

CAVE SPRING CITY COUNCIL
REGULAR MEETING
AUGUST 14, 2007
6:00 P.M.

PRESENT Mayor Rob Ware and Councilmembers Donnie McCain, Nellie McCain, Ken Landers, Kenneth Kelley, and Tony McIntosh attended the meeting.

CALL TO ORDER Mayor Ware called the meeting to order.

PLEDGE TO FLAG Nellie McCain led the pledge to the American flag.

PUBLIC COMMENTS

NOLAN GORHAM Mr. Gorham stated that City's maintenance employee has again cut down his clematis while cutting grass on Cedartown Street. He has asked them previously not to cut his grass and he will take care of it. Mayor said he would talk with employees.

ERIC AND DIANNA HANEY Mr. Haney introduced himself and his wife stating they had purchased the Walker house on Cedartown Road. He said they are happy to be in Cave Spring, and the Mayor welcomed them to town.

LINDA KIRBY Ms. Kirby introduced herself stating she would be a new merchant in town upon leasing a building. Mayor Ware welcomed her also.

Mayor Ware stated he appreciated all visitors being present.

APPROVAL OF PAST MINUTES MOTION: Kenneth Kelley made motion to approve minutes. Landers seconded. All voted yes.

DAY CARE REPORT Director Betty Sue Hickman gave report. Enrolment is 66. United Way Kickoff will be August 20 at noon.

DDA REPORT Paulette Harbin, DDA president, gave report. Brick sales for Veterans Memorial downtown have been encouraging. Target date to begin construction is October 1, 2007. BBQ Cook-off set for September 29 is creating a lot of interest. Several area businesses and individuals have volunteered to sponsor event. DDA's first "coffee break" was July 18 at City Hall, and next one will be September 21. DDA would like to sponsor Community Cleanup second week in October. More information will be presented at work session.

POLICE REPORT Public Safety Director Randy Lacey gave report. The number of calls in July declined.

COURT REPORT Court Clerk Judy Dickinson gave report. Fines levied in July totaled \$1,866.47. Total collected in July was \$2,455.52.

FIRE DEPARTMENT REPORT Randy Lacey gave this report stating 31% of calls were inside City Limits and 69% were in County. New fire truck should be completed by the end of October.

ADJUSTMENTS MOTION: Kenneth Kelley made motion to approve adjustments for Sutton, Hodges, and Watson. Nellie McCain seconded. All voted yes.
MOTION: Kenneth Kelley made motion to make 30% good faith adjustment to Larry Wright for months in question. Nellie McCain seconded. All voted yes.

CLERK'S REPORT Council received summary of year-end revenue and expenses. Work session set for

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August 30 at 9:00 a.m.

MOTION TO
PAY BILLS

MOTION: Donnie McCain made motion to pay bills. Nellie McCain seconded. All voted yes.

OLD BUSINESS

ANNEXATIONS
2ND READING

Live Oak Baptist Church, David/Lara Smith, Jerry/Carolyn Smith.
MOTION: Nellie McCain made motion to put these annexations on second reading. Kelley seconded. All voted yes.

NEW BUSINESS

2007 ELECTION

Mayor announced qualifying for Post 1 and Post 2 and Mayor will be August 27-29, 2007 from 8:30-4:30. Qualifying fee for Council is \$45.00 and for Mayor is \$108.
MOTION: Donnie McCain made motion to appoint Judy Dickinson as Election Superintendent. Kelley seconded. All voted yes.

ORDINANCE TO
REGULATE UNSAFE
BUILDINGS AND
STRUCTURES

Attorney stated this ordinance addresses buildings/structures that create a danger to health, safety, welfare of citizens. If owner does not abate danger, City can file civil action suit.
MOTION: Nellie McCain made motion to put on first reading ordinance to regulate unsafe buildings and structures. McIntosh seconded. All voted yes.

ORDINANCE TO
REGULATE
NUISANCES

Attorney stated this ordinance would supersede present nuisance ordinance. This is a criminal ordinance as opposed to civil. It includes fines, and it does not condemn property—simply abates nuisance. Action will be taken after citizen files complaint. Things besides buildings are addressed. Council expressed concern about defining “nuisance.” The issue is public safety vs. public taste. Attorney stated nuisances are spelled out in ordinance. City will need to have working relationship with Floyd County to serve as inspection team. Police and fire departments are not qualified to do this. Services of Rome/Floyd County can be utilized at little or no cost done on “as needed” basis. Attorney explained these ordinances are vehicles to allow Council to address these matters.
MOTION: Tony McIntosh made motion to postpone this ordinance until next meeting. Kenneth Kelley stated City has history of postponing items and failing to bring them back to the table. He asked to present substitute motion to put on first reading nuisance ordinance and make changes at work session. Donnie McCain seconded. All voted yes.

AMENDMENT TO
OCCUPATION
TAX ORDINANCE

This amendment addresses residential care facilities and video gaming rooms. Attorney stated that City does not have zoning to regulate businesses by that method. With this amendment City can establish location, hours of operation, and other supervision requirements. Cases could be brought to Cave Spring Municipal Court with City receiving fine. This would be amendment to Ordinance 200.
MOTION: Tony McIntosh made motion to put on first reading Amendment to Occupation Tax Ordinance. Kelley seconded. All voted yes.

WATER LEAK
INSURANCE

Mayor asked this agenda item be postponed for further study.

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L.A.R.P. LIST OF ROADS TO BE PAVED List of potential roads was presented to Mayor for consideration. These will be submitted to D.O.T.

LIBRARY-TERMITE TREATMENT Three bids were presented to Council for consideration.
MOTION: Nellie McCain made motion to accept bid from Arrow Exterminators in the amount of \$849 for initial treatment and \$285 for yearly inspections. Landers seconded. All voted yes.

ADJOURN Mayor adjourned the meeting.

MAYOR

CLERK

DATE