

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING ST
DECEMBER 19, 2011 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
Bill Bailey, City Attorney
Larry Vickery, Utilities General Manager
Jeff DeFoor, Director of Electric Utilities
Paul Worley, Deputy Clerk
Gary Moss, Chief of Police
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. Mayor's Comments:**
 - A. Mayor Palmer welcomed and congratulated the Calhoun 9-10 year old All-Star Football team and coaches. The 9-10 Calhoun All-Star Team defeated Pierce County 38-16 Sunday, December 11 in Thomson – McDuffie County at the GRPA State Football Championships.**
 - B. Mayor Palmer reminded the public of an annexation and zoning request of C-2 for 0.29 acres at a location of 1109 South Wall Street for Linda Walters. The ZAB will meet on January 5th 2012 and the Public Hearing will be on January 9th 2012.**
 - C. Mayor Palmer reminded the public that the City of Calhoun offices will be closed December 23th and 26th for Christmas and January 2nd for the New Year's holiday.**
 - D. Mayor Palmer stated that representatives from the Main Street Program have requested that the two hour parking moratorium be lifted. Mayor Palmer stated that the City Council agreed to lift the moratorium to help the downtown merchants with parking restraints. Warning tickets will be given in the month of January, and tickets with fines will apply starting in February.**

4. Public Hearings and Comments:

- A. Mayor Palmer opened the public hearing to amend the Calhoun Code of Ordinances Chapter 14-Animals-prohibiting farm animals within the City limits except on land zoned A-1.
- Mayor Palmer asked if there were any comments from the public.
 - Mrs. Robin Cleeland who lives at 131 Devonwood Drive requested to speak. Mrs. Cleeland stated she believed that Councilman Hammond represented a conflict of interest since he works in the commercial poultry industry. Councilman Hammond agreed and stated he had no problem with abstaining his vote on the matter. Mrs. Cleeland stated that she had several concerns with the proposed ordinance. She believed that the penalties for having farm animals within the City were disproportionate to the offense. Mrs. Cleeland wanted a clause within the ordinance to grandfather in micro flocks of chickens. Mrs. Cleeland stated that she owned four chickens that she considered pets. She felt like it was her right to have chickens to help produce food. Mrs. Cleeland requested that the Mayor and Council consider adopting an ordinance that would deal with nuisance animals and not ban farm animals completely.
 - Mayor Palmer asked if there were any more comments. Mr. Tommy Gibson who lives in Spring Valley stated he was very much in favor of the proposed ordinance. Mr. Gibson stated that his surrounding neighbors have chickens and goats that are very noisy. Mr. Gibson stated that he lives within the City and believes that he should not have to be disturbed by the noise that the animals are creating.
 - City Attorney Bill Bailey stated that the proposed ordinance was similar to four other ordinances currently being enforced within the Northwest Georgia area. Mr. Bailey stated that the ordinance represented a common sense approach to regulating farm animals within City residential areas.
 - Mayor Palmer asked for any other comments and then closed the public hearing.
 - Councilman Barton made a motion to approve the amendment to prohibit farm animals within the City limits except on land zoned A-1. Councilman Crowley seconded the motion. Councilman Edwards voted aye. Councilman Hammond stated that he would recuse his vote. The motion to approve the ordinance passed.

5. Old Business:

- A. Mayor Palmer conducted the second reading of a sign variance request by Greater Community Bank at a location of 305 West Belmont Drive. The variance request is to reduce the sign minimum setback from 10 feet to 4 feet. The Zoning Advisory Board will meet on February 9th and the public hearing will be on February 13th.

- B. Mayor Palmer conducted the second and final reading of an ordinance to impose a 9-1-1 charge on prepaid wireless service at the retail point of sale. The revenue received would be placed into the Emergency Assistance Fund maintained by Gordon County.
 - Mayor Palmer asked if there were any questions, comments, or concerns with the proposed ordinance. There were no comments.
 - Councilman Hammond made a motion to approve the 9-1-1 charge on prepaid wireless service at the retail point of sale. Councilman Barton gave a second with all voting aye, motion approved.
- C. Mayor Palmer conducted the second reading of a zoning change request for Jackie Purgason with Morgan Taylor, LLC at a location of 107 Kent Drive. The request is for a two acre tract to be rezoned from R-1 to C-2. The ZAB will meet on February 9th and the public hearing will be on February 13th.
- D. Mayor Palmer conducted the second and final reading of a taxi renewal request.
 - Lilian J. Barrera De Valladares for Taxi Los Buenos Amigos
 - Councilman Edwards made a motion to approve the taxi renewal request. Councilman Crowley gave a second with all voting aye, motion approved.
- E. Mayor Palmer conducted the second and final reading of Beer and Liquor Pouring renewal request.
 - Marin Carranza for Los Gallos De Mexico
 - Councilman Hammond made a motion to approve the beer and liquor pouring renewal request. Councilman Crowley gave a second with all voting aye, motion approved.
- F. Mayor Palmer conducted the second and final reading of Beer Package renewal request.
 - Jose L. Estrada for El Sol Hispanic Grocery
 - Councilman Crowley made a motion to approve the beer package renewal request. Councilman Barton gave a second with all voting aye, motion approved.

6. New Business:

- A. City Administrator Eddie Peterson reviewed the budget to actual reports for the general fund, special funds, and the final budget amendments for fiscal year 2011. (copies attached) Mr. Peterson stated that total revenues for the general fund were under projections, but expenditures were also under projections. The total positive net change in fund balance for the general fund was \$386,492. Under the special funds, Mr. Peterson stated that he was pleased with the solid waste budget results. The solid waste trash pickup was rebid and reevaluated by the Finance Department to keep the revenue and expenditures in better balance. Mr. Peterson stated that the six budget amendments were needed to balance out fiscal year 2011, and the amendments are necessary to finish the audit of the City's finances. Councilman Barton made a motion to approve the final budget amendments for fiscal year 2011. Councilman Crowley gave a second with all voting aye, motion approved.

7. Other written items not on the agenda: None


8. Work Reports:

A. Eddie Peterson, City Administrator

B. Larry Vickery, Utilities General Manager

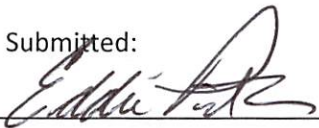
9. Councilman Barton made a motion to adjourn. The motion was seconded by Councilman Crowley with all voting aye, motion approved.

Approved:



James F. Palmer, Mayor

Submitted:



Eddie Peterson, City Administrator