

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
APRIL 23, 2001 - 7:00 P.M.**

**MINUTES**

**PRESENT:** James F. Palmer, Mayor  
John D. Shelton, Jr., Mayor Pro Tem  
Ronald H. Woods, Councilman  
Ray Denmon, Councilman  
Lorene Potts, Councilwoman

**ALSO:** William P. Bailey, City Attorney  
Kelly Cornwell, Director of Utilities  
Eddie Peterson, Director of Public Safety and Public Works  
Cathy Harrison, City Administrator

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Ray Denmon gave the invocation.
2. Ray Denmon led the group in the pledge of allegiance to the United States flag.
3. Minutes of the April 9, 2001 Regular City Council meeting were approved as written on a motion by Councilman Denmon, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
4. Mayor's Comments:
  - a. Mayor Palmer welcomed Lori Ethridge and others to the City Council meeting and expressed appreciation for their request for a proposed resolution recognizing May 3, 2001 as the "National Day of Prayer." Ms. Ethridge stated this represented the fiftieth anniversary of the national day of prayer and the actual event would occur on May 3 at 6:00 P.M. at the Courthouse. Everyone is welcome to attend. Mayor Palmer read the proposed resolution and asked for a motion for adoption. Councilman Woods made a motion to approve, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
  - b. Councilwoman Potts stated the Georgia Department of Transportation has scheduled a public hearing at the Depot on May 1, 2001 from 4:00 P.M. to 7:00 P.M., regarding the widening of Highway 53 from a point west of W. C. Bryant Parkway, and continuing east to the west side of the I-75 ramps. The widening would also include a 20 foot raised median. She encouraged everyone to attend the public hearing.
  - c. Mayor Palmer reviewed a proposed resolution recognizing April 22-28 as "Georgia Cities Week." He asked for adoption of the resolution. Councilwoman Potts made a motion to approve, second by Councilman Woods, with

Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

- d. Mayor Palmer expressed appreciation to the Reverend Philip Anderson for his hospitality in allowing a public information meeting to be held at his church on April 10, 2001. He stated several members of the community met with staff and the engineer to review the proposed improvements for the area.
- e. Mayor Palmer stated budget work sessions have been scheduled for April 24 and 25 at 6:30 P.M. at the Depot. He stated that no official action will be taken but the work sessions would be open to the public.

5. Public Hearings and Comments:

Mayor Palmer stated at this time, there would be public hearings on three alcohol license requests.

- a. A second reading was given of Basem Sam Salame for a new location at 468 Highway 53 East for an alcohol pouring license for a "Grade A" restaurant operation. This would include beer, wine and liquor pouring for the restaurant to be known as "The Oyster Bar."
  - 1) Mayor Palmer stated that at this time the police report is not available and any action that might be taken would be subject to a clear report.
  - 2) A public hearing was opened.
  - 3) There were no comments regarding the application and the hearing was closed.
  - 4) Councilman Woods made a motion to approve the request of the Basem Sam Salame for a beer, wine and liquor pouring license for "The Oyster Bar Restaurant" at 468 Highway 53 East, subject to a clear police report. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- b. A second reading was given of a package license request by Mukhi, Inc. for the location currently operated by John Bell at 960 North Wall Street.
  - 1) A public hearing was opened.
  - 2) Mayor Palmer stated the police report was clear.
  - 3) Mayor Palmer asked if there were any comments on the application. There were none and the hearing was closed.
  - 4) Councilwoman Potts made a motion to approve the application of Mukhi, Inc. for liquor and wine package at 960 North Wall street, second by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- c. A second reading was given of Stuffansuch, Inc. for a liquor, beer and wine pouring license for the location formerly operated as Brangus Cattle Company Restaurant, at 732 Highway 53 East.
  - 1) A public hearing was opened.
  - 2) Mayor Palmer stated the police report was clear.
  - 3) Mayor Palmer asked if there were any comments on the application. There were none and the hearing was closed.
  - 4) Councilman Woods made a motion to approve the request, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

6. Old Business: none

7. New Business:

- a. Councilman Woods gave a first reading of a proposed parking ordinance. He stated the Downtown Development Authority and Main Street Partnership had reviewed the proposed parking ordinance and it had been reviewed with the downtown merchants. He stated it would improve parking and allow parking to be monitored in a fair and equitable manner. The ordinance would set up specific streets on which parking would be regulated and would include fines that would be assessed and the collection method. Following review of the proposed parking ordinance, Councilman Woods made a motion to set the public hearing for May 14, 2001 at 7:00 P.M., second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- b. Councilman Woods stated the Industrial Development Authority had notified the city that the term of Ray Towers, who currently serves on their board, would expire on May 1, 2001. The terms of appointees are 4 years, and based upon his prior service, the Industrial Development Authority recommended that Mr. Ray Towers be considered for an additional term. Councilman Woods made a motion to approve Ray Towers for an additional term beginning May 1, 2001 for four years. He authorized the Administrator to forward a recommendation to the Board of Commissioners expressing the Mayor and Council's request to reappoint Mr. Towers. Mayor Pro Tem Shelton seconded the motion, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon, and Councilwoman Potts voting affirmatively, motion carried.
- c. A first reading was given by Mayor Pro Tem Shelton of a proposed ordinance regarding loitering and related conduct. Mayor Pro Tem Shelton stated the proposed ordinance would replace a very ineffective ordinance that is currently on the books and would set up criteria to define loitering and to specify the fines and collection. He stated it would eliminate problems caused by cruising and other similar situations for businesses that are open and attempting to conduct business. Following review of the proposed ordinance and comments by Police Chief Therrell Goswick, Mayor Pro Tem Shelton made a motion to set the public hearing for May 14, 2001 at 7:00 P.M., second by Councilman Denmon, with Mayor Pro Tem Shelton, Councilman Denmon, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
- d. Mayor Palmer stated the first hearing for the city's 2001-2002 fiscal year budget is scheduled on the budget calendar for May 14, 2001 and he asked for a motion to set the public hearing at that time. Councilman Woods made a motion to set the public hearing for May 14, 2001 at 7:00 P.M., second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

8. Other written items not on the agenda:

- a. Mayor Palmer reviewed the letter of agreement for Investment Banking Services with Salomon Smith Barney for a proposed water and sewer refunding of a portion of Series 1992 and refunding of several GEFA loans, which would allow the city to save approximately \$277,000.00 in present value due to the refunding. This would be net of any expenses for the proposed investment banking services.

He also indicated that should no bond issue be made, there would be no fee to Salomon Smith Barney. Following review, Mayor Palmer asked for a motion authorizing him to sign the letter of agreement, which had been reviewed by Attorney Bailey. Councilman Woods stated that upon recommendation from the finance officer, he would make a motion to authorize the Mayor to sign the letter of agreement for Investment Banking Services for the proposed refunding, with a present value savings of \$277,000.00, as of the April 21 review. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

- b. Mayor Palmer stated the city school board had also requested a possible bond issue, which it may have later in the year, if their plans for specific improvements for the school go forward. He stated they also requested investment banking services from Salomon Smith Barney. However, the bond issue, if made, would be through the City of Calhoun. These would be G.O. bonds specifically for the school. They would be temporary in nature and would be paid from a proposed Special Purpose Local Option Sales Tax, if approved by the citizens. Following review, Mayor Palmer asked for a motion to authorize him to sign the proposed letter of agreement for Investment Banking Services, with the understanding that should the issue not be made, no fees would be due to Salomon Smith Barney. Mayor Pro Tem Shelton made a motion to approve the letter of agreement and to authorize the Mayor to sign, second by Councilman Denmon, with Mayor Pro Tem Shelton, Councilman Denmon, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
- c. Attorney Bailey reviewed the present soil and sedimentation ordinance, number 576, stating that changes were made during the last meeting of the legislators and based upon a model ordinance provided by the Department of Natural Resources, several changes would need to be made to our existing ordinance. For ease in administering the ordinance, he stated it was much simpler to abolish the current ordinance and to replace it with the new proposed draft, which had been reviewed by staff. Following review of the proposed changes in the soil and sedimentation ordinance, a great deal of which dealt with stop-work orders, fines and collections, Councilman Woods made a motion to set the public hearing on the proposed soil and sedimentation ordinance for May 14, 2001 at 7:00 P.M., second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

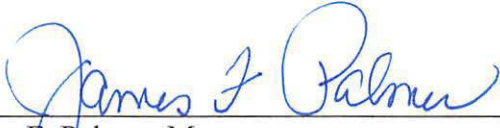
9. Work Reports:

- a. Director Cornwell reviewed a press release issued by the Department of Natural Resources, reminding citizens that state water restrictions were still in force.
  - b. Director Peterson asked permission to request SPLOST funds from the county for a bridge at the River Park in order to complete the pedestrian trail project. Councilman Denmon made a motion to authorize the request, second by Councilman Woods, with Councilman Denmon, Councilman Woods, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
10. Mayor Palmer inquired if it was necessary to move to Executive Session. The response was negative.

11. Councilman Woods made a motion to adjourn, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

Approved:

Submitted:



---

James F. Palmer, Mayor



---

Cathy Harrison, City Administrator