



CITY OF FLOWERY BRANCH
Council Meeting Agenda
Work Session
Wednesday June 18 2008
10:00 A.M.



OPEN WORK SESSION:

Mayor Hirling called the meeting to order at 10:02 a.m.

IN ATTENDANCE:

Mayor Diane Hirling and Council Members Allen Bryans, Pat Zalewski, Mary Jones, Craig Lutz and Chris Fetterman. Also in attendance were City Manager Bill Andrew, City Clerk Melissa McCain and City Attorney Ron Bennett.

INVOCATION & PLEDGE:

Pastor James McLaney, Fountain of Faith Church, gave the invocation.

Mayor Hirling led the Pledge of Allegiance.

PUBLIC COMMENTS:

There were no public comments

AWARDS/PRESENTATIONS:

- ❖ Sandy Smith, Georgia Association of Water Professionals, presented the City of Flowerly with two Gold Awards for:
 - 🏆 Complete MPDES compliance during 2007
 - 🏆 Complete SDWA compliance during 2007

- ❖ Linda Buffington, Pilot Club, presented the Flowerly Branch Police Department with one of the first monitoring and tracking devices for subjects in Hall County that have brain dysfunctions and tend to wander.

Ms. Buffington advised that it can take a couple hours to find a missing person but that if this device was affixed to the subject that wanders location can be made in as little as 30 minutes.

- ❖ Chief Lanich presented Officer Brian Buffington with the Life Saver Award for his hard work and dedication to his community and for entering a burning building and safely evacuating the occupants.

UNFINISHED BUSINESS:

No unfinished business.

NEW BUSINESS:

Discussion –June 4, 2008 Council Meeting Minutes

Clerk McCain advised that there were a few minor typographical errors that were corrected and advised all is ready for Council consideration.

There was a consensus to place this item on the Voting Session Consent Agenda for further consideration.

Discussion - 1st Reading Ordinance 377 – Annexation 5963 Spout Springs Rd

Planner Riker reviewed the annexation of 5963 Spout Springs Road.

Planner Riker advised that the public hearing was held on June 12, 2008 and that there were no public comments for or against this annexation.

Continuing, Planner Riker advised that Hall County was also notified regarding the annexation and no information or comment was received from Hall County regarding the annexation.

There was a consensus to place this item on the Voting Session Agenda for further consideration.

Discussion - 1st Reading Ordinance 378 – Rezoning 5963 Spout Springs Rd.

Planner Riker reviewed the rezoning request.

There was a consensus to place this item on the Voting Session Agenda for further consideration.

Discussion - LARP Contract – Spring Street

City Manager Andrew advised that the City had been awarded .2 miles of top coating for Spring Street. It is common for the City to mill any areas where there is damage prior to the top coat being applied.

Manager Andrew further advised that the City also received notification of LARP funding being designated for a portion of Main Street but the contract is not yet available.

Authorization is needed from the Council to authorize the Mayor to sign and execute the document on behalf of the City.

There was a consensus to place this item on the Voting Session Consent Agenda for further consideration.

Discussion - Water and Sewer Rates

Manager Andrew reviewed Resolution 08-010 and the proposed water and sewer rates.

Manager Andrew reviewed the rates, the account service fees as well as criteria for hardship rates.

Councilman Lutz advised that he commended staff on balancing the budget and considering a hardship case but that he felt it was unfair to charge a new rate and an old rate. Two people living next to each other being charged two different rates is not reasonable. Further Councilman Lutz advised that he felt it was not right for new residential customers to be charged a base rate that is equal to that of an out of city resident.

Councilman Lutz suggested that the City reconsider the rates and adjust the rates so that all residents are on the same rate structure and change the resolution accordingly.

Councilwoman Zalewski advised that the older residents have paid for this system and for all new service so the differential rate is just.

Councilman Fetterman advised that he also felt that it was unfair to have inconsistent rates and that residents were being discriminated against depending on their length of residency in the City. All residents should be paying the same rate.

Manager Andrew reviewed the County and Oakwood additional rate of \$1.50 dollar per 1000 gallons.

The City will be holding these County funds until such time notification is made by the County on where and who the funds need to be sent to. Oakwood on the other hand will be paid on a regular basis.

Councilman Lutz advised that he wanted the record to reflect that he was not a City of Flowery Branch water or sewer user.

Councilman Fetterman wanted the record to reflect that he was not a City of Flowery Branch water or sewer user.

Further, Councilman Fetterman advised that the increase is based on the 20% bond increase that a prior council previously approved as part of a condition set by the bank for the bond.

There was a consensus to place this item on the Voting Session Agenda for further consideration.

Ordinance 53-E – An amendment to establish a fee schedule for the collection and disposal of all garbage and refuse within the City

Attorney Bennett advised that the Garbage Ordinance was not set up so that fees could be adjusted by resolution. This ordinance will allow rates to be set by Resolution.

There was a consensus to place this item on the Voting Session Agenda for further consideration.

DEPARTMENT REPORTS:

Planning & Zoning

Historic Preservation update July 10, 2008 Public Hearing at the Depot regarding the Historic Districts. The website includes all the information available including a fact sheet with the most popular questions and/or misconceptions.

Council Report

No report

City Manager Report

Manager Andrew advised that the EPD has permitted all three wells. The new tank is being filled for final testing by the EPD. Once all approved we will do a ribbon cutting or some form of notification that this resource is now operational.

CHIP Grant Meeting at depot 6:00 pm on June 19, 2008 regarding home development. 50-60 churches have been notified as Habitat for Humanity would like to work with area churches on building/rebuilding local homes.

Update Hydrant, Valves and Backflow Installation

Clerk Report

Park Walk Signature Ratification

Clerk McCain reviewed the Park Walk request for a sign off by the City indicating that the assigned sewer taps have been paid and will go with the property if the property is sold. Do to the fact that the information was needed for a closing during the prior week Council was polled and the signature of the Mayor effective June 11, 2008.

Clerk McCain requested that this item be placed on the Voting Session Consent Agenda for ratification of the Mayor's signature.

There was a consensus to place this item on the Voting Session Consent Agenda for further consideration.

Further Clerk McCain updated the Council and gave out the information and forms needed for the conference in Savannah the following weekend.

ADJOURNMENT WORK SESSION:

Mayor Hirling adjourned the work session at 11:05 a.m.



CITY OF FLOWERY BRANCH
Council Meeting Agenda
Voting Session
Wednesday June 18, 2008
Immediately following Work Session



OPEN VOTING SESSION:

Mayor Hirling opened the Voting Session at 11:20 a.m.

CONSENT AGENDA:

- ❖ *June 4, 2008 Council Meeting Minutes*
- ❖ *Approval LARP Contract – Spring Street and execution.*
- ❖ *Ratify Mayor's signature regarding Park Walk Sewer Assignment*

There was a motion made to approve the Consent Agenda as presented.

MOTION: Craig Lutz
SECOND: Pat Zalewski
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

UNFINISHED BUSINESS:

1st Reading Ordinance 377 – Annexation 5963 Spout Springs Rd.

Attorney Bennett read Ordinance 377.

There was a motion made to approve the first reading of Ordinance 377.

MOTION: Craig Lutz
SECOND: Allen Bryans
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

1st Reading Ordinance 378 – Rezoning 5963 Spout Springs Rd.

Attorney Bennett read Ordinance 378.

There was a motion made to approve the first reading of Ordinance 378.

MOTION: Allen Bryans
SECOND: Craig Lutz
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

Resolution 08-010 - Water and Sewer Rates

Attorney Bennett read Resolution 08-010

There was a motion made to approve the Resolution 08-010.

MOTION: Allen Bryans
SECOND: Pat Zalewski
AYES: Mary Jones, Allen Bryans and Pat Zalewski.
NAYES: Craig Lutz and Chris Fetterman
Motion carried.

Ordinance 53-E – An amendment to establish a fee schedule for the collection and disposal of all garbage and refuse within the City

Attorney Bennett read Ordinance 53E.

There was a motion made to approve the first reading of Ordinance 53E.

MOTION: Pat Zalewski
SECOND: Allen Bryans
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

EXECUTIVE SESSION:

There was a motion made to enter Executive Session at 11:25 p.m. for pending/potential litigation.

MOTION: Allen Bryans
SECOND: Chris Fetterman
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

RECONVENE OPEN SESSION:

There was a motion made to reconvene open session at 12:00 p.m.

MOTION: Pat Zalewski
SECOND: Chris Fetterman
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.

ADJOURNMENT:

There was a motion made to adjourn the June 18, 2008 meeting at 12:01 p.m.

MOTION: Craig Lutz
SECOND: Pat Zalewski
AYES: Mary Jones, Chris Fetterman, Allen Bryans, Craig Lutz and Pat Zalewski.
NAYES: None
Motion carried.