

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
MARCH 25, 2002, 7:00 P.M.**

**MINUTES**

**PRESENT: James F. Palmer, Mayor  
Ronald H. Woods, Councilman  
Ray M. Denmon, Councilman  
Lorene Potts, Councilwoman**

**ABSENT: John D. Shelton, Jr., Mayor Pro Tem**

**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, especially those visiting from the current leadership class. Councilman Denmon gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the March 11, 2002 regular City Council meeting were approved as written.
4. Mayor's comments:
  - a. Mayor Palmer reminded the public that the city offices will be closed on Good Friday, March 29, 2002. Emergency services will be available. Mayor Palmer took the opportunity to wish everyone a happy holiday season and to remind everyone to think of the meaning of the holiday.
  - b. Mayor Palmer requested a motion to hold a public hearing on April 8, 2002 for the cable franchise renewal agreement with Comcast. Following review, Councilman Woods made a motion to hold the public hearing on April 8, 2002 at 7:00 P.M., second by Councilman Denmon, with Councilman Woods, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
  - c. Mayor Palmer inquired if the Council or staff wished to nominate anyone for the Georgia Key Citizen award or the Municipal Government Hall of Fame award. No nominations were forthcoming. Mayor Palmer asked that the Council and staff consider and make recommendations to him prior to the April 8, 2002 regular council meeting.
  - d. Mayor Palmer asked Councilwoman Potts to review the public hearings on zoning matters scheduled for April 8, 2002. Councilwoman Potts stated the items were as follows:

- 1) A zoning variance request by American Extruders, Howard Johnson, Owner, for a 12-foot variance on the west side of the property. The request would allow an addition to an existing building at 200 Beasley Street.
  - 2) A request for a zoning change from R-1 to C-2 by Eduardo Antunez for property at 403 2<sup>nd</sup> Avenue. The property is surrounded by C-2 zoning.
  - 3) A zoning variance request by Home Mart Builders, Inc. for Lot 2, on Summerfield Way. The property doesn't meet the minimum setback requirements.
  - 4) A zoning variance request by M&S Holdings, LLC, for a sign variance for advertising its business at its property on I-75 and Gee Road. The proposed height is 50 feet. The sign face would be 32 by 10 feet.
  - 5) A zoning variance request by Flipper McDaniel to rezone property at 206 Fain Street from R-1 to O&I, to allow a dwelling to be used as a professional office. (Former property of George C. Kirkley, Jr.)
- e. Mayor Palmer reminded the Council and public of the following public hearings on alcohol license requests:
- 1) A hearing on April 22, 2002 at 7:00 P.M. on a request for a liquor and wine package license by Karen Lynn Wofford for 235 West Line Street.
  - 2) A hearing on April 22, 2002 at 7:00 P.M. on a request from Johnny T. Bryant for a liquor and wine package license for former ABC Liquor Store on Highway 53 East.
5. Public Hearings and Comments:
- a. Mayor Palmer opened a public hearing on the request by Larry Manasreh, owner of the R&R Convenience Store at 400 West Line Street, to convert his store to a beer package store. Mayor Palmer stated the police report was consistent with the requirements of the ordinance. He asked if there were any comments by the applicant or the general public. There were none and the hearing was closed. Councilwoman Potts made a motion to approve the application, which conformed to the majority of the criteria for a beer package store, second by Councilman Woods, with Councilwoman Potts, Councilman Woods and Councilman Denmon voting affirmatively, motion carried.
  - b. Mayor Palmer opened a public hearing on the State Revolving Fund (SRF) loan for upgrading the old portion of the waste treatment plant and asked for comments by Bob Peoples, the engineer for the project, and Kelly Cornwell, Director of Utilities. Bob Peoples stated the SRF loan would allow the city to upgrade the older portion of the waste treatment plant. The plant now operates at 11 million gallons per day. However, the retrofitting of the old portion of the plant would bring it back to 16 million gallons per day. The proposed project would cost in the neighborhood of \$4 million for equipment and construction purchases, with \$600,000 being provided by the city for engineering and inspection of the project during construction. He stated the project would take approximately two years for the construction to be complete. Mayor Palmer asked if there were any questions regarding the proposed project. There were none and the hearing was closed. Councilman Woods made a motion to approve the application for the SRF loan and to authorize the Mayor to sign all necessary documents. He stated the effort to update the old portion of the plant was much cheaper than it would be

to build a new plant and would be most cost effective. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

6. Old business: **none.**

7. New business:

- a. Mayor Palmer requested a resolution be adopted regarding a Land-Water Conservation Fund (LWCF) grant pre-application for an outdoor recreation project, not to exceed \$150,000.00, with a maximum available as a grant of \$75,000.00 and with a minimum amount of \$25,000.00 available. Eddie Peterson, Director of Public Safety and Public Works, stated the project is a 50/50 matching grant and there would be a proposal to buy additional property in the area near the River Park, which would allow continued improvements. Peterson reviewed those items previously completed, such as the soccer field, the officials' building with restrooms at the soccer complex, the new bridge, and the pedestrian trails leading into the River Park. He stated there are plans to continue development of the park and this pre-application, if funded, would allow additional property for these efforts. Following review, Councilwoman Potts made a motion to approve and to authorize the Mayor to sign all necessary documents. The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods and Councilman Denmon voting affirmatively, motion carried.

8. Other written items not on the agenda:

- a. Mayor Palmer stated the officials of Kerry, Inc. had requested the rail spur project be continued and asked that the REBA Grant that had been put on hold be reactivated in order to help fund the project. Mayor Palmer stated in order for this to happen, an Intergovernmental Agreement regarding the lease for the rail spur would have to be through the Development Authority and would be coordinated with the property being held due to tax abatement at this time. Following discussion, Councilman Woods made a motion to adopt the resolution regarding the Intergovernmental Agreement with the Development Authority of Gordon County. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- b. Mayor Palmer stated the Arts Council had requested permission to close a portion of Piedmont Street on June 8 for a summer outing at the Arts Council. The request would be to close the area of Piedmont Street directly in front of the parking deck which would allow traffic to park in the parking deck and safely walk across to the Arts Center. Following discussion, Councilman Denmon made a motion to approve the road closing, second by Councilman Woods, with Councilman Denmon, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
- c. Councilwoman Potts made a request for the Main Street Partnership for a portion of Park Avenue from Harlan Street to Court Street and from Court Street to Oothcalooga Street, to be closed from 6:00 to 11:00 P.M. on April 5, May 3, June 7, July 5, August 2 and September 6, 2002, the first Friday night of each month.

Following review of the proposal, Councilwoman Potts made a motion to approve, second by Councilman Woods, with Councilwoman Potts, Councilman Woods and Councilman Denmon voting affirmatively, motion carried.

9. Work Reports:

- a. Kelly Cornwell, Director of Utilities, stated he would recommend the City of Calhoun authorize the Mayor to sign and activate an agreement whereby the City of Calhoun and the City of Jackson would exchange megawatt power alternates through MEAG, which would allow the City of Jackson to exchange their combined cycle to the City of Calhoun for Calhoun's simple cycle, each being 1.385333 megawatts of power. Following review, Councilman Woods made a motion to approve the exchange, stating it would be better suited for the Calhoun system and would be at no additional cost. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts and Councilman Denmon voting affirmatively, motion carried.
- c. Eddie Peterson, Director of Public Safety and Public Works, stated the federal government will be moving several million dollars into cities and counties for homeland security in the form of federal grants, and the City of Calhoun would need to have a coordinator. Mayor Palmer inquired if Police Chief Therrell Goswick had attended previous homeland security training. The answer was affirmative. Therefore, Police Chief Therrell Goswick was named as the coordinator.

10. Mayor Palmer inquired if it was necessary to move to executive session. The response was negative.

11. Councilman Woods made a motion to adjourn, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts and Councilman Denmon voting affirmatively, motion carried.

Approved:

  
James F. Palmer, Mayor

Submitted:

  
Cathy Harrison, City Administrator

**INTERGOVERNMENTAL AGREEMENT**  
**Development Authority of Gordon County and the City of Calhoun**

**THIS AGREEMENT**, made this 25<sup>th</sup> day of March 2002, by and between the Development Authority of Gordon County and the City of Calhoun, Georgia 30703-0248, a municipality of the State of Georgia, as lead agent for the City of Calhoun and Gordon County.

**WITNESSETH:**

**WHEREAS**, the Development Authority of Gordon County and the City of Calhoun have agreed to cooperate to construct, own, and maintain a rail spur to serve the new Kerry facility located on Salem Road in Gordon County, Georgia; and

**WHEREAS**, the City of Calhoun has received certain REBA assistance from the Georgia Department of Community Affairs (DCA) to finance a portion of the construction of the rail spur and said assistance will be used to benefit the Kerry project, to assist the local government(s) and authority(ies) in the performance of their duties and responsibilities under law to their citizens, including the development, promotion and retention of trade, commerce, industry and employment opportunities; and

**WHEREAS**, the parties hereto wish to more specifically define their respective roles, intents and obligations;

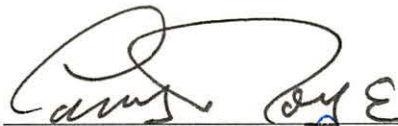
**NOW, THEREFORE**, in consideration of the premises, the mutual covenants, agreements and undertakings herein set forth, the parties do hereby agree as follows:

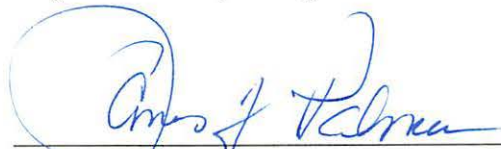
1. The City of Calhoun shall, as the REBA grant recipient, administer said grant funds and oversee construction of the aforementioned rail spur for the purposes herein set forth.
2. Development Authority shall hold title to the rail spur and the land on which it is located. Said land and all improvements (including rail spur and company facility) shall be leased by the Authority to the beneficiary (Kerry, Inc.) for a period three (3) years, nine (9) months, ending December 31, 2005.
3. Kerry, Inc. shall be responsible for maintenance, insurance, operation, etc, of said rail spur during the lease period.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and affixed their seals by their duly authorized representatives the day and year first herein written.

Development Authority of Gordon County

City of Calhoun, Georgia


  
\_\_\_\_\_  
Larry Roye, Chairman

  
\_\_\_\_\_  
James F Palmer, Mayor

Attest:

  
\_\_\_\_\_

Attest:

  
\_\_\_\_\_  
Cathy Harrison, City Administrator

# CITY OF CALHOUN, GEORGIA

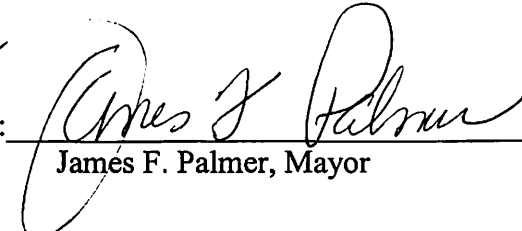
## RESOLUTION

**WHEREAS**, at the regular meeting of the City Council of the City of Calhoun, Georgia, held on March 25, 2002, a motion was made and duly seconded that the City of Calhoun agrees to submit a Pre-application for funding from the Land and Water Conservation Fund;

**NOW, THEREFORE, BE IT RESOLVED**, the City of Calhoun further agrees that in the event the City of Calhoun's pre-application is recommended for funding by the Department of Natural Resources, the City of Calhoun certifies and assures that it has the ability and intention to finance their 50 percent of the total project cost and will move forward with due diligence to prepare, or have prepared, appropriate documentation required for a formal LWCF application.

**ADOPTED** this the 25<sup>th</sup> day of March 2002.

City of Calhoun

By:   
James F. Palmer, Mayor

Attest:

  
Cathy Harrison, City Administrator/Clerk