

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
CALHOUN, GA
DECEMBER 22, 2008 7:00 P.M.**

MINUTES

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

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

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. 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. The motion was seconded by Mayor Pro Tem Crowley with all voting affirmatively, motion carried.
4. Mayor Pro Tem Crowley made a motion to approve the minutes of the December 8, 2008 regular City Council meeting with the correction to Councilman Hammonds comments regarding the RDC changing 7 billion to 7 million for Georgia statewide. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
5. **Mayors Comments:**
 - A. Mayor Palmer wished everyone a very Merry Christmas and Happy New Year.
 - B. Mayor Palmer reminded the public of the upcoming Martin Luther King parade to be held January 19, 2009 at 10:00 am. He stated there would also be services directed by Walter Harris Sunday January 18, 2009 at Friendship Baptist Church beginning at 5:30.
 - C. Mayor Palmer reminded the Council of the Mayor's Day Conference and training to be held January 24-26, 2009.
 - D. Mayor Palmer stated the Mayor's Motorcade held on December 16, 2008 was a success and he thanked the Police Department for delivering the gifts in his absence.
 - E. Mayor Palmer stated the property taxes will be mailed out on December 29, 2008 and will be due February 28, 2009. He also stated if anyone wished to pay the

taxes before they are mailed could do so at City Hall during regular business hours.

F. Councilman Edwards stated the Zoning Public Hearing for January 12, 2009 was as follows and has a Zoning Advisory Board date of January 8, 2009.

1. A 15' variance request by CGA Global LLC for a set-back of 4.18 acres located on Thomas Street to build a 4500 sq foot office addition.

6. **Public Hearings:**

A. Mayor Palmer opened the public hearing on the Adult Entertainment Ordinance.

- Attorney Bailey stated he added findings and public purpose to the Ordinance based on the research and comments from the Mayor and Council over the past few months.
- Mayor Palmer asked if there were any comments.
- Councilman Hammond stated the Ordinance is complex and the Mayor and Council have been doing research to be legally prepared if an adult entertainment application is received.
- City Resident, Ty Angelo, addressed the Mayor and Council concerning adult advertisements on billboards, etc.,
- Attorney Bailey stated the Ordinance is “content neutral” and advertisements would fall the under free speech act unless the content is obscene.
- Joe Fountain of 213 Brookstone representing the Church of Jesus Christ on Damascus Road stated speaking for the church members and himself, they are against the opening of any adult entertainment facility in Calhoun.
- Mayor Palmer stated the Ordinance is not structured to solicit adult entertainment businesses but rather to be better prepared if an application is presented to the City.
- Mayor Palmer asked if there were any additional questions or comments.
- There were none and the public hearing was closed
- Councilman Hammond made a motion to approve the Adult Entertainment Ordinance as written. The motion was seconded by Mayor Pro Tem Crowley will all voting affirmatively, motion carried.

8. **Old Business:**

A. Mayor Palmer read a beer package license request by ABC Convenience Store with Devin Desai as authorized agent for a location of 703 Oothcalooga Street.

- Mayor Palmer stated the public hearing is set for January 12, 2009.

B. Mayor Palmer gave the 2nd and final reading of additional 2009 beer-wine-liquor license renewal requests.

Beer Pouring

- Alexis Prasinos for Gondolier’s Pizza
- Hussein Asadi for Back Gate Restaurant
- Mayor Pro Tem Crowley made a motion to approve the requests. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.

Beer & Wine Pouring

- Saleh A. Rashid for Maya, Inc. d/b/a Atlanta Gate Restaurant
- Councilman Hammond made a motion to approve the requests. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.

Beer & Wine Package

- Terry Bouldin for Ingles Markets, Inc
 - Linda Maples for Wal-mart Supercenter # 1215
 - Mayor Pro Tem Crowley made a motion to approve the requests. The motion was seconded by Councilman Hammond with all voting affirmatively, motion carried.
- C. Mayor Palmer gave a second and final reading of additional 2009 pawn license renewal requests.
- Thomas K. Haas for Pawn Mart
 - Candace Patterson for Titlemax of Calhoun, Inc.
 - Clifford L. Cochran for Pete's Music City & Pawn
 - Councilman Hammond made a motion to approve the requests. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- D. Mayor Palmer gave a second and final reading of additional 2009 taxi license renewal requests.
- Romulando Martinez for Taxi Latino
 - Olga M. Moss for Los Buenos Amigos Taxi
 - Talesha Stone for Taxi K-Paz
 - Mayor Pro Tem Crowley made a motion to approve the requests. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
- E. Mayor Palmer gave a second reading of the Georgia Department of Community Affairs amendments to the Georgia State minimum standard codes.
- Mayor Palmer read the amendment codes.
 - Councilman Hammond made a motion to approve the amendments. The motion was seconded by Councilman Denmon with all voting affirmatively, motion carried.
9. **New Business:**
- A. Mayor Palmer gave a 1st reading of late 2009 taxi license renewals.
- Maria Vega for Taxi Guererro
- B. Mayor Palmer read a request to adopt a Resolution to congratulate Marvin Paul Hayes for thirty years of dedicated service to the City of Calhoun.
- Mayor Palmer read the Resolution as written
 - Mayor Palmer stated Mr. Hayes has been a good employee to the City of Calhoun and is a pleasure to work with.
 - Councilman Denmon made a motion to adopt the Resolution as written. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.
- C. Mayor Palmer read a request for a beer & wine package license by Rite Aid Corporation with Terry G. Vanderbogart as the authorized agent for a location of 1101 Red Bud Road.
- Mayor Palmer stated the earliest date for a public hearing will be January 26, 2009.
 - Mayor Pro Tem Crowley made a motion to set the public hearing for that date. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.

10. **Other Written Items Not on the Agenda:**

- A. Giles Jones, Local Attorney, stressed concerns to the Mayor and Council regarding the new bike trail damages incurred from the Hwy 156 bridge construction.

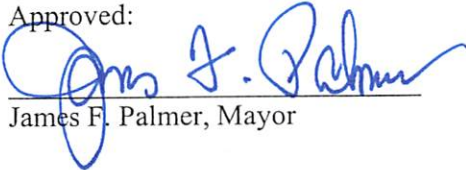
11. **Work Reports:**

- A. Eddie Peterson, City Administrator:

- Peterson reported that Street Scape Phase II was completed and a completion punch list meeting between Calhoun, the Contractor, Calhoun's Architect, and the Georgia Department of Transportation was held on December 19, 2008. There were several minor areas of correction which was agreed to by all parties.

12. Councilman Hammond made a motion to adjourn. The motion was seconded by Councilman Edwards with all voting affirmatively, motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Eddie Peterson, City Administrator