



**CITY COUNCIL MEETING
SEPTEMBER 27, 2021- 7:00 PM
109 SOUTH KING STREET
DEPOT COMMUNITY ROOM**

MINUTES

PRESENT: James F. Palmer, Mayor
George R. Crowley, Mayor Pro Tem
Ray Mitchell Denmon, Councilman
Jacqueline Palazzolo, Councilwoman

ALSO: Paul Worley, City Administrator; Larry Vickery, Utilities Administrator; Sharon Nelson, City Clerk; George Govignon, City Attorney; and Tony Pyle, Police Chief.

1. Council Meeting Called to Order

Welcome

Mayor Palmer called the meeting to order and welcomed everyone in attendance.

Invocation

Mayor Pro Tem Crowley gave the invocation.

2. Pledge of Allegiance

Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.

3. Amendment or Approval of Proposed Agenda

Mayor Palmer stated that an amendment was needed to the September 27, 2021 agenda to add the first reading of a beer and wine pouring license under new business. Councilwoman Palazzolo made a motion to approve the agenda as amended. Mayor Pro Tem Crowley gave a second with all voting aye. Motion approved.

4. Amendment or Approval of Minutes

Councilman Denmon made a motion to approve the minutes of the City Council meeting of September 13, 2021. Mayor Pro Tem Crowley gave a second with all voting aye. Motion approved.

5. **Mayor's Comments**

- D. Mayor Palmer began his comments with Item D, the presentation of a proclamation celebrating Laura Pullum's 90 years. He noted that she had made a difference in the lives of many children in the community and had won various awards during her career including Georgia Teacher of the Year. She was presented with the proclamation as well as a Key to the City of Calhoun. A presentation was also given by the Calhoun City Board of Education including cards from various students. All council members thanked her for all of the work she has done in the community and shared their memories as well as memories of their own children and the love they had for her as her students. Ms. Pullum then shared some of her memories of teaching in the City of Calhoun.
- A. Mayor Palmer announced early voting begins Tuesday, October 12th and ends Friday, October 29th. We will have early voting on Saturday October 16th and Saturday, October 23rd from 9:00 a.m. to 5:00 p.m. in the Board of Elections and Voter Registration Office, located across the street from the Post Office.
- B. Mayor Palmer announced that October 4th is the last day to register to be eligible to vote in the November General Election.
- C. Mayor Palmer announced that October 22nd is the last day to mail or issue absentee ballots.

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. Tabled item: Public hearing of an annexation and zoning request from County A-1 to Ind-G for 155.49 acres at a location of 336 Salem Road (046-034 and 046-118) by HREG Acquisitions, LLC. The Zoning Advisory Board meeting was held September 9th.
 - Councilman Denmon made a motion to remove the item from the table. Councilwoman Palazzolo gave a second with all voting aye.
 - Mayor Palmer stated that the applicant had withdrawn the application as they are currently awaiting FAA approval of their plans.
- B. Public hearing of updates to the City of Calhoun Code of Ordinances, Chapter 6, Alcoholic Beverages, Article III, Operating Regulations For Licensed Establishments, to set fee amounts as prescribed by the governing body, to require a Georgia criminal history for employees serving malt beverages, wine and/or distilled spirits in pouring establishments, to allow for fine amounts for violations to be set by the City of Calhoun Municipal Court, and for other purposes.

- Mayor Palmer opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Palmer opened the floor for comments. City Administrator Worley stated that the main purpose of the ordinance change was to update the ordinance following other cities that no longer do fingerprint cards, especially during the COVID-19 pandemic due to the close proximity between officer and applicant when performing fingerprinting. He stated that he felt this would help the Police Department in streamlining services.
- There being no other comments, Mayor Palmer closed the public hearing and called for a motion concerning the ordinance change.
- Councilwoman Palazzolo made a motion to approve the ordinance changes as presented. Councilman Denmon gave a second with all voting aye. Motion approved.

C. Public hearing of updates to the City of Calhoun Code of Ordinances, Chapter 26 Cemeteries, to include a cremation only section to Fain Cemetery, lot sizes for crematory spaces, updates to the grant of easement and burial rights, and other purposes.

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

D. Public hearing of updates to the City of Calhoun Code of Ordinances, Chapter 86, Taxation, to incorporate changes pertaining to HB317, to include updates to definitions, and for other purposes.

- Mayor Palmer opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Palmer opened the floor for comments. City Administrator Worley stated the purpose of the ordinance change was to include State level changes that allow short-term rental companies to collect excise tax and then submit those taxes to local governments.
- There being no other comments, Mayor Palmer closed the public hearing and called for a motion concerning the ordinance change.
- Councilwoman Palazzolo made a motion to approve the ordinance changes as presented. Councilman Denmon gave a second with all voting aye. Motion approved.

E. Public hearing of the proposed 2021 property tax millage rates for the City of Calhoun and Calhoun City Schools. The City of Calhoun proposed millage rate remains the same as 2020 at 2.70. The Calhoun City Schools proposed millage rollback rate is 17.557.

- Mayor Palmer opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Palmer opened the floor for comments.
- There being none, Mayor Palmer closed the public hearing and called for a motion concerning the proposed millage rates.
- Councilman Denmon made a motion to approve the City of Calhoun 2021 millage rate of 2.70. Mayor Pro Tem Crowley gave a second with all voting aye. Motion approved.
- Councilwoman Palazzolo made a motion to approve the Calhoun City Schools 2021 millage rate of 17.557. Mayor Pro Tem Crowley gave a second with all voting aye. Motion approved.

7. Old Business

- A. Mayor Palmer gave the second reading of a variance request of 610 feet less than the minimum floor area requirement for R-1B, from 1,150 feet to 540 feet, at Beamer Road and Harris Beamer Road, (CG33-098) by Tiny House Hand Up, Inc. The Zoning Advisory Board meeting is scheduled for October 7th and the Public Hearing on October 11th.
- B. Mayor Palmer gave the second reading of a zoning change request from R-2 to PRD (planned residential development) for 39+/- acres located at the termination of Millers Lane (C35-031 & C35-032), by Venture Communities, LLC. The Zoning Advisory Board meeting is scheduled for October 7th and the Public Hearing on October 11th.
- C. Mayor Palmer gave the second reading of a beer and wine package license request at a location of 703 Oothcalooga Street, by Samrat Business, LLC d/b/a ABC Convenience Store. The owner, Kumar Tharpa will also serve as the store manager. Eligible for a public hearing October 11th.

8. New Business

- A. Mayor Palmer gave the first reading of a beer and wine pouring license request at a location of 100 Peter Street, Suite 8, by Kristel Rivera d/b/a Boriken Restaurant. Ms. Rivera will also serve as the Store Manager. Eligible for a public hearing October 25th. Councilman Denmon made a motion to set the public hearing for October 25th. Councilwoman Palazzolo 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 gave the General Government cash report noting that the General Fund operating account was \$3.1 million, up from last month's \$2.8

million. The 2018 SPLOST uncommitted fund balance was \$3.4 million, down from \$3.7 million last month, due to larger drawdowns for the new Police Department. 2018 SPLOST committed funds were \$1.2 million, down from \$1.4 million last month, due to the Peter Street project. The Revolving Loan fund has a balance of \$279,296 and funds are available for loans. The Hotel/Motel taxes were \$102,083 for the month of June, compared to \$94,890 and \$91,398 for May and April respectively. He also noted that the June collections received in August was the first time monthly receipts had exceeded \$100,000. Mayor Palmer called for a motion regarding the August General Government cash reports. Mayor Pro Tem Crowley made a motion to approve the report. Councilman Denmon gave a second with all voting aye. Motion approved.

- B. Larry Vickery, Utilities Administrator gave the Utilities cash report noting that total operating revenues for the month of August were \$7.6 million and total savings and reserves were \$4.11 million, for a grand total of \$11.7 million. Utilities Administrator Vickery also informed council members that the crews that went to help with Hurricane Ida were back from Louisiana stating that they started in Abbeville and ended up in Houma, Louisiana.
- C. George Govignon, City Attorney

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

City Attorney Govignon stated there was a need to move to executive session for the purpose of discussing land acquisition. Mayor Pro Tem Crowley made a motion to move to executive session for the purpose of discussing land acquisition.


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

- A. Councilman Denmon made a motion to return to regular session. Councilwoman Palazzolo gave a second with all voting aye. Motion approved.
- B. City Attorney Govignon stated that a motion was needed to give approval for City Administrator Worley to continue negotiations and possible purchase of property located at 325 South Wall Street. The property adjoins Fire Station 1 located at 327 South Wall Street.
- C. Mayor Pro Tem Crowley made the motion with Councilman Denmon giving a second. All members voted aye and the motion was approved.

13. **Motion to Adjourn**

There being no further business to come before the Council, Mayor Pro Tem Crowley made a motion to adjourn. Councilwoman Palazzolo gave a second with all voting aye. The motion was approved and the meeting adjourned at 7:57 p.m.

Approved:



James F. Palmer, Mayor

Submitted:



Sharon Nelson, City Clerk

CLOSED MEETING AFFIDAVIT

James F. Palmer, Chair of the City of Calhoun, City Council Meeting, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The City Council of Calhoun, Georgia, met in a duly advertised meeting on September 27, 2021.

2.

During such meeting, the council voted to go into executive session.

3.

The executive session was called to order at 7:47 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

_____ Consultation with the city attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1)

_____ Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and (*insert the citation to the legal authority making the tax matter confidential*) _____

XX Discussion or voting on

_____ Authorizing a settlement as provided in O.C.G.A. § 50-14-3(b)(1)(A)

XX Authorizing negotiations to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(B)

_____ Authorizing an appraisal as provided in O.C.G.A. § 50-14-3(b)(1)(C)

_____ Entering a contract for the purchase, disposal of, or lease of property as provided in O.C.G.A. § 50-14-3(b)(1)(D)

_____ Entering into an option to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(E)

_____ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a city officer or employee as provided in O.C.G.A. § 50-14-3(b)(2)

____ Interviewing candidates for executive positions as provided in O.C.G.A. § 50-14-3(b)(2)

____ Other (describe the exemption to the open meetings law): _____
_____ as provided in (insert the citation to the legal authority exempting the topic): _____

5.

____ During the course of the closed session devoted to exempt topics, an incidental remark regarding a non-exempt topic or an attempt to discuss a non-exempt topic was made.


____ The attempt was immediately ruled out of order and attempts to discuss the same ceased immediately.

____ The attempt was immediately ruled out of order. However, the comments did not cease, so the closed/executive session was immediately adjourned without discussion or action being taken regarding any non- exempt topic.

6.

Minutes were taken of this meeting in accordance with O.C.G.A. § 50-14-1(e)(2)(C) and will be filed and held for inspection by an appropriate court only.

This 27th day of September, 2021.



James F. Palmer, Mayor

Sworn to and subscribed before me this 29th day of
September, 2021.



Notary Public

My commission expires:
2-18-2022

