

CAVE SPRING CITY COUNCIL
REGULAR MEETING
NOVEMBER 14, 2006
6:00 P.M.

- PRESENT Mayor Rob Ware, Councilmembers Donnie McCain, Nellie McCain, Ken Landers, Kenneth Kelley, Tony McIntosh.
- CALL TO ORDER Mayor Ware called the meeting to order.
- PLEDGE Tony McIntosh led the pledge to the American flag.
- PUBLIC COMMENTS
- ALLEN CROWE Mr. Crowe, who resides at 3 River Street, stated he was present to speak about a serious subject, the LaCabana request to serve beer and wine on their premises. He has nothing against Hispanics or Mexican food, but he is against alcohol because it causes many problems including auto accidents, family violence, rape, child abuse, divorce, and alcoholism. If we invite alcohol into City of Cave Spring, we are saying we don't care if anyone drinks or if lives are endangered. In the past Cave Spring had Ike's Place and Red Dog Saloon, and residents were glad when they were gone. Citizens wonder what is coming next. "In the name of all that is holy, table this matter forever," Mr. Crowe pled with the Council.
- NOLAN GORHAM Mr. Gorham, who resides at 31 Cedartown Road, stated that LaCabana's request is not a moral issue for him. He would like to know how this would directly benefit the City of Cave Spring—what is positive about this. Mayor Ware and Tony McIntosh gave the following benefits:
1. Extra revenue through taxes
 2. Attraction to Cave Spring for shoppers
 3. Progressive move
- They also stated the current beer/wine ordinance will be tightened up, and sales by the drink would be monitored on food/drink ratio.
- MARY LITTLEJOHN Ms. Littlejohn, who resides at 10 Ridge Road, supports LaCabana's request to serve beer and wine. She stated the owners are people with integrity and attend the Catholic Church regularly. Sale on premises would eliminate brown bagging. She stated that she does not like being surrounded by drunks and believes the owners of LaCabana will not let customers drink excessively. She fully supports the endeavor.
- ALBERT MILLER Mr. Miller, who resides at 19 Alabama Street, asked why does Cave Spring need the extra revenue. He believes Scriptures say that serving alcohol is wrong. He asked if we could not get extra revenue by adding a penny to the SPLOST. Police cannot be everywhere at the same time. He thinks the public should decide on the issue.
- DORIS CROWE Ms. Crowe of 3 River Street asked Mayor and Council how many of them knew sign language and how many spoke Spanish. She stated that she was with a group of deaf persons eating at LaCabana recently, and one person was legally blind. When they were leaving, the owner told the blind man that he had not paid for his meal, but she learned later that he had paid. She is concerned that some businesses may be taking advantage of the deaf community. Mayor Ware

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thought this matter should have been worked out with LaCabana's owner since it was possibly a misunderstanding. He further stated that with high percentage of deaf living in Cave Spring, what can they expect the City to do with the communication problem.

RICK LAM Mr. Lam, a resident at 18 Ridge Road, stated he supported the creation of a new ordinance for serving beer and wine as a progressive measure for Cave Spring. He sees this as a means for people outside the City to bring revenue to us, and he thinks it can be monitored without added cost. It will be the responsibility of the owners and citizens to call on police if there are problems.

APPROVAL OF PAST MINUTES MOTION: Ken Landers made motion to approve minutes of October 10 and November 3 meetings. Kelley seconded. All voted yes.

DAY CARE REPORT This report was presented in written form. Enrolment is 74.

POLICE REPORT Jeramy Penny is now working full-time for Floyd County Police Department and continues to work for Cave Spring on a part-time basis.

COURT REPORT This report was presented in written form.

FIRE DEPARTMENT REPORT Fire calls outside City represented 69.5%, and calls inside City were 30.5%. Randy Lacey reported that fundraiser fire sale grossed approximately \$10,000, and Cave Spring Fire Department will receive approximately 10% of total. He plans to make this an annual spring sale if possible.

WATER REPORT This report was presented in written form. Mayor Ware reported that he talked to Bob Moss with Williams, Sweitzer & Barnum, last week, and Mr. Moss has requested information from Joe Hofer and the City for study. Billing totals show an increase this month.

ADJUSTMENTS Council wants to research Wallace and Lambert adjustment requests. MOTION: Tony McIntosh made motion to approve adjustment request except two named above. Kelley seconded. All voted yes.

CLERK'S REPORT REQUISITIONS: 1. Two steering tires for garbage truck from Deaton at cost of \$700. Two bids were obtained. 2. Chlorine meter from Hach at cost of \$352. Three bids were obtained. MOTION: Kenneth Kelley made motion to approve these two purchases. Donnie McCain seconded. All voted yes.

MOTION TO PAY BILLS MOTION: Nellie McCain made motion to pay bills. McIntosh seconded. All voted yes.

OLD BUSINESS

DOWNTOWN DEVELOPMENT AUTHORITY UPDATE Mayor reported that there had been a good session with Billy Parrish, Department of Community Affairs. Council continues to solicit applications from those interested in serving on Board. He encouraged all to get involved.

REQUEST FROM LACABANA LaCabana Restaurant has sent request to sell beer and wine on premises. Attorney has been asked to give legal opinion and bring draft ordinance.

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- RESTAURANT Gene Richardson reported that law does not allow referendum for serving beer and wine, only for distilled spirits. Decision must be made by elected officials. This ordinance would cover restaurants only—no bars, pool halls with setbacks for churches, schools, and parks. There will be requirements for I.D. badges and health department. City will set food to drink ratio. Merchants are excellent at regulating themselves so they will not lose license. Council requested all mention of hotels or private clubs to be taken out of draft ordinance. Suggested price for license was \$400. Donnie McCain stated he would like to take time to read entire ordinance with changes as he has been unable to do this.
MOTION: Kenneth Kelley made motion to put on first reading Pouring License Ordinance. McIntosh seconded. Questions: Donnie would like to review closer. Vote: Donnie McCain, no; Nellie McCain, no; Ken Landers, yes; Kenneth Kelley, yes; Tony McIntosh, yes. Motion carried.
- GEORGIA
COMPREHENSIVE
LITTER PREVENTION
AND ABATEMENT
ACT Attorney stated this is a good law. It would allow City to have jurisdiction to hear cases.
MOTION: Donnie McCain made motion to approve this law. Landers seconded. All voted yes.
- RESOLUTION FOR
TRAIL GRANT
APPLICATION MOTION: Nellie McCain made motion to empower Mayor to sign grant application. Kelley seconded. All voted yes.
- CHRISTMAS EVENTS Kenneth Kelley reported that the Activities Committee would be sponsoring activities Wednesday, December 6, through Saturday, December 9, in Rolater Park with tour of buildings, hot dog supper, Santa visit, storytelling, buggy rides, Christmas concert, and refreshments. Christmas Bazaar will be held on the Square, and Christmas Parade will begin at 5:30 on December 9. City Christmas Party was scheduled for Thursday, December 21, at noon at City Hall.
MOTION: Kelley made motion to authorize police to close Broad Street from Alabama to Love Streets on Wednesday night, December 6, and all day on December 9 until after parade. Landers seconded. All voted yes.
- VOTE TO CONFIRM
WATER CREW
LEADER
APPOINTMENT MOTION: Kelley made motion to confirm appointment of Tim McDonald as Water Crew Leader due to resignation of Donald Shumate. Donnie McCain seconded. All voted yes.
- SPLOST UPDATE Floyd County voters decided Tuesday, November 7, to raise the local sales tax by a penny to fund nearly \$53 million in special projects. Cave Spring will receive 3.87% of the revenue, which is \$2,050,000. Fire station and equipment will be funded at \$1.2 million, and community center (renovation of Old Dining Hall building) will receive \$850,000.
Mayor expressed appreciation to all those supporting projects. He looks forward to prioritizing and getting projects started.

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ADJOURN Mayor adjourned the meeting.

MAYOR

CLERK

DATE