.

City of Calhoun, Georgia

RESOLUTION

Authorization to Execute the Agreement Governing Expenditures for State & Local Government Costs

WHEREAS, the City of Calhoun, Georgia has submitted an application to the Georgia Department of Natural Resources, Environmental Protection Division (EPD) in order to receive funds from the Hazardous Waste Trust Fund; and

WHEREAS, EPD has submitted the Agreement Governing Expenditures for State & Local Government Costs to the City of Calhoun City Council for execution;

NOW, THEREFORE, BE IT RESOLVED by the City of Calhoun City Council that the proposed Agreement be and the same is hereby approved and the Mayor is hereby authorized to execute, on behalf of City of Calhoun, the referenced Agreement and any other related documents necessary to obtain the funding as provided therein; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to take any and all other action, without further approval or action of this Board, which may be necessary or appropriate in order to fully consummate and carry out the intent of the Agreement.

ADOPTED this the 13 day of January 2003.

ATTEST:



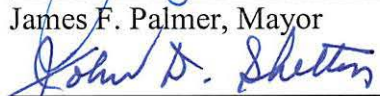
Cathy Harrison, City Administrator/Clerk

CITY OF CALHOUN, GEORGIA

Federal I.D. # 58-6000530



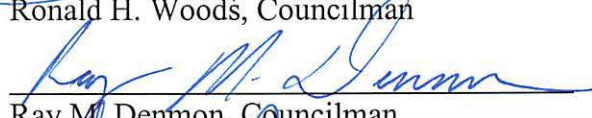
James F. Palmer, Mayor



John D. Shelton, Jr., Mayor Pro Tem



Ronald H. Woods, Councilman



Ray M. Denmon, Councilman



Lorene Potts, Councilwoman

(SEAL)

CERTIFICATION

I do hereby certify that the above is a true and correct copy of the Resolution duly adopted by the City of Calhoun City Council on the date so stated in said Resolution.

I further certify that I am the City Clerk and that said Resolution has been duly entered in the official records of the City of Calhoun City Council and remains in full force and effect this the 17 day of January 2003.



Cathy Harrison, City Administrator/Clerk

**CITY OF CALHOUN
CALHOUN, GEORGIA
RESOLUTION**

WHEREAS, the City of Calhoun, Georgia designates AmSouth Bank, Branch Banking & Trust, Georgia Bank & Trust, North Georgia National Bank, Regions Bank and Wachovia Bank as authorized City Depositories; and

WHEREAS, the City of Calhoun, Georgia has established an investment policy which utilizes local banks within defined guidelines; and

WHEREAS, the City of Calhoun, Georgia has varying amounts available for deposit and investment;

NOW, THEREFORE, BE IT RESOLVED, the City of Calhoun shall utilize the following funds, with employees and elected officials being authorized to sign checks, withdrawals, etc. (Two Signatures Required):

Pooled Funds Account, WPS Enterprise Funds, General Funds, Utility Deposits, Revenue Sinking Funds, Debt Service Funds, Special Project Funds, Golf Enterprise Funds – Signatures of two of the following: Cathy Harrison, Linda Brookshire, Kelly Cornwell, or James F. Palmer;

Payroll Funds – Signatures of two of the following: Cathy Harrison, Kelly Cornwell, or James F. Palmer;

BE IT FURTHER RESOLVED, the Finance Officer, Cathy Harrison, shall be authorized to establish or have established new accounts or investments for the above mentioned funds or new funds created in accordance with the investment policy or at the direction of the Mayor and Council.

ADOPTED this the 13th day of January 2003.

City of Calhoun, Georgia



James F. Palmer, Mayor



John D. Shelton, Councilman



Ronald H. Woods, Councilman



Ray M. Denmon, Councilman



Lorene Potts, Councilwoman

Attest:



Cathy Harrison,
City Administrator/Clerk/Finance Officer

City of Calhoun, Georgia

PROCLAMATION

WHEREAS, January 20, 2003 is recognized internationally as Dr. Martin Luther King, Jr. Day; and

WHEREAS, Dr. Martin Luther King, Jr., a graduate of Morehouse College and the Crozer Theological Seminary, was ordained in February 1948 at Ebenezer Baptist Church in Atlanta, Georgia; and

WHEREAS, Dr. Martin Luther King, Jr. was the primary figure in the civil rights movement for 13 years, sending a message of nonviolence and a message to encourage people to think positively about equal rights; and

WHEREAS, Dr. Martin Luther King, Jr. died on April 4, 1968 as he continued in his lifetime work of elimination of poor working conditions, inequality and low wages; and

WHEREAS, citizens of Calhoun and Gordon County have several activities planned for January 18, 19 and 20, 2003, in remembrance of the efforts of Dr. Martin Luther King, Jr.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the City of Calhoun that January 20, 2003 be recognized as Dr. Martin Luther King, Jr. Day in Calhoun and Gordon County and;

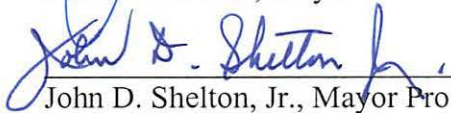
BE IT FURTHER PROCLAIMED, the Mayor and Council of the City of Calhoun hereby honor the life of Dr. Martin Luther King, Jr. and recognize the success of his efforts in improving life for millions of people.

ADOPTED, this the 13th day of January 2003.

City of Calhoun, Georgia



James F. Palmer, Mayor



John D. Shelton, Jr., Mayor Pro Tem



Ronald H. Woods, Councilman



Ray M. Denmon, Councilman



Lorene Potts, Councilwoman

Attest:



Cathy Harrison, City Administrator/Clerk