

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING ST  
SEPTEMBER 23, 2013 7:00 P.M.**

**MINUTES**

**PRESENT: James F. Palmer, Mayor  
Al Edwards, Mayor Pro Tem  
George Crowley, Councilman  
David Hammond, Councilman  
Matt Barton, Councilman**

**ALSO: Eddie Peterson, City Administrator; Larry Vickery, Utilities General Manager; Paul Worley, City Clerk; George Govignon, City Attorney; Garry Moss, Chief of Police; Jerry Crawford, Water and Sewer Director; Jeff Defoor, Director of Electric Utilities; Lenny Nesbitt, Fire Chief; Terry Mills, Assistant Fire Chief**

- 1. Mayor Palmer called the meeting to order and welcomed everyone in attendance.  
A. Mayor Palmer gave the invocation.**
- 2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.**
- 3. Councilman Barton made a motion to approve the agenda and Councilman Hammond seconded the motion. All voted aye, motion approved.**
- 4. Councilman Barton made a motion to approve the minutes of the September 9, 2013 City Council Meeting. Councilman Crowley gave a second with all voting aye, motion approved.**
- 5. Mayor's Comments:**
  - A. Mayor Palmer read a proclamation in support of Red Ribbon Week. The Red Ribbon Campaign encourages a drug-free lifestyle and involvement in drug prevention and reduction efforts. The Mayor and Council were honored to have the Etowah Valley Young Marines in attendance. The mission of the Young Marines program is to develop good citizenship and promote a healthy, drug-free lifestyle in our youth. Mayor Palmer also stated that the Council had recently approved a \$500 donation to the Chamber of Commerce in support of the Red Ribbon Week Campaign.**
  - B. Mayor Palmer announced that there will be a special called work session on Monday September 30<sup>th</sup> at 12:00 noon at Calhoun Utilities Conference room to discuss long range planning and economic development issues.**

**6. Public Hearings and Comments:**

- A. Mayor Palmer stated that the next item had been previously tabled to allow for further review: a public hearing for a new version of Section 58 of the Calhoun Code of Ordinances to allow for the City to collect costs on properties with overgrown vegetation and/or improper trash disposal. Councilman Hammond made a motion to remove the item from the table. Councilman Barton gave a second with all voting aye, motion approved.
- Mr. Peterson stated that all signs and advertising requirements have been met.
  - Attorney Govignon discussed the need for the ordinance change due to the large number of vacant homes in the City especially sense the 2008 housing market crash. He stated that the ordinance change will allow a two tier method of enforcing the proper maintenance of properties within the City. The procedure is for the Ordinance Officer to issue a citation and if there is no response the City Attorney's office will initiate proceeding in the Municipal Court to assess fines, litigation costs, and the costs of cleaning up the property. It can be difficult to locate the responsible party of a vacant home and the ordinance allows for the City, after sufficient notification, to correct the problem and then assess the cost to the property. Also, if the property continues to be neglected it will constitute an ordinance violation which will result in fines through the municipal court.
  - Councilman Hammond stated that many people had approached him concerning vacant homes in their neighborhood and that this ordinance will be a good tool to maintain the existing integrity of the City's neighborhoods.
  - Mayor Palmer asked for public comments. There were no public comments and the public hearing was closed.
  - Councilman Hammond made a motion to approve the new version of Section 58 of the Calhoun Code of Ordinances. Councilman Barton gave a second with all voting aye, motion approved.

**7. Old Business:**

- A. Mayor Palmer conducted the second reading of a variance request by RaceTrac Petroleum, Inc. store #1043 at a location of 665 Hwy 53 East. The variance request is to vary from the required 25 feet setback from a side or rear property line or a street right-of-way for underground fuel storage tanks to a 16 feet setback. The Zoning Advisory Board will meet on October 10<sup>th</sup> and the public hearing will be on October 14<sup>th</sup>.

**8. New Business:**

- A. Mayor Palmer read an alcohol- beer, wine, liquor manager change request for Los Magueys #3, LLC at a location of 913 Hwy 53 East. The prior manager was Maricela Rodriquez and the proposed manager is Patricia Enriguez. Councilman Crowley

made a motion to approve the manager change request. Councilman Edwards gave a second with all voting aye, motion approved.

- B. Mayor Palmer conducted the first reading of a pawn shop license request by Stephen M. Scoggins DBA: Check into Cash of Georgia, LLC at a location of 136 West Belmont Drive, Suite 13. Councilman Hammond made a motion to set the public hearing for October 28<sup>th</sup>. Councilman Barton gave a second with all voting aye, motion approved.

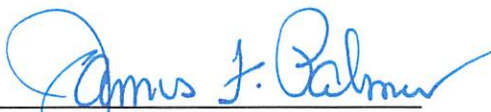
**9. Other written items not on the agenda: None**

**10. Work Reports:**

- A. Administrator Eddie Peterson
- B. General Manager Larry Vickery
- C. City Attorney George Govignon

- 11. Councilman Barton made a motion to adjourn. The motion was seconded by Councilman Hammond with all voting aye, motion approved.

Approved:

  
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James F. Palmer, Mayor

Submitted:

  
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Paul Worley, City Clerk