

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING ST  
AUGUST 25, 2014 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; Garry Moss, Police Chief; Lenny Nesbitt, Fire Chief; Jeff Defoor, Director of Electric Utilities; George Govignon, City Attorney; Kim Townsend, Recreation Director**

- 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 Hammond made a motion to approve the agenda and Councilman Barton seconded the motion. All voted aye, motion approved.**
- 4. Councilman Crowley made a motion to approve the regular minutes of the August 11, 2014 City Council Meeting. Councilman Barton gave a second with all voting aye, motion approved. Councilman Hammond made a motion to approve the executive session minutes of the August 11, 2014 City Council Meeting. Councilman Crowley gave a second with all voting aye, motion approved.**
- 5. Mayor's Comments:**
  - A. Mayor Palmer extended his and the Council's sympathies to Marsha Gilbert and her family in the loss of her husband, Mr. James Gilbert.**
  - B. Mayor Palmer welcomed and congratulated Mr. Dan McBee who was recently appointed to the Northwest Georgia Regional Commission.**
  - C. Mayor Palmer welcomed members of the Blue Barracudas Swim Team. Allie Workman girls 12 & under- First in 50 yd butterfly and second in 50 yd freestyle; Micah Klingbeil boys 12 & under- First in 50 yd breaststroke; Bryant Mathis boys 15 & over- First in 50 yd breaststroke for the fifth year in a row; Cal Parker - second place boys 14 & under- 50 & 100 yd freestyle for second year in a row; Kaliagh Klingbeil finished 2nd in girls 15 & over backstroke; Boys finished fourth overall at state. The Blue Barracudas had 120 swimmers this year and went undefeated in district. Once the Calhoun City Schools natatorium is open it will offer year round swim opportunities and should continue to elevate the success of our swimmers.**

- C. Mayor Palmer stated that there will be a vote on the proposed 2014 property tax millage rates for the City of Calhoun and Calhoun City Schools at the next scheduled City Council meeting on September 8<sup>th</sup>. The City of Calhoun current year's tax digest and levy, along with the history of the tax digest and levy for the past five years, and the announcement of the meeting date for the millage rate setting was advertised in the Calhoun Times on August 20<sup>th</sup> and August 23<sup>rd</sup>. The City of Calhoun is proposing to keep the millage rate at 1.98, which will result in a net tax decrease of \$20,098. Calhoun City Schools are proposing a millage rate of 17.985, which is up from the 2013 rate of 17.813. The slight increase in millage rate will still be a net tax decrease of \$83,292. The 2014 gross tax digest increased by \$18,637,568. However, the exemptions, primarily due to an increase in Freeport inventory exemptions, increased by \$28,787,977. The result is a net tax digest decrease of \$10,150,409.

**6. Public Hearings and Comments:**

- A. Mayor Palmer opened the public hearing for an ordinance change to amend Chapter 90: Traffic, Article V: Parades and Motorcades to provide additional provisions and sections. Changes include new regulations for special events requiring road closings and temporary permitting of malt beverages and wine at special events.
- Mr. Peterson stated that all advertising requirements have been met.
  - Attorney Govignon stated that the City's parade ordinance has not changed in 26 years and was in need of revisions. The proposed ordinance will help the City put proper procedures in place to ensure all applicants are treated the same. Also, procedures are needed to ensure safe closure of public streets and other public areas with a report of costs from the principal city employees needed to ensure public safety. These costs would be the responsibility of the event organizer. There will be specific designated areas with detailed guidelines, including police officer provided security at the event organizer's expense, for temporary outdoor serving of alcohol if the event organizer so chooses. In addition, the responsibility of who determines vendors that can serve alcohol at the special event will reside with the event organizer. Only vendors who are otherwise licensed to pour alcohol are eligible. The special events would be considered by the Mayor and Council with appeals for denials sent to the Municipal Court Judge. It is the City of Calhoun's goal to assist event organizers in planning safe and successful events, but at the same time ensure minimum negative impacts on residents and local tax payers.
  - Mayor Palmer asked if there were any comments from the public. There were no comments.
  - Mayor Palmer closed the public hearing.
  - Councilman Hammond stated that this ordinance was a long time coming and commended Attorney Govignon and staff for their efforts. This ordinance is a work in progress, but this is a great starting point.

- Councilman Hammond made a motion to approve the ordinance change. Councilman Barton gave a second with all voting aye, motion approved.

**7. Old Business: None**

**8. New Business:**

- A. Mayor Palmer read a request to declare items surplus used by the Electric Department. Items include 1996 Chevrolet Bucket truck VIN # 1GBKC34F0TJ105320, Odometer 114,103.6, 1988 Brush Bandit Chipper Serial # D6849, 1991 Ford Explorer Vin # 1FMDU34X6MUE18782, Odometer 138,549, 1993 John Deere Model 310 Backhoe Loader Serial # T0310CA758521, 1991 Ford Model # 555E Backhoe Loader Serial # 031008048, 1990 Ford F800 flatbed truck Vin # 1FDPK84P2MVA01086, Odometer 043,656.5. The Electric Department would like to use the proceeds from the surplus sales to purchase a replacement flatbed truck. Councilman Crowley made a motion to declare the items surplus. Councilman Edwards 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**

- Administrator Peterson reviewed the General Government monthly cash report with cash flow and savings in good standing. Also, the City and Gordon County now have a total of \$1.3 million allocated for the Peters Street Project coming from SPLOST revenues. Councilman Crowley made a motion to approve the cash report. Councilman Edwards gave a second with all voting aye, motion approved.

**B. General Manager Larry Vickery**

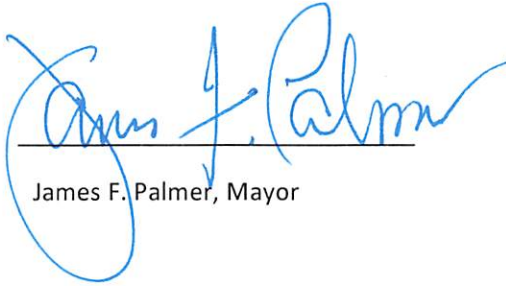
**C. City Attorney George Govignon**

- Attorney Govignon discussed the need to pass a resolution setting a 60 day moratorium on the enforcement of section 6-65 of the newly passed alcohol ordinance. Section 6-65 of the new alcohol ordinance explicitly bans "brown bagging" of alcohol by patrons at facilities that were not licensed to sell or pour alcohol, whereas the previous alcohol ordinance did not address this issue. The moratorium will allow time for businesses to continue with events already planned, but at the same time apply for proper alcohol licensing to serve alcohol in the future. Councilman Hammond made a motion to approve the resolution.

Councilman Barton gave a second with all voting aye, motion approved.  
(resolution attached)

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

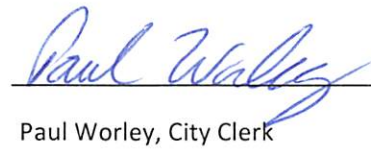
Approved:



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James F. Palmer, Mayor

Submitted:



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Paul Worley, City Clerk

**A RESOLUTION SETTING A MORATORIUM  
ON THE ENFORCEMENT OF SECTION 6-65  
OF THE CODE OF CALHOUN FOR SIXTY (60) DAYS**

**WHEREAS**, the Mayor and Council of the City of Calhoun enacted several changes to the municipal alcohol ordinance found in Chapter 6 of the Code of Calhoun, Georgia on July 28, 2014; and

**WHEREAS**, said ordinance specifically enacted Section 6-65 which expressly prohibits the practice of "brown bagging" at certain business establishments within the City limits, and this provision was effective immediately upon the passage which took place on July 28, 2014, and

**WHEREAS**, the purpose for this new provision is to encourage businesses to become properly licensed for the sale and pouring of malt beverages and wine with the ability to also charge "corking fees" to protect the investment in an annual license/permit; and

**WHEREAS**, the Mayor and Council recognized that some businesses have already scheduled events or activities based upon a reliance of the prior version of the municipal code which was silent on the issue of allowing "brown bagging" by patrons at facilities that were not licensed to sell or pour alcoholic beverages and wine for said events; and

**WHEREAS**, these businesses will need approximately 4 to 6 weeks to successfully obtain the required licenses/permits to begin sale and pouring of malt beverages and wine, and to prohibit "brown bagging" during this time might harm their ability to provide for their clients, it is

**NOW, THEREFORE, BE IT RESOLVED** that a moratorium be set for a period of sixty (60) days from the date hereof for the enforcement of Section 6-65 by either the ordinance officer or the Calhoun Police Department.

**BE IT FURTHER RESOLVED** that the Mayor and Council may revisit the issue again at

the end of this period of moratorium to assess whether another thirty (30) days might be necessary to assist any effected businesses which have made substantial progress in the process, but more time is needed to perfect notice or conduct hearings.

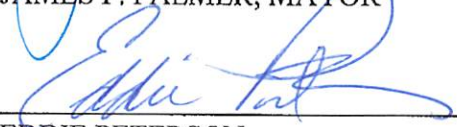
**SO RESOLVED** this 25<sup>th</sup> day of August, 2014, in open, public meeting.

CITY OF CALHOUN, GEORGIA

BY:

  
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JAMES F. PALMER, MAYOR

ATTEST:

  
\_\_\_\_\_  
EDDIE PETERSON,  
CITY CLERK/ADMINISTRATOR