



**CITY COUNCIL MEETING
APRIL 24, 2017- 7:00 PM
109 SOUTH KING STREET
DEPOT COMMUNITY ROOM**

MINUTES

PRESENT: James F. Palmer, Mayor
Matt Barton, Mayor Pro Tem
Al Edwards, Councilman
David Hammond, Councilman
Jackie Palazzolo, Councilwoman

ALSO: Eddie Peterson, City Administrator; Paul Worley, Assistant City Administrator; Linda Brookshire, Human Resources Director; Sharon Nelson, City Clerk; George Govignon, City Attorney; Larry Vickery, Utilities General Manager/City Planner; Andrea Bramlett, Finance Director; Jeff Defoor, Director of Electric Utilities; Jerry Crawford, Water Sewer Director; and Garry Moss, Police Chief.

1. Council Meeting Called to Order:

Welcome

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

Invocation

Councilman Edwards gave the invocation.

Pledge of Allegiance

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

2. Amend or Approve Proposed Agenda:

Mayor Pro Tem Barton made a motion to approve the April 24, 2017, agenda as presented.

Councilman Hammond gave a second with all voting aye. Motion approved.

3. Amendment or Approval of Minutes :

Councilman Hammond made a motion to approve the regular minutes of the April 10, 2017, City Council meeting. Councilwoman Palazzolo gave a second with all voting aye. Motion approved.

4. **Mayor's Comments:**

Mayor Palmer announced that a work session for the fiscal year July 1, 2017 through June 30, 2018 Annual Operating Budget and Capital Plan would be held immediately following tonight's regular meeting of the City Council. The first public hearing will be held on May 8, 2017, at 7:00 p.m.

5. **Public Hearing and Comments:**

None

6. **Old Business:**

A. **Benstone Road Dedication**

Mayor Pro Tem Barton made a motion to remove the item from the table. Councilman Hammond gave a second with all voting aye. Motion approved. City Administrator Peterson recommended Council members accept this phase of the road contingent upon the performance bond being issued by the owner on the 2,200 feet of five foot sidewalk; the sidewalk to be completed within one year. Councilman Hammond made a motion to accept the road with the stated contingencies. Mayor Pro Tem Barton gave a second with all voting aye. Motion approved.

B. **Resolution Calling for a Special Election – Term Limitations and Number of Council Members**

Councilman Hammond made a motion to remove the item from the table. Mayor Pro Tem Barton gave a second with all voting aye. Motion approved. Councilman Hammond made a motion to ask the questions on the ballot "Should the City of Calhoun have three consecutive terms for council and two consecutive terms for Mayor?", and "Should the City of Calhoun extend the number of council members from four to six members at large?" Mayor Pro Tem Barton gave a second. Mayor Palmer opened the floor for discussion on the matter and stated that he would like to remind the Council that limiting the Mayoral seat to two terms could be detrimental to the office because it would limit some Mayor elects, as there is no experience requirement in that office. A considerable amount of time would be taken during the first term to learn about the City. City Attorney Govignon urged council members to pose three questions on the ballot, separating the terms of Mayor and Council to simplify the process for the voters. Councilman Hammond stated he felt separating the question would not make a difference. He also reminded the Council that they all voted unanimously last year to move ahead with term limits. He stated there was a delay last year so we couldn't get it on the ballot. That is why we are defining it more closely. He stated he believes it should be two questions. "Yes or no, do you want term limits?" "If you do, here is what they are going to be"; "Yes or no, do you want more members?" "If so, here is what they are going to be." If the vote is no then that is what it should be. If that is what the population wants, then so be it. One thing we did six or eight years ago was to make a motion to do a rotation on the Mayor Pro Tem spot, and every one of us has served in that spot except Jackie Palazzolo. That's kind of a training field. You never know when a vacancy may occur and you need every person on your team prepared and ready to go. With these statements made, my motion will be that we go ahead and move forward with terms

limits (yes or no) on the ballot; three consecutive terms for the Council; two consecutive terms for the Mayor. Councilman Hammond gave the example of consecutive terms using himself as the example. When his term ends this year he would automatically come off because of term limits. At that point there would be an open seat with more people trying to get that seat. At the very next election, whether a regular election or special election, someone who rolls off because of term limits could get back in to City service again by running for re-election and the citizens voting to support them. The three/two seems to be the most common. The Council is the body that does the voting. The Mayor's vote is to break a tie. As we look at going to additional members we started looking at what was around the state. Ten years ago the comparative was more than just four council members. When you go with more members you bring in a greater diversity of ideas, more opinions. We are going to be growing. We were looking at the Housing Authority plans that were projecting a 115% growth. It is happening, so I will make the motion that we go with an extended membership on the Council, and go with six members instead of four. Mayor Pro Tem Barton asked City Attorney Govignon what his suggestion was on the questions. City Attorney Govignon recommended adding a third question to separate Council and Mayor Terms in order to get an accurate result. Councilman Hammond stated that he felt a straw poll was not necessary, just what the voters want, and stood behind his motion. Mayor Pro Tem Barton stated the additional question would just make it more complicated. City Attorney Govignon stated that how they want the questions is up to them; he just needs instructions on what he needs to draft for the resolution. Councilman Hammond stated that is his motion, if it passes. Mayor Pro Tem Barton stated that he seconds that motion. Mayor Palmer stated that the Council, even at work session today, is not one hundred percent behind this, but they all were in agreement at giving the voters the opportunity to look at it and give us what their thought were. We would appreciate that. Mayor Palmer stated that in his opinion we already have term limits in place. Those term limits are set by you, the voter. You will have the opportunity in November. As Councilman Hammond said, he is up for election, and also Councilman Barton. You will also have the opportunity to set those term limits in two years from November as the other two Council positions and the position of Mayor are up. Out of 575 cities in the state of Georgia, only 23 have term limits. Of those, one of them just voted to discontinue term limits. So, there are varying opinions all over the state, as Councilman Hammond said. As far as increasing the numbers from four to six, I believe the City has served itself very well in the past with four Council members. I personally do not see the need for two additional Council members, especially when you look at the square mileage inside the City, which is 13.2 square miles. It has grown very little since 2007. He stated that he realized part of that was due to the recession, but along with that you can look at the population which has gone from 15,567 at the time of the 2010 census to approximately 16,000, perhaps a little over. So population has grown by 100 or less each year. Something else that the voters need to consider when looking at the increase from four to six is that it will be an additional \$30,000 to \$40,000 of budget expense when you consider the salary and the travel that goes along with that. Councilman Hammond reminded the audience that the meeting is being streamed live and is available for replay, and the citizens are looking in to what is being said. He stated that the Council would be voting tonight on an annexation of a

piece of property off the new Union Grove Interchange. With that piece of property you are going to have commercial growth. We talk about the availability of sewage, and electricity, and other utilities out to that site we are looking at 547 acres. If you take in the property that stretches from LG Hausys all the way to Adairsville city limits sign you are looking at another 300 to 400 acres. When we were in the height of growth in 2006 we were approving 200 to 300 acres a year for annexation. We didn't have that during the great recession. We were surviving. We are working on the census right now and we are looking at growth. We had a professional design engineer here today who said that the growth we will have when the Inland port comes in is going to be phenomenal. They are absolutely right, it is. We have a lot of people who are not visionaries and they can't see the need to do things before it is crisis. What we are trying to do is plan for that future. That is why we went the rotational method with the Mayor Pro Tem. We are trying to plan and be ahead of the curve. We don't want to be following other communities that don't meet the needs. On the same token, as elected officials we don't want to be so smart that we know best and the voting public can't decide. That's what they are going to get to do. They are going to get to decide on this. You will see a quote. It will be locally. I can see the facial features from here. Look at it on YouTube. Watch what I'm saying. If you have any questions call me. Stop me in my yard. I will be happy to tell you why I believe so passionately on this. Most of us have a problem with elected officials and politics on the national level. We don't necessarily have that locally, and I am grateful for it. But on the same token, let's put in positives for it, and this is one where you, the voter, go to the polls, and you flip the no switch or the yes switch. It's that simple. Mayor Pro Tem Barton stated that it is not a binding issue, just a vote of opinion from the public. If it passes it still has to come back to the Council for a decision on what to do with it. We haven't grown as much since the great recession. According to the Urban Redevelopment Plan we got the other night we had a 20 year increase in population of 119%. From 1990 to 2010 we grew 119%, from 7,135 to 15,650. Now that we are out of the recession we are going to be growing like that again. If we have a similar result, 119% over the next 20 years, there could be 30,000 people in the City of Calhoun. With the Emerson project going on and Inland port, and our vicinity to Chattanooga and Atlanta, we will be increasing. The vote tonight does not make it happen. Councilman Hammond stated the only reason they revisited this rather than being generic is time table. When the election is held the first Tuesday of November, if the vote is yes, then we will have public hearings to get it to conversation so that by December 31st it is finalized and we can get it to our Representative, John Meadows. John will have to bring it to the floor. He doesn't have to. If he doesn't want to, he won't. I know that his personal philosophy on some other boards is that he is in favor of term limits, like the High School Association. If term limits work in one arena why wouldn't it work in other arenas? Let's just let the voters decide what they want and once they decide, let's just move on to business. Mayor Palmer stated he believed they were all in agreement to put it on the ballot. He did respond to Mayor Pro Tem Barton's comment regarding the population. He stated he believed it was in the Comprehensive Plan that they gave projections as to population. They had projections for 2030 and they were a large number. He stated that in several places those numbers had been revisited at a much lower population number in increase. Mayor Palmer called for any other

discussion. There being no other discussion, all council members voted aye. Motion approved.

C. Annexation and Zoning Request for Jack and Mary Jenkins – Second Reading

Mayor Palmer gave the second reading of an annexation and zoning request of R-1 for 1.32 acres at a location of 106 East 40th Drive by Jack and Mary Jenkins. The Zoning Advisory Board is scheduled for May 4, 2017. The Public Hearing will be on May 8, 2017.

D. Annexation and Zoning Request for Love’s Travel Stops and Country Stores – Second Reading

Mayor Palmer gave the second reading of an annexation and zoning request of C-2 for 14.81 acres at a location of Parcel #058-060 by Love’s Travel Stops and Country Stores. The Zoning Advisory Board is scheduled for May 4, 2017. The Public Hearing will be on May 8, 2017.

E. Sign Variance Request for Love’s Travel Stops and Country Stores – Second Reading

Mayor Palmer gave the second reading for a sign variance request by Love’s Travel Stops and Country Stores at a location of Parcel #058-060. The sign variance request is 160 feet for the height of the sign and variance of 812 square feet for the face of the sign. The Zoning Advisory Board will meet on May 4, 2017 and the public hearing will be on May 8, 2017.

7. New Business:

None

8. Other written items not on the agenda:

None

9. Work reports:

A. General Government Cash Reports

City Administrator Peterson gave the General Fund Cash Report stating that it is in a strong position day to day and has adequate reserves. He noted that he did meet with a restaurant franchise company interested in opening in Calhoun regarding the Revolving Loan Fund. He will be meeting with them next week to discuss the matter.

B. Utilities Cash Reports

City Administrator Peterson gave the utilities cash report stating that it is in a strong position day to day and has adequate reserves.

10. Motion to move to Executive Session, if needed:

City Attorney Govignon stated there was no need to move to executive session.

11. Motion to return to General Session, if needed:

12. **Motion to adjourn:**

Councilman Hammond made a motion to adjourn. Mayor Pro Tem Barton gave a second with all voting aye. Motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Sharon Nelson, CMC, City Clerk



**RESOLUTION CALLING FOR A NON-BINDING REFERENDUM
TO INQUIRE OF THE ELECTORATE OF THE CITY OF CALHOUN**

WHEREAS, the Mayor and members of the City Council for Calhoun, Georgia have engaged in discussions regarding a charter amendment that would enact certain term limits upon the members of the elected governing authority; and

WHEREAS, the procedure to make such an amendment would be a matter to be addressed by the Georgia General Assembly by enactment of local law; and

WHEREAS, the governing authority of the City of Calhoun, Georgia desires to gain the input of the affected electorate on this issue prior to the initiation of the proceedings and process to make an amendment to the current charter; and

NOW, THEREFOR BE IT RESOLVED that the election superintendent for the City of Calhoun, Georgia issue a call for a ballot question by special election pursuant to O.C.G.A. §§ 21-2-540 and 21-2-541 to be included during the upcoming general State and Federal elections to be held on Tuesday, November 7, 2017; and

FURTHER RESOLVED, the election superintendent shall conduct such a ballot question affecting the provisions of the municipal charter concerning the elections or composition of the governing authority, as provided by O.C.G.A. § 36-35-3 and O.C.G.A. § 21-2-540 and shall prepare a ballot written or printed thereon the following words:

- “() YES The Mayor and Council for the City of Calhoun, Georgia should begin procedures to amend or modify the present municipal charter to provide for term limitations on the elected officers of Mayor for a period of two (2) consecutive terms and members of the Council to for a period of three (3) consecutive terms to then be submitted to the Georgia General Assembly for enactment?”
- () NO

All persons desiring to vote for the beginning of such process to provide for term limits to the offices of these elected officials shall indicate “Yes,” and those persons desiring to vote for rejection of such a proposition shall indicate “No;” and

FURTHER RESOLVED, the election superintendent shall conduct such a ballot question affecting the provisions of the municipal charter concerning the elections or composition of the

governing authority, as provided by O.C.G.A. § 36-35-3 and O.C.G.A. § 21-2-540 and shall prepare a ballot written or printed thereon the following words:


- YES The Mayor and Council for the City of Calhoun, Georgia should begin procedures to amend or modify the present municipal charter to provide for
- NO an increase of the number of serving members of the City Council from the present number of four (4) by elected by "post" designation to six (6) members elected "at large?"

All persons desiring to vote for the beginning of such process to provide for increasing the number of elected members of the City Council shall indicate "Yes," and those persons desiring to vote for rejection of such a proposition shall indicate "No"


SO RESOLVED IN OPEN, PUBLIC, REGULAR MEETING this 24th day of April,

2017.

CITY OF CALHOUN, GEORGIA


BY: 
JAMES F. PALMER, MAYOR

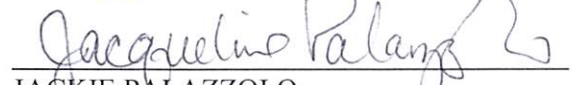
ATTEST:


SHARON NELSON, CMC
Clerk of the City of Calhoun, Ga.


DAVID HAMMOND


AL EDWARDS


MATT BARTON


JACKIE PALAZZOLO