

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
CALHOUN, GA  
JULY 28, 2008 7:00 P.M.**

**MINUTES**

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

**ALSO: Eddie Peterson, City Administrator  
Kelly Cornwell, Director of Utilities  
William P. Bailey, City Attorney**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Hammond 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 proposed agenda. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
4. Mayor Pro Tem Crowley made a motion to approve the minutes of the July 21, 2008 regular City Council Meeting as written. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.
5. Mayors Comments:
  - A. Mayor Palmer asked Councilman Edwards to review the zoning hearings scheduled July 14, 2008 and August 11, 2008.

**August 11, 2008**

    1. An annexation and CN zoning request by Larry W. and Kathy S. Brown for 4.05 acres located at 122 Nelson Lake Road.
      - Councilman Edwards stated the Zoning Advisory Board meeting for this item would be held on August 7, 2008 at 4:30 PM.

**October 13, 2008**

      2. A 6 foot variance request by Neva Faith Wetton to build a 10'X20' open garage at 81 Echota 2<sup>nd</sup> Street.
        - Councilman Edwards stated the Zoning Advisory Board meeting for this item would be held on October 9, 2008 at 4:30 PM.
6. Old Business:
  - A. Mayor Palmer gave a 2<sup>nd</sup> reading of a taxi license request by Talesha Stone with a business address of 203 Richardson Road Suite 80 – Point Shopping Center. He stated the public hearing has been set for August 11, 2008.
  - B. Mayor Palmer gave a 2<sup>nd</sup> reading of a beer pouring license request by Juan Guillen Grandoes dba El Parrel with an address of 203 Richardson Road. He stated the public hearing has been set for August 11, 2008.

- C. Mayor Palmer gave a 2<sup>nd</sup> reading and explained the Amendment to Chapter 94 in the Calhoun Code of Ordinances Cross Connections Section. He stated the public hearing has been set for August 11, 2008.

7. New Business:

- A. Mayor Palmer gave a 1<sup>st</sup> reading of a Taxi License request of Ruben Ochoa Flores d/b/a Bimbo Taxi with a business address of 637 Oothcalooga Street.
- Mayor Palmer stated the earliest date for a public hearing would be August 25, 2008.
  - Mayor Pro Tem Crowley made a motion to set the public hearing for August 25, 2008. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- B. Mayor Palmer read a Request to adopt a Resolution supporting the EIP Application for Racemark International LLC.
- Mayor Palmer ask to post pone until the next regular meeting to have certain questions answered by the Grant Writer Rhonda Gilbert.
- C. Mayor Palmer gave a 1<sup>st</sup> reading of the Proposed Flood Damage Prevention Ordinance.
- Attorney Bailey explained the Flood Prevention Ordinance. He stated there are no substantial changes from the present ordinance and a revised ordinance is required by FEMA due to the completion of new Flood Maps for Calhoun.
  - The public hearing is set for August 11, 2008.
- D. Mayor Palmer gave a 1<sup>st</sup> reading of a beer pouring license for JDK Foods, Inc d/b/a Schroeder's New Deli with Bonnie Kristina Maddux-Lawrence as authorized agent for a location of 120 Cornerstone Way Suite 2 in Harmony Square.
- Mayor Pro Tem Crowley made a motion to set the public hearing for August 25, 2008. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.
- E. Mayor Palmer asked Administrator Peterson to review Streetscapes Phase III.
- Administrator Peterson explained the MOU for Phase III of Streetscape.
  - Attorney Bailey requested that any motion be contingent on his review of the document.
  - Councilman Edwards made a motion to allow Mayor Palmer to sign after Attorney Bailey reviews the MOU and other requirements. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.
- F. Mayor Palmer read a request to adopt a Resolution for a moratorium on adult entertainment licenses.
- Mayor Palmer explained that the current Adult Entertainment ordinance has not been revised since 1993 and asked for a 120 day moratorium on the issue of any adult entertainment license.
  - Councilman Hammond made a motion to approve the Resolution for the 120 day moratorium. The motion was seconded by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.

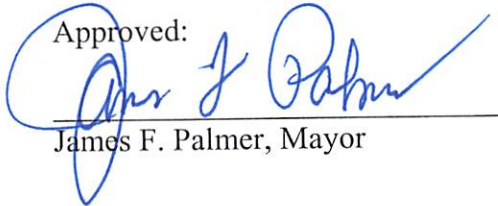
8. Other Written Items not on the Agenda:

- A. Attorney Bailey recommended the Mayor and Council to authorize Curtis Craig, the Calhoun Nuisance Officer, to be given authority to begin summons, notices,

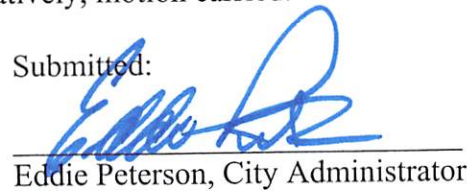
order and actions towards the disposition of 6 dilapidated and nuisance houses in Calhoun. This process would proceed through Calhoun Municipal Court.

- Councilman Edwards made a motion to authorize disposition authority to Curtis Craig. The motion was second by Councilman Hammond with all voting affirmatively, motion carried.
- B. Mr. Lonnie Daniel asked the Mayor and Council to step up awareness in the Hunt's Subdivision area of trash and trash receptacle abuse.
- Mayor Palmer expressed his appreciation to Mr. Daniel about his concern for a cleaner community. A concerted patrol of the area and property owner contacts will take place this week.
9. Councilman Hammond made a motion to adjourn. The motion was second by Councilman Denmon with all voting affirmatively, motion carried.

Approved:

  
James F. Palmer, Mayor

Submitted:

  
Eddie Peterson, City Administrator

**A RESOLUTION SETTING A MORATORIUM  
ON THE ISSUANCE OF AN ADULT ENTERTAINMENT LICENSE**

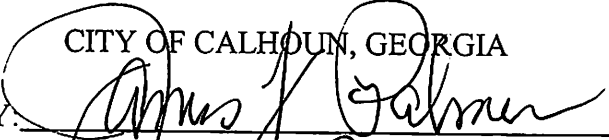
WHEREAS, the Mayor and Council of the City of Calhoun passed an Adult Entertainment Ordinance on September 13, 1993 regulating adult entertainment in the City of Calhoun and providing for licensing requirements; and

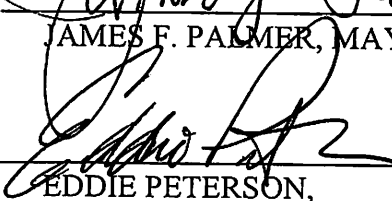
WHEREAS, since 1993 there have been numerous court cases challenging the constitutionality of adult entertainment ordinances of other municipalities, and

WHEREAS, in order to protect the constitutional rights of any applicant for an adult entertainment license and to protect the public health, welfare, and safety of the citizens of Calhoun, Georgia, a thorough review of the existing ordinance should be made and said ordinance should then be amended to comply with present constitutional standards;

**NOW, THEREFORE, BE IT RESOLVED** that a moratorium be set for a period of one hundred twenty (120) days from the date thereof prohibiting the receipt of an application for and issuance of a license for an adult entertainment establishment to allow time for the Mayor and Council to review and amend the existing adult entertainment ordinance to comply with existing constitutional standards.

**SO RESOLVED** this 28<sup>th</sup> day of July, 2008, in open, public meeting.

CITY OF CALHOUN, GEORGIA  
BY:   
\_\_\_\_\_  
JAMES F. PALMER, MAYOR

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