



**CITY COUNCIL MEETING  
JULY 24, 2023- 7:00 PM  
109 SOUTH KING STREET  
DEPOT COMMUNITY ROOM**

**MINUTES**

**PRESENT:** Ray Mitchell Denmon, Councilman  
Al Edwards, Mayor Pro Tem  
Ed Moyer, Councilman  
Jackie Palazzolo, Councilwoman

ALSO: Paul Worley, City Administrator; Kyle Ellis, Utilities Administrator; Sharon Nelson, City Clerk; George Govignon, City Attorney; Lenny Nesbitt, Fire Chief; and Ken Carson, Police Department.

1. **Council Meeting Called to Order**

**Welcome**

Mayor Pro Tem Edwards called the meeting to order and welcomed everyone in attendance.

**Invocation**

Mayor Pro Tem Edwards gave the invocation.

2. **Pledge of Allegiance**

Mayor Pro Tem Edwards led the group in the Pledge of Allegiance to the United States Flag.

3. **Amendment or Approval of Proposed Agenda**

Councilmember Palazzolo made a motion to approve the July 24, 2023 agenda as presented. Councilmember Moyer gave a second with all voting aye. Motion approved.

4. **Amendment or Approval of Minutes**

Councilmember Moyer made a motion to approve the minutes of the City Council meeting of July 17, 2023. Councilmember Denmon gave a second with all voting aye. Motion approved.

5. **Mayor's Comments**

6. **Public Hearing and Comments**

Announce at this time, public hearings will be held. The public will have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter, with each person speaking having filed a financial disclosure statement five days prior to the hearing if required, with each person giving their name and address. An inquiry should be made to determine if any elected official has filed a disclosure statement regarding ownership or special interest in any of the agenda items. Zoning Land Use Maps on display in Council Chambers for Zoning Advisory Board and Council hearings.

**A. Public hearing of a beer, wine and liquor package license request at a location of 514 South Wall Street, Unit #B, by Paramdeep Shehrawat dba Jack & Coke Package, LLC. Mr. Shehrawat is the owner and will also serve as the store manager.**

- Mayor Pro Tem Edwards opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Pro Tem Edwards opened the floor for comments.
- There being none, Mayor Pro Tem Edwards closed the public hearing and called for a motion concerning the alcohol request.
- Councilmember Palazzolo made a motion to approve the request. Councilmember Denmon gave a second with all voting aye. Motion approved.

**B. Public hearing of an ordinance to amend Appendix A – Zoning, Article X-Sign Ordinance, Section 10.7 Freestanding signs, to increase maximum square footage on certain streets primarily zoned commercial/industrial within the city.**

- Mayor Pro Tem Edwards opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Pro Tem Edwards opened the floor for comments.
- There being none, Mayor Pro Tem Edwards closed the public hearing and called for a motion concerning ordinance amendment.
- Councilmember Moyer made a motion to approve the ordinance as amended. Councilmember Denmon gave a second with all voting aye. Motion approved.

**C. Public hearing of an ordinance to amend Chapter 82, Article II – Street Design and Construction Standards, to increase minimum right-of-way, travel lane widths and curb and gutter.**

- Mayor Pro Tem Edwards opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Pro Tem Edwards opened the floor for comments.
- There being none, Mayor Pro Tem Edwards closed the public hearing and called for a motion concerning the ordinance amendment.

- Councilmember Palazzolo made a motion to approve the ordinance as amended. Councilmember Denmon gave a second with all voting aye. Motion approved.

**7. Old Business:**

**8. New Business:**

- A. Mayor Pro Tem Edwards gave the first reading of a beer, wine and distilled spirits pouring license at a location of 115 Soldiers Path, by North Indian Flame Bar & Restaurant Corporation. The proposed store manager is Larry D. Mathis. Eligible for a public hearing August 28<sup>th</sup>.
- B. Mayor Pro Tem Edwards read a recommendation from the Recreation Department to appoint Tim Larasosa to fill the unexpired term of Clint Thomas. Councilmember Denmon made a motion to approve the recommendation. Councilmember Palazzolo gave a second with all voting aye. Motion approved.
- C. Mayor Pro Tem Edwards read a resolution authorizing Mayor Palmer to sign a settlement agreement concerning the ongoing prescription opioid litigation. Councilmember Denmon made a motion to allow Mayor Palmer to sign the settlement agreement. Councilmember Moyer gave a second with all voting aye. Motion approved.
- D. Mayor Pro Tem Edwards stated a motion was needed to authorize Mayor Palmer to sign the Intergovernmental agreement for the use and distribution of proceeds from the 2024 Special Purpose Local Option Sales Tax for capital outlay projects. Councilmember Palazzolo made a motion to allow Mayor Palmer to sign the intergovernmental agreement. Councilmember Moyer gave a second with all voting aye. Motion approved.

**9. Other written items not on the agenda:**

**10. Work Reports:**

- A. Paul Worley, City Administrator
  - 1)Mr. Worley gave a review of the June, 2023 General Cash and Hotel Motel reports. Councilmember Denmon made a motion to approve the reports as presented. Councilmember Moyer gave a second with all voting aye. Motion approved. (Copy attached)
- B. Kyle Ellis, Utilities Administrator
  - 1)Mr. Ellis gave a review of the June 2023 Utilities Cash report. Councilmember Moyer made a motion to approve the report as presented. Councilmember Denmon gave a second with all voting aye. Motion approved.
- C. George Govignon, City Attorney, had nothing to report.

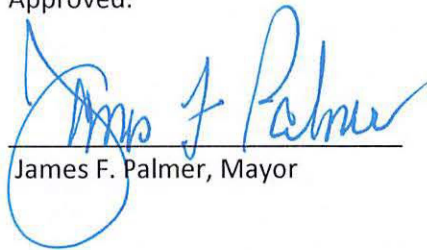
**11. Motion to move to Executive Session, if needed:**

12. **Motion to return to General Session:**

13. **Motion to Adjourn**

There being no further business to come before the Council, Councilmember Moyer made a motion to adjourn. Councilmember Denmon gave a second with all voting aye. The motion was approved and the meeting adjourned at 7:14 p.m.

Approved:



James F. Palmer, Mayor

Submitted:



Sharon Nelson, City Clerk



**RESOLUTION OF CITY OF CALHOUN, GEORGIA (“CITY”)  
AGREEING TO SETTLE WITH PUBLIX SUPER MARKETS, INC.  
CONCERNING THE PRESCRIPTION OPIOID LITIGATION**

WHEREAS, the City initiated litigation against certain manufacturers, distributors, and pharmacy chains in *In re: National Prescription Opiate Litigation*, MDL 2804, to hold them accountable for the opioid epidemic and to seek equitable and monetary relief;

WHEREAS, defendant Publix Super Markets, Inc. (“Publix”) has separately reached a settlement framework with certain local government entities;

WHEREAS, certain Georgia local government entities seek to resolve the litigation with Publix and maximize the recovery from this settlement; and

WHEREAS, the City desires to agree to settle with Publix;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CALHOUN COUNCIL, AS FOLLOWS:

Section 1. The City Council, as the governing body of the City, hereby agrees to settle with PUBLIX and to be bound by the Release and

Section 2. The City Council hereby appoints James F. Palmer as the duly appointed representative of the City for the purposes of agreeing to be bound by the settlement agreement.

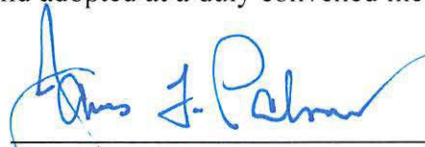
Section 3. The City Council directs the duly appointed representative of the City to execute the settlement agreement with Publix upon such terms approved by the \_\_\_\_\_ with the advice of the City Attorney.

Section 4. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. This Resolution shall be in full force and effect from and after its adoption as provided by law.

This Resolution was introduced, seconded and adopted at a duly convened meeting of the City Council, held on ~~April 24~~, 2023.

July

  
\_\_\_\_\_  
James F. Palmer, Mayor  
Calhoun City Council

ATTEST:

  
\_\_\_\_\_  
Sharon Nelson, City Clerk  
(CITY SEAL)

## General Government Cash Report

### General Government Operating Account

General Fund	Checking	\$ 2,634,373.20
Restricted Cash - Excise	Checking	0.22
Cash	Pay Pal	(139.83)
Solid Waste	Checking	74,142.84
Confiscated Assets	Checking	-
School Trust	Checking	100,755.60
Municipal Court	Checking	6,895.34
Hotel-Motel Fund	Checking	(14,409.76)
Recreation	Checking	214,061.65
Recreation - Hotel / Motel	Checking	169,660.22
SPLOST 2018	Checking	(36,349.00)
Golf	Checking	549,320.18
Golf Renewal & Replacement Reserves	Checking	600,000.00
American Rescue Plan Act (ARPA)	Checking	2,382,770.20
<b>Total Operating</b>		<b>6,681,080.86</b>

Reserves - Restricted / Renewal & Replacement	Savings	0.35
Specified Funds / Renewal & Replacement	Savings	1,487,267.36
<b>Total Reserves</b>		<b>1,487,267.71</b>

2018 SPLOST - Uncommitted	Checking	3,516,642.52
2018 SPLOST - Committed	Checking	688,572.90
<b>Total</b>		<b>4,205,215.42</b>

Fire Department Donations	Public Checking	6,154.78
Revolving Loan	Checking	174,572.36
Police Special #1	Money Market	6,504.10
Police Special #2	Checking	31,192.16
Police #3 Fed Funds	Money Market	30,032.79
Police #4 Evidence	Checking	58,554.56
Police PEPI Account	Checking	2,259.45
Police ICE Funds	Checking	20,773.46
School Debt Service	Savings	5,023,777.22
City of Calhoun Investment Account	Money Market	1,836,084.96
<b>Total Special Funds, Reserves and Savings</b>		<b>7,189,905.84</b>

**GRAND TOTAL - 6/30/2023** **\$ 19,563,469.83**

### Component Unit Cash

Downtown Development Authority	\$ 38,604.59
Downtown Development Authority - Hotel/Motel Tax	123,812.67
	<b>\$ 162,417.26</b>

### General Government Investments

<b>City of Calhoun - Various Investments</b>	
Reserves held in investments - \$3,426,352.73	\$ 15,562,064.99
ARPA	-
	<b>\$ 15,562,064.99</b>

**Hotel/Motel 6/30/23 Report**

**Amount Received from GMA & Paid to Vendor for FY23**

Vendor #	Vendor	Jul paid in Sep 2022	Aug paid in Oct 2022	Sep paid in Nov 2022	Oct paid in Dec 2022	Nov paid in Jan 2023	Dec paid in Feb 2023	Jan paid in Mar 2023	Feb paid in Apr 2023	Mar paid in May 2023	Apr paid in Jun 2023	May paid in Jul 2023	Jun paid in Aug 2023	Total
29	Chamber of Commerce	\$ 45,253.70	\$ 34,453.10	\$ 37,534.23	\$ 30,655.04	\$ 42,549.45	\$ 29,431.39	\$ 29,867.68	\$ 31,574.00	\$ 49,168.29	\$ 36,143.53			\$ 366,630.41
1346	City of Calhoun-Unrestricted	38,788.89	29,531.22	32,172.20	26,275.74	36,470.95	25,226.91	25,600.88	27,063.44	42,144.25	30,980.18			314,254.66
1346	City of Calhoun-Restricted	6,464.81	4,921.87	5,362.03	4,379.29	6,078.49	4,204.48	4,266.81	4,510.57	7,024.04	5,163.36			52,375.75
3132	Calhoun Recreation Dept.	12,929.63	9,843.74	10,724.07	8,758.58	12,156.98	8,408.97	8,533.63	9,021.15	14,048.08	10,326.73			104,751.56
	<b>Total Paid By H/M Fund</b>	<b>\$ 103,437.03</b>	<b>\$ 78,749.93</b>	<b>\$ 85,792.53</b>	<b>\$ 70,068.65</b>	<b>\$ 97,255.87</b>	<b>\$ 67,271.75</b>	<b>\$ 68,269.00</b>	<b>\$ 72,169.16</b>	<b>\$ 112,384.66</b>	<b>\$ 82,613.80</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 838,012.38</b>
	<b>Paid to Industrial Development by City of Calhoun</b>	<b>\$ 10,000.00</b>	<b>\$ 10,000.00</b>	<b>\$ 10,000.00</b>	<b>\$ 10,000.00</b>	<b>\$ 10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>-</b>	<b>-</b>	<b>\$ 100,000.00</b>
	<b>Paid to Downtown Development by City of Calhoun</b>	<b>\$ 100,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$ 100,000.00</b>

**Balance in City Held Accounts as of 6/30/2023**

	Beginning Balance as of 7/1/2022	Revenue	Expenses	Balance as of June 30, 2023
City of Calhoun-Unrestricted	\$ 647,524.70	\$ 314,254.66	\$ (100,000.00)	\$ 861,779.36
City of Calhoun-Restricted	\$ 8,147.93	\$ 52,375.75	\$ (51,500.83)	\$ 9,022.85
Downtown Development	\$ 93,242.16	\$ 100,000.00	\$ (69,429.49)	\$ 123,812.67
Calhoun Recreation Dept.	\$ 145,908.66	\$ 104,751.56	\$ (81,000.00)	\$ 169,660.22

## Utilities Cash Report

### Utility Operating Account

Electric	Checking	\$ 2,766,766.22
Water & Sewer	Checking	306,962.62
Telecommunications	Checking	1,745,394.56
Utilities Administration	Checking	1,424,502.30
<b>Total Operating</b>		<b>6,243,625.70</b>

Electric Reserves & Unrestricted Investments	Reserves - Checking	3,132,595.85
Telecom Reserves & Unrestricted Investments	Reserves - Checking	408,018.00
Water / Sewer Reserves & Unrestricted Investments	Reserves - Checking	1,347,872.39
Bond Sinking Fund	Savings	1,288,990.51
Utility Deposits	Checking	921,375.61
City of Calhoun Shuler Bond	Savings	38,468.48
City of Calhoun Investment Account	Money Market	8,413,686.58
<b>Total Savings &amp; Reserves</b>		<b>15,551,007.42</b>

**GRAND TOTAL - 6/30/2023** **\$ 21,794,633.12**

### Utilities Investments

Electric	\$ 14,490,858.81
Water	\$ 21,568,114.10
Sewer	\$ 5,000,039.60
Telecommunications	\$ 1,492,371.74
<b>City of Calhoun - Various Investments</b>	<b>\$ 42,551,384.25</b>