




**SPECIAL CALLED
CITY COUNCIL MEETING
FEBRUARY 28, 2018- 3:30 PM
226 SOUTH WALL STREET
CALHOUN CITY HALL**

MINUTES

1. Call to order and welcome – Mayor Palmer
2. **Old Business:**
 - A. Resolution of the Mayor and City Council of the City of Calhoun, Georgia, opposing Senate Bill 426, “The Broadband Infrastructure Leads to Development Act”, being considered during the present session of the Georgia General Assembly. Mayor Pro Tem Crowley made a motion to approve the resolution. Councilwoman Palazzolo gave a second with all voting aye. Motion approved.
3. **Motion to adjourn**

Mayor Pro Tem Crowley made a motion to adjourn. Councilwoman Palazzolo gave a second with all voting aye. Motion approved.

Submitted:


Sharon Nelson, CMC, City Clerk

Approved:


James F. Palmer, Mayor

**CITY OF CALHOUN
COUNTY OF GORDON
STATE OF GEORGIA**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF CALHOUN, GEORGIA, REGARDING SENATE BILL 426
“THE BROADBAND INFRASTRUCTURE LEADS TO DEVELOPMENT ACT”
BEING CONSIDERED DURING THE PRESENT SESSION
OF THE GEORGIA GENERAL ASSEMBLY**

WHEREAS, there is currently pending before the General Assembly, Senate Bill 426, the
“Broadband Infrastructure Leads to Development Act;”

WHEREAS, this proposed legislation will allow the installation of utility poles and small
wireless facilities within municipally owned right of way as a matter of legal and statutory right;

WHEREAS, this proposed legislation preempts the ability of local governments to adopt
ordinances in derogation of this legislation, or to fashion different legislation to address this subject
matter at the local level with the appropriate and governed use of the constitutional and statutory
power of “home rule;”

WHEREAS, this legislation exempts power utility companies from the collocation
requirements;

WHEREAS, the Georgia Department of Transportation is exempted from this legislation;

WHEREAS, the legislation sets very exacting and tight application review, processing, and
permit issuance standards on local governments;

WHEREAS, the legislation allows local governments to charge only \$20 per pole, per year,

CITY OF CALHOUN, GA.

**RESOLUTION OF THE MAYOR AND CITY COUNCIL
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OF THE STATE OF GEORGIA, REGARDING SENATE BILL 426,
THE BROADBAND INFRASTRUCTURE
LEADS TO DEVELOPMENT ACT
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for the placement of infrastructure poles from for-profit wireless providers in taxpayer funded right of way;

WHEREAS, this legislation allows utility poles in the right of way to be as high as 50 feet from grade or 10 feet taller than any existing pole that is within 500 feet;

WHEREAS, this legislation will result in an explosion of aesthetically objectionable utility poles in Milton-owned right of way;

WHEREAS, this legislation – while touted as a Statewide solution to efficiently rolling out broadband infrastructure – will not accomplish that objective by exempting GDOT and the power companies from its requirements; and,

WHEREAS, this legislation is too industry friendly at the expense of the citizens and taxpayers that will be adversely affected by the significant increase in congestion, clutter, and aesthetically distasteful poles that will inevitably be installed in City right of way.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF CALHOUN THAT,

- (a) The Mayor and City Council do hereby voice its formal objection to this legislation;
- (b) This legislation does not strike an appropriate balance between the need for deployment of wireless broadband infrastructure and the need for local governments to manage municipally owned right of way throughout the City;
- (c) That this legislation unduly benefits the private for-profit wireless industry at the expense of the rural viewsheds and aesthetic and public safety considerations of the citizens of the City of Calhoun;

CITY OF CALHOUN, GA.

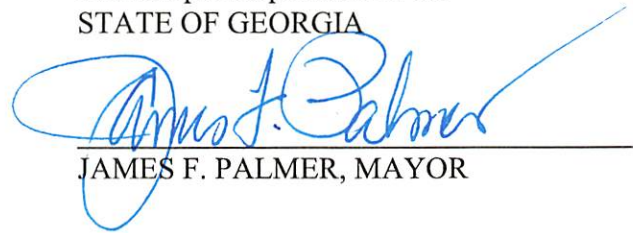
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- (4) By exempting the power utility companies from participation in this legislation, it has guaranteed an explosion of new poles in local government right of way – while the largest owner of utility poles on or near the right of way are unencumbered, thereby undermining the stated purpose of this legislation;
- (5) That this legislation needs to be restructured from the “ground up” with greater deference given to local governments to control access to the right of way on municipally owned and maintained streets, including aesthetic appearance zoning controls and historical preservation regulations; and,
- (6) That a copy of this Resolution be provided to the City of Calhoun local delegation as promptly as possible.

SO RESOLVED by a specially called and scheduled meeting of the **MAYOR and CITY COUNCIL** called for this specific purpose and a unanimous vote of approval by all members of the **COUNCIL** this the 28th day of February, 2018.


CITY OF CALHOUN
a municipal corporation of the
STATE OF GEORGIA

BY:



JAMES F. PALMER, MAYOR

ATTEST:



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

CITY OF CALHOUN, GA.

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