



CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session
Thursday June 3, 2010
6:00 p.m.



CALL TO ORDER:

Interim Mayor Miller called the meeting to order at 6:05 p.m.

IN ATTENDANCE:

Interim Mayor James Miller and Council Members Chris Fetterman, Kris Yardley and Tara Richards. Also in attendance were City Manager Bill Andrew, City Clerk Melissa McCain, and City Attorney Ron Bennett.

PUBLIC COMMENTS:

Richard Sherrell – 5629 Newberry Point, Flowery Branch, Ga.

Mr. Sherrell inquired on why the City would get rid of providing trash service for the residents. Mr. Sherrell stated that the Newberry Point Subdivision was against getting rid of the trash and yard waste removal.

Jack Reese – 5776 Newberry Point, Flowery Branch, Ga.

Mr. Reese approached the Council and stated that he was unhappy with the idea of the City changing the ordinance and not providing trash service to the residents.

Mr. Reese continued by stating that the City does not offer any other service besides police protection and felt if that was the only service provided that the Newberry Point Subdivision wanted to de-annex from the City of Flowery Branch.

PRESENTATIONS:

Representatives present from the Greater Hall Chamber of Commerce were:

Kit Dunlap – President
Tim Evans – Vice President Economic Development
Shelly David – Vice President Existing Industry
Brittney Holtzclaw – Project Manager
Tom Mack – Sr. Vice President

Each representative gave a short summary on current, past and future projects.

Also discussed were the circumstances surrounding the establishment of the chamber as well as memberships and city contributions.

UNFINISHED:

Discussion – Capable Financial Solutions

City Manager Andrew reviewed the contract and the benefits of having this consulting company work for the City.

Councilmember Fetterman inquired if once the listed projects were completed if the City would continue to use Capable Solutions at an hourly rate in future budget years.

Manager Andrew stated that the programs that are going to be set up should enable the City staff to work the financials with little to know assistance.

Discussion – Ordinance 433 – Solid Waste

Attorney Bennett summarized by stating this ordinance would give residents a choice of either using the company the City has a franchise agreement with, disposing of their household refuse by use of the Hall County Resource Recovery Compactor sites or to dispose of their refuse at any other state, county or city approved facility.

Continuing Attorney Bennett advised that this ordinance would also require the franchisee to conduct all the billing and collections of fees.

Councilmember Yardley inquired if the ordinance indicated that Hall County would be notified of those individuals that chose not to use the City Franchisee.

Attorney Bennett advised that it did.

Councilmember Yardley inquired if the ordinance contemplates yard waste removal.

Attorney Bennett advised that the franchisee would be responsible for yard waste removal as well as residential refuse.

Councilmember Richards addressed a concern from a resident and stated that the new ordinance is not subdivision or address focused. The City is getting out of the trash business giving residents a choice. If there is an issue with trash piling up at any location the City can pursue that issue through the nuisance and abatement ordinance.

Mr. Reese approached the council and stated that the City could get a better deal with the trash companies if they negotiate the City as a whole and that individuals have no negotiating power and the price is bound to go up.

Councilmember Yardley stated that the ordinance was change for a few residents that want the choice of removing the trash themselves as opposed to taking the service the city is providing through a franchise agreement. The City will still have the power to negotiate the City as a whole as opposed to individuals' attempting to negotiate their own costs.

Further, Councilmember Yardley stated that if this ordinance does not work and the residents are unhappy the city can always revisit the ordinance and change as needed.

[Discussion - Ordinance 434- Call for Special Election](#)

Clerk McCain reviewed the Ordinance stating that this was the second reading for the call of a Special Election for the Mayor's seat that was recently vacated. The election would be held November 2, 2010 with qualifying to be conducted at City Hall on September 27, 28 and 29th of 2010. If qualifying was conducted any earlier the City would not be able to conduct business as there would not be a quorum since Interim Mayor Miller has announced he will be qualifying for the Mayor's seat.

NEW BUSINESS:

[Discussion –May 20, 2010 Meeting Minutes](#)

Clerk McCain advised that there were no changes.

[Resolution 10-010 – Support Hall County in a Countywide Environmental Management System](#)

Manager Andrew reviewed a similar program that Bartow County currently uses.

Manager Andrew advised that there are no monetary costs at this time and the resolution is simply a sign of support.

[Discussion - Republic Services Contract](#)

Manager Andrew advised that this contract is for the removal of sludge from the wastewater treatment plant.

Continuing, Manager Andrew advised that the company the City had a prior contract was with Allied Waste who has merged with Republic Services. The cost of the contract is increasing by \$1.00 per ton.

DEPARTMENT REPORTS

[City Manager Report](#)

Manager Andrew advised that the budget resolution would be introduced at the June 17, 2010 because the document was still being refined and reviewed.

Continuing, Manager Andrew advised that utility rates would more than likely be discussed and reviewed during the regularly scheduled July Council meetings.

[Attorney Report](#) - No report

[Council Report](#) -

Interim Mayor Miller reminded the Council that the Spirit of Joy Church is hosting a car show on Saturday and there is also the Concerts in the Park at Sterling on the Lake.

ADJOURNMENT WORK SESSION:

Interim Mayor Miller adjourned the Work Session at 7:09 pm.



CITY OF FLOWERY BRANCH
Council Meeting Minutes
Voting Session
Thursday June 3, 2010
Immediately following Work Session



OPEN VOTING SESSION:

Interim Mayor Miller opened the Voting Session at 7:10 pm

CONSENT AGENDA:

- Contract Capable Financial Solutions
- May 20, 2010 Meeting Minutes;
- Republic Services Contract

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

MOTION: Kris Yardley
SECOND: Chris Fetterman
AYES: Chris Fetterman, Kris Yardley, and Tara Richards
NAYES: None
Motion carried

UNFINISHED BUSINESS:

2nd Reading -Ordinance 433 – Solid Waste

Attorney Bennett read Ordinance 433

There was a motion made to approve the second reading of Ordinance 433.

MOTION: Chris Fetterman
SECOND: Kris Yardley

Discussion:

Councilmember Fetterman advised that this ordinance will not change a residents service it will only change the billing method. The City will continue to fight for the lowest price and best service.

Councilmember Yardley stated that the City was not stopping trash service and that pick up dates will remain the same and if this system does not work the City can change the ordinance as needed.

Councilmember Richards advised that this ordinance is constructed in a way to accommodate more residents not less.

AYES: Chris Fetterman, Tara Richards and Kris Yardley

NAYES: None

Motion carried

2nd Reading -Ordinance 434 – Call for Special Election

Attorney Bennett read Ordinance 434

There was a motion made to approve the second reading of Ordinance 434.

MOTION: Tara Richards

SECOND: Kris Yardley

AYES: Chris Fetterman, Tara Richards and Kris Yardley

NAYES: None

Motion carried

Resolution 10-010- Support Hall County in a County Wide Environmental Management System

Attorney Bennett read Resolution 10-010

There was a motion made to approve Resolution 10-010.

MOTION: Kris Yardley

SECOND: Chris Fetterman

AYES: Chris Fetterman, Tara Richards and Kris Yardley

NAYES: None

Motion carried

EXECUTIVE SESSION:

There was a motion made to enter Executive session at 8:02 p.m. for:

- Pending / Potential Litigation
- Land Acquisition

MOTION: Tara Richards

SECOND: Kris Yardley

AYES: Chris Fetterman, Tara Richards and Kris Yardley

NAYES: None

Motion carried

RECONVENE OPEN SESSION:

There was a motion made to exit Executive session at 7:58 p.m.

MOTION: Chris Fetterman

SECOND: Tara Richards

AYES: Chris Fetterman, Tara Richards and Kris Yardley

NAYES:

Motion carried

ADJOURNMENT:

There was a motion made to adjourn the meeting at 7:59 p.m.

MOTION: Kris Yardley

SECOND: Tara Richards

AYES: Chris Fetterman, Kris Yardley, Mike Miller and Tara Richards

NAYES: None