

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
NOVEMBER 24, 2003, 7:00 P.M.**

**MINUTES**

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

**ABSENT: Ray M. Denmon, Councilman**

**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, welcomed everyone in attendance and gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Following review, minutes of the November 10, 2003 regular City Council meeting were approved as written.
4. Mayor's comments:
  - a. Mayor Palmer reminded the citizens and Council of the annual Mayor's Christmas Motorcade to Northwest Georgia Regional Hospital on December 4, 2003 at 10:00 a.m. Gifts will be taken to the patients from Gordon County. These items will be used for Christmas and birthday gifts throughout the year. He stated any citizen who wishes to make a donation of a gift for those less fortunate may bring gifts to City Hall at 226 South Wall Street before December 4, 2003.
  - b. Mayor Palmer stated it would be his recommendation to affirm John D. Shelton, Jr., Mayor Pro Tem as the voting delegate for the National League of Cities on December 9 through 13, 2003, and Councilman Ray Denmon as the voting alternate. Councilman Woods made a motion to approve the Mayor's recommendation, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, and Mayor Pro Tem Shelton voting affirmatively, motion carried.
  - c. Mayor Palmer read a proposed resolution for mutual adoption by the City of Calhoun and Gordon County, as required by the Georgia Department of Transportation for revision of the National Highway System, Calhoun Urban Area, and Highway Functional Classification System Map, in conjunction with the 2000 Census. Following review, Mayor Pro Tem Shelton and Councilwoman Potts made a motion to adopt the resolution, second by Councilman Woods, with Mayor Pro Tem Shelton, Councilwoman Potts, and Councilman Woods voting affirmatively, motion carried.
  - d. Mayor Palmer reviewed the zoning hearings scheduled for December 8, 2003 at 7:00 p.m., as follows:

- 1) A zoning variance request on required parking spaces by Terry Brumlow as agent for Scott Williams and Robert W. Miller for a lot on Curtis Parkway, being approximately 3 acres in Land Lot 231 of the 14<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia.
- 2) A request by Ronald B. and Lorene Potts for zoning of R-1B and annexation of a house and lot on 405 Peters Street in Land Lots 265 and 266, 14<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia.
- 3) A request by Ronald B. and Lorene Potts for zoning of R-1B and annexation of a house and lot on 126 Erwin Street in Land Lot 265, 14<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia.

5. Public Hearings and Comments:

a. Mayor Palmer opened a public hearing on the beer package license request by Sheona, Inc., Earl Bethea, Manager, at 703 Oothcalooga Street.

- 1) Mayor Palmer stated the police report was clear.
- 2) Mayor Palmer stated each member of the Council had a copy of the general report regarding legal distances from churches, schools and residential housing. It also covered required parking and a good police history for the location.
- 3) Mayor Palmer asked if there were any comments by the applicant. Mr. Earl Bethea stated he had been in the beer package management business for over ten years and was quite familiar with regulation. He stated he had a good management record.
- 4) Mayor Palmer asked if there were any comments by other parties.
- 5) Jackie Wilson, a local resident and an individual who pastors a church located in the community, stated he appreciated the opportunity to address this matter. He stated rather than use his own opinions, he had asked for comments from his congregation, many of whom are young people living in the area. He stated their comments were as follows:
  - a) The package store would disrupt the family atmosphere of the community.
  - b) It would increase traffic.
  - c) It would increase DUI's in the area.
  - d) There would be young people who would buy for minors in the community.
  - e) It would lower the standards of the area.
  - f) It is a low income area and it would only demoralize the community.
  - g) He stated one of his parishioners stated it was an act of terrorism against the community.
  - h) He stated these comments were from those who lived in the community and he would ask the Mayor and Council to consider these comments and to deny the application for a beer package license in the community.
- 6) Mr. Bethea stated in rebuttal that he is new to the area but he understood what the congregation is saying. However, he stated it was up to the family to teach their children proper behavior, and every segment of the community should have a say in what would happen.

- 7) Gail Brown, Executive Director of the Housing Authority stated the Housing Authority Board opposes the application for several reasons. One primary reason she mentioned is that alcohol abuse by some of the residents has caused them to lose their driver's license and they have been in rehabilitation. If this license is approved, they would have easy access to alcohol in their immediate community. It would cause detriment to the progress made in cases of rehabilitation. She stated the proposed location would be within walking distance of many of the housing units and in particular, the elderly, which is three blocks away. She stated many problems occur in the neighborhood after 5:00 p.m. In her current occupation, she has found that normally drugs and alcohol go hand-in-hand. These would be negative influences on the community. She stated it would not be beneficial to the area and she asked the Mayor and Council to consider denying the application.
  - 8) There were no other comments and the hearing was closed.
  - 9) Councilman Woods stated that based upon the preponderance of negative comments from the community, he would make a motion to deny the request for a beer package license at 703 Oothcalooga Street, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, and Councilwoman Potts voting to deny the request, motion carried.
- b. Mayor Palmer stated Stephanie Jones had made a request to address the Council regarding playground equipment at the South River Street Recreation Park.
- 1) Ms. Jones stated the current playground equipment located in the park is outdated and unsafe. In order for small children to enjoy recreational park activities, it is necessary for the mothers to take them to either Dalton or Cartersville. She stated she would request that the Mayor and Council consider upgrading the equipment to improve the park for the children in the community.
  - 2) Mayor Palmer stated the City of Calhoun has a recreation committee, which is the first level of review of recreation planning and development. He stated the recreation committee is currently reviewing two upgrades to the South River Street Park. The first is the upgrading of bath houses associated with the swimming pool, which must be finished before the pool can be opened for the 2004 season. He stated their second priority is upgrading of the tennis courts, as well as construction of a tennis building with new restrooms, which is in the vicinity of one of the playground areas. He stated he would recommend to the group to visit the recreation committee to make their wishes for an upgrade known at that time. He also stated the recreation committee has an opportunity each year to apply for matching grant funds to assist in funding.
6. Old business: **none.**
7. New business:
- a. Mayor Palmer gave a first reading of the beer, wine and liquor license renewal requests for 2004 as follows:

Business Name	Name	License Issued In	Manager
ABC Highway 53 Package Store, LLC	Sidney Collins		Sidney Collins
Abujaber, Inc. d/b/a Lizzi's Deli & Grill	Abujaber, Inc.		Amanda Marie Allen
American Legion Post 47	American Legion		C. L. Rutledge
Arch City Package	Patricia DeFoor		Patricia DeFoor
B&L Beverage	Tim Bockholt		Tim Bockholt
B&L Liquor, Inc	Lindsey Lewis		Lindsey Lewis
China Cook	Linn Buu Quan		Linh Buu Quan
Dixie Beverage Shop	Barbara Bishop		Barbara Bishop
El Pueblito Mexican Rest.	El Pueblito Mexican Rest.		Juana Naranjo
El Rayos	Gerardo Herrera		Gerardo Herrera
Fast Food & Fuel	Fast Petroleum, Inc.		Sharon K. Wright
GAK Package Store	Ghulam Akbar Khan		Ghulam Akbar Khan
Gondolier's Pizza	Gondolier's Pizza		Alexis Prasinis
Great Wall Chinese Restaurant	Great Wall, Inc.		Kitty Leung
J & P	Patsy Colleps		Patsy Colleps
J J's Package Store	Raymond J. Brown		Raymond J. Brown
Jimmy's Package	Alton DeFoor		Alton DeFoor
Los Gallos De Mexico	Martin Carranza		Martin Carranza
Los Reyes Mexican Rest.	Los Reyes Mexican Rest.		William T. Howard
Mukhi, Inc. - Calhoun Liquor	Mukhi, Inc.		Mukesh S. Patel
The Pantry, d/b/a Golden Gallon	Golden Gallon GA, LLC		Karen L. Aldridge
Red Bud Liquor Store, Inc.	Red Bud Liquor Store, Inc.		Champ Kelly
Renis Barrett Memorial Home, Inc.	d/b/a VFW Post 5376		Caris L. Roland
South 41 Package	Roy Thomas Aaron		Roy Thomas Aaron
West Mart	Larry Manasreh		Larry Manasreh

Mayor Palmer stated the second reading on the 2004 renewal requests could be heard on December 8, 2003

- b. Mayor Palmer gave a first reading of the pawn license renewal requests for 2004, as follows:

Business Name	Manager
Bubba's Pawn Mart	Laurence Mauldin
Cash Express	Cal Rountree
Cash One Payday Advance and Title Pawn-Piedmont St.	Teresa Young
Cash One Payday Advance and Title Pawn-Red Bud Road	Sandy Gallman
D&S Pawn	Nancy P. Long
National Title Pawn of Calhoun	Jennifer Ann Quinn
Park Avenue Pawn & Jewelry	Douglas Driscoll
Pawn Mart, Inc.	Scotty Brown
Pete's Music City & Pawn	Clifford L. Cochran
The Cash Store	Sharon West
This & That Pawn Shop	Clyde E. McEntyre
Title Exchange & Pawn	Hugh M. Austin

Mayor Palmer stated a second reading may be scheduled for December 8, 2003.

- c. Mayor Palmer gave a first reading of the taxi license renewal requests for 2004, as follows:

Company Name	Name
Los Buenos Amigos Taxi	Sonia Romero
Taxi Hispano	Everilda Velasquez
Taxi Latino	Ofilio Lara
Taxi Union	Isidro Bautista

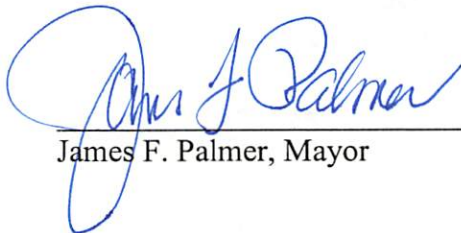
Mayor Palmer stated a second reading may be scheduled for December 8, 2003.

- d. Mayor Palmer stated the Housing Authority had proposed Linda Waldon to fill the unexpired term of Kay Goldberg on the Housing Authority Board, which would end June 10, 2006. Following review, Councilman Woods made a motion to approve the request, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton and Councilwoman Potts voting affirmatively, motion carried.
- e. Mayor Palmer stated the state is proposing amendments to the soil and sedimentation ordinance. He stated this would be a first reading of the proposed amendment. Eddie Peterson, Director of Public Safety and Public Works stated the proposed amendments come from House Bill 285, which was signed into law in July of 2003. He stated Calhoun, as a local issuing authority, would have no choice but to adopt the proposed amendments, as required by the state. He stated some of the highlights of the changes would be:
- 1) At the present time, the ordinance takes effect for any development of five acres or more. This would change to one acre or more.
  - 2) However, it would reduce the sampling requirements to two per permit.
  - 3) There would be three kinds of permitting. One would be the common permitting for housing developments (both single-family and multi-family), and commercial development. It would cover stand-alone operations, such as industrial or stand-alone commercial complexes. It would include infrastructure development. The permit fees would be \$80.00 per acre, of which the local jurisdiction would receive half and state government would receive the other half. One of the local issuing officers would be required to receive mandatory certification by a certain time period and the maximum fine that could be levied under the ordinance would be \$2,500.00.
  - 4) These are the major changes outlined in the proposed ordinance amendment.
- Mayor Palmer stated the earliest possible date for a public hearing would be December 8, 2003 at 7:00 p.m. Councilwoman Potts made a motion to set the public hearing for that date and time, second by Councilman Woods, with Councilwoman Potts, Councilman Woods, and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- f. Mayor Palmer gave a first reading of a new manager and new location request for Titlemax of Georgia, Inc. d/b/a Titlemax of Calhoun at 333 Highway 53 East SE, with a new manager, Cecily Hay-Sudduth, for the balance of 2003 and for 2004. The owner of the business was in attendance and stated that their business had been in operation for over 14 months and he would request relief on a second reading, which would allow them to move forward with their new location. Following discussion, Councilman Woods made a motion to authorize the new location at 333 Highway 53 East SE, provided a proper manager change application is completed for Cecily Hay-Sudduth, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- g. Mayor Palmer stated the Chamber of Commerce had made a request for a police escort for Santa and traffic control for the Christmas tree lighting event at the Courthouse on November 28, 2003. Following discussion, the request was approved.

8. Other written items not on the agenda: **none.**
9. Work Reports:
  - a. Kelly Cornwell, Director of Utilities stated a group representing communities in the region, such as Murray, Pickens, Gilmer and Gordon Counties, were developing a water study committee, in order to insure the protection of water sources and he would ask that the Mayor and Council adopt a resolution that would allow him to be a member of the water study committee. Following review of the proposed resolution, Councilman Woods made a motion to adopt the resolution authorizing Kelly Cornwell to be the City of Calhoun's representative on the committee, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton and Councilwoman Potts voting affirmatively, motion carried.
  - b. Director Cornwell stated his department had sent out eight proposals for meter valves and flow meters associated with the water system improvements. There were two responses; however, one was not a full bid and was not acceptable. The only full bid for all items was from Advance Electrical Systems, Inc. in the amount of \$86,427.46. He stated based on review of the bid, it would be his recommendation and that of the consulting engineering firm of Peoples & Quigley to accept the bid. Following review, Councilman Woods made a motion to accept the bid from Advance Electrical Systems, Inc. in the amount of \$86,427.46, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton and Councilwoman Potts voting affirmatively, motion carried.
  - c. Eddie Peterson, Director of Public Safety and Public Works stated the paving and resurfacing of College Street and the Mill Village areas, which had water and sewer infrastructure work during the year were scheduled for resurfacing next week.
10. Mayor Palmer inquired if there was any need to move to Executive Session. There was none.
11. Councilman Woods made a motion to adjourn, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, and Councilwoman Potts voting affirmatively, motion carried.

Approved:

Submitted:



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James F. Palmer, Mayor



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Cathy Harrison, City Administrator

**CITY OF CALHOUN  
GEORGIA**

**R E S O L U T I O N**

**COOSAWATTEE REGIONAL WATER STUDY COMMITTEE**

**WHEREAS**, the Coosawatee River Basin which includes the counties of Gilmer, Gordon, Murray and Pickens, and the cities and towns located therein are growing rapidly and increasing in population and creating a greater need for public services, including the provision of adequate drinking water; and


**WHEREAS**, it may be beneficial for the utilities in the aforesaid area to join in joint ventures or other partnerships to develop regional supply and delivery systems for the provision of adequate fresh water to their consumers; and

**WHEREAS**, the Ellijay-Gilmer County Water & Sewerage Authority, City of Calhoun, City of Chatsworth, Murray County and Pickens County wish to study the feasibility of such ventures; and

**NOW, BE IT RESOLVED**, that Kelly E. Cornwell be designated to represent the City of Calhoun and meet with the representatives of the aforesaid utilities as a committee to study the feasibility of developing joint ventures, partnerships or other mechanisms to develop adequate supplies of fresh water and delivery systems thereof.

**THIS RESOLUTION IS HEREBY ADOPTED** this, the 24<sup>th</sup> day of November 2003.

**CITY OF CALHOUN, GEORGIA**

  
\_\_\_\_\_  
James F. Palmer, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Cathy Harrison, City Administrator/Clerk

**CITY OF CALHOUN  
GEORGIA**

**R E S O L U T I O N**

**WHEREAS**, the Federal Highway Administration (FHWA) requires that revisions to our National Highway System, the Urbanized Area Boundaries, and the Highway Functional Classification System be made by each state acting through its state highway agency and the appropriate local officials or metropolitan planning organization acting in cooperation with each other; and

**WHEREAS**, the Georgia Department of Transportation in cooperation with Gordon County and the City of Calhoun has conducted a review of the Highway Functional Classification System in conjunction with the Census 2000 Urban Area Boundary Study; and


**WHEREAS**, the study and justifications were prepared in accordance with the FHWA Manual titled "Highway Functional Classification: Concepts, Criteria, and Procedures".

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Georgia Department of Transportation take the necessary steps to revise our National Highway System, the Calhoun Urban Area, and the Highway Functional Classification System as shown on the enclosed Gordon County Map and in the data enclosed.

**IT IS FURTHER RESOLVED**, that a certified copy of this resolution be furnished to the Georgia Department of Transportation.

**I HEREBY CERTIFY** that the Gordon County Board of Commissioners adopted the foregoing resolution

this 4<sup>th</sup> day of November 2003.

  
\_\_\_\_\_  
Chairman, Gordon County  
Board of Commissioners

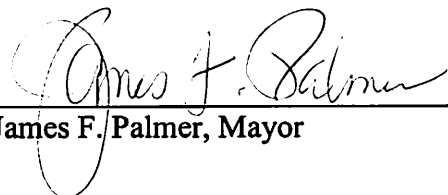
Attest:   
\_\_\_\_\_  
Clerk, Gordon County



**I HEREBY CERTIFY**, that the Mayor and the City Council of Calhoun adopted the foregoing resolution this 24<sup>th</sup> day of November 2003.

**CITY OF CALHOUN, GEORGIA**

**ATTEST:**

  
\_\_\_\_\_  
James F. Palmer, Mayor

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Cathy Harrison, City Administrator/Clerk