

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
AUGUST 25, 2003, 7:00 P.M.**

MINUTES

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

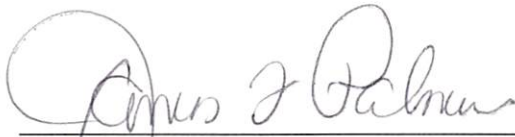
1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Councilman Denmon gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the August 11, 2003 regular City Council meeting and August 15, 2003 specially called City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer reminded city officials and staff of the August 27, 2003 meeting at the Depot at 12:30 p.m. with the new Executive Director of the Department of Community Affairs, Mike Beatty.
 - b. Mayor Palmer notified the Council the City of Calhoun has received a resignation notice from Ms. Kay Goldberg who was serving on the Calhoun Housing Authority Board. Mayor Palmer asked for Council members to be thinking of a replacement.
 - c. Mayor Palmer reviewed a request by Habitat for Humanity for assistance with water and sewer connections. He stated the city attorney had advised that since the actual title for the homes would be passed on to an individual, this would be a gratuity and would not be appropriate.
 - d. Mayor Palmer asked Councilwoman Potts to review the zoning hearings scheduled for September 8, 2003, as follows:
 - 1) A request for zoning of R-1B and annexation of a house and lot (0.646 acre) at 102 Oxford Drive by Lance J. Bentley.
 - 2) A request for a zoning variance by James Eric Phillips for lots at 509 and 511 Harlan Street. The property is zoned R-2; however, it meets the rule of 40 years of single-family housing. The request is to allow building of multi-family housing.
 - 3) A request for zoning of R-1B and annexation and a variance by Ricki Weaver for property on Woodland Circle. The variance would allow access to the property from Woodland Circle, due to the small amount of road frontage.

- 4) A zoning variance request by the First Baptist Church of Calhoun, for 15 feet from the required setback off Fain and Pitts Street for new construction of a pre-school facility.
5. Public Hearings and Comments:
 - a. Mayor Palmer stated at this time, he would recognize the residents from the Montclair Condominiums on Dews Pond Road regarding flooding.
 - 1) Betty Cook, a representative for those present, stated the facility has on several occasions had flooding. The residents feel the drain located in the drive is insufficient to handle the water flow that accumulates in excessive rains, causing flooding in some of the units.
 - 2) William P. Bailey, City Attorney also commented that development in the area has contributed to the problems. However, the city would make efforts to determine how best the situation can be remedied and would work toward a solution, possibly with the assistance of developers in the area.
 - 3) Mayor Palmer stated the City of Calhoun will begin a study on Wednesday, August 27, 2003 and has gained permission from the property owner on the South side of Dews Pond Road to study the situation and determine what solution is possible.
6. Old business: **none.**
7. New business:
 - a. Mayor Palmer gave a first reading of a beer pouring license application for 235 West Line Street, Suite 9 for Martin Carranza, in association with Los Gallos De Mexico Restaurant. According to the ordinance, the public hearing should be at least 30 days but not more than 45 days from the first reading. Mayor Palmer stated that based on the next two Council meetings, neither will fit the requirements of the ordinance. He recommended the earlier meeting on September 22, 2003 at 7:00 p.m., which would be 28 days from the first reading. Following review, Councilwoman Potts made a motion to set the public hearing for that date and time, second by Councilman Woods, with Councilwoman Potts Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - b. Mayor Palmer reviewed a street closing request from Tony Spears, Executive Director of "Set the Captives Free" ministries for closure of part of Edmond Street between Pine Street and 53 Spur for a community block party on September 27, 2003 from 10:00 a.m. until 2:00 p.m. However, the street would need to be closed from 8:00 a.m. until 4:00 p.m. to allow setup and cleanup time. Councilman Denmon made a motion to approve the request, second by Mayor Pro Tem Shelton. During discussion, Police Chief Goswick stated there might be some driveways to homes that would be blocked and he would recommend that this be checked, as well as checking the traffic requirements for Mohawk, which might also be affected by the closure. Following discussion, Mayor Palmer asked those making the motion and second if they would be agreeable to holding the item for additional research prior to a vote and to table the matter at this time. Councilman Denmon and Mayor Pro Tem Shelton withdrew their original motion and second. Councilwoman Potts made a motion to table until further study, second by Councilman Woods, with Councilwoman Potts, Councilman Woods,

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

8. Other written items not on the agenda:
 - a. Mayor Palmer stated the official map that had been revised for zoning, including annexations, zoning changes and new zoning of annexed property up through April 2003 had been prepared and was available for the Council to consider as the official City of Calhoun map. He stated the matter had been tabled at a previous meeting until the map was hung in the City Council chambers. Following discussion, Councilwoman Potts made a motion to remove the item from the table and to approve the map containing zoning changes, new zoning and annexed properties through April 2003, second by Mayor Pro Tem Shelton, with Councilwoman Potts, Mayor Pro Tem Shelton, Councilman Woods and Councilman Denmon voting affirmatively, motion carried.
 - b. Mayor Palmer stated that as a result of a work session with the county regarding the ongoing discussions for sewer extensions into the county, it would be necessary for a special Council meeting to be held later in the week to review the final draft of the agreement and to adopt. He recommended a special meeting set for August 29, 2003 at 10:00 a.m. at the City Hall Conference Room. Following discussion, Councilman Denmon made a motion to set the special meeting for that date and time, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.
9. Work Reports:
 - a. Kelly Cornwell, Director of Utilities: **none**.
 - b. Eddie Peterson, Director of Public Safety and Public Works: **none**
10. Mayor Palmer stated there was no need to move to executive session.
11. Councilman Woods made a motion to adjourn, second by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator