



CITY OF FLOWERY BRANCH
Council Meeting Minutes
Thursday July 15, 2010



CALL TO ORDER:

Interim Mayor Miller called the meeting to order at 6:07 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Interim Mayor Miller

PUBLIC COMMENTS:

There were not public comments

UNFINISHED BUSINESS:

Discussion – Resolution 10-012 - 4606 Elk Ridge Court – Variance Side Yard Setback

Planner Riker advised that there was no further discussion or comments from staff.

NEW BUSINESS:

Discussion – June 17, 2010 Public Hearing Meeting Minutes

No changes

Discussion – June 17, 2010 Regular Meeting Minutes

No Changes

Discussion – Resolution 10-013 - FOG Fee Schedule

City Manager Andrew reviewed the FOG fees and advised that the revision would eliminate charging of businesses that did not have an actual Fats, Oils and Grease system. This would narrow down the charges to 44 businesses.

Further affected would be restaurants as the use and disposal of FOG is being displaced as people will not have to dispose of these items from home. Restaurants have been removed from FOG fees for this reason.

Councilman Yardley inquired if the costs were based on the actual cost to clean up and disposal and lab/inspection costs.

Manager Andrew advised that these fees would cover only inspection and testing costs.

Discussion – Beer & Wine License Walgreens-5963 Spout Springs Road

Clerk McCain reviewed the application and advised all was in order for council consideration.

There were no questions or concerns.

Discussion – Beer & Wine License Oceans Paradise (Lake House)

Clerk McCain reviewed the application and advised all was in order for council consideration.

There were no questions or concerns.

Discussion – 1st Reading Ordinance 434 – Alcoholic Beverage Open Containers

Attorney Bennett reviewed the Ordinance and stated that this ordinance would impose that there were no open containers containing alcoholic beverages allowed on City property unless there was a special event taking place.

Councilman Yardley suggested that cans be allowed and the City just forbid the use of glass open containers.

There was a consensus to allow cans but have glass remain forbidden.

DEPARTMENT REPORTS:

City Manager Report

Manager Andrew advised that the RFP for solid waste management has been issued and he reviewed the dates of review.

Manager Andrew further advised that there was a large clean up/beautification project taking place at the park on July 16, 2010 from 9 am - 4 pm. The Church of Jesus Christ of Latter Day Saints had 200 youth that would be participating in projects such as painting, planting, cleaning and the installation of a French drain system to prevent the water from pooling in the shelter area.

City Clerk Report

- Discussion – Sept meeting date change from September 16th to September 23, 2010

Clerk McCain advised that the Council would not have a quorum on August 5th, 2010 and also a special meeting would be needed to swear in the new Council Member elected on September 21, 2010.

Clerk McCain suggested that the August and September meetings be rescheduled to the 2nd and 4th Thursday night at 6:00 pm. The rescheduling of both months would address all the issues of a quorum as well as the swearing in of the new councilmember.

There was a consensus to change the meetings dates for the Flowery Branch Council to the 2nd and 4th Thursday in August and September.

City Planner Report

Planner Riker advised that there would be a public hearing on August 12, 2010 pertaining to a Comprehensive Plan update.

City Attorney Report

- Ordinance 435 – Appointment and Removal of Public Defender

Attorney Bennett reviewed the ordinance and advised that this position would allow for defendants to speak to a public defender the night of the arraignment or the trial since the judge and the solicitor are under regulations that do not allow for them to give legal advice.

This ordinance would allow the Council to appoint and/or remove a public defender as the current Charter only gives the Mayor authorization to appoint or fire a public defender.

The pay is proposed at \$333.33 per court night.

Council Report

Councilman Fetterman reminded everyone to vote on July 20, 2010.

Councilman Yardley reminded the council of the Sterling on the Lake ground breaking for a new developer in the subdivision. DR Horton.

Interim Mayor Miller advised that the City had been honored by the Greater Hall Chamber of Commerce and given the Silver Shovel Award.

ADJOURNMENT WORK SESSION:

The work session was adjourned at 6:51 pm.



CITY OF FLOWERY BRANCH Council Meeting Agenda



Voting Session Meeting Minutes

Thursday July 15, 2010
Immediately following Work Session

OPEN VOTING SESSION:

Interim Mayor Miller opened the Voting Session at 6:52 p.m.

CONSENT AGENDA:

- June 17, 2010 Public Hearing Meeting Minutes
- June 17, 2010 Regular Meeting Minutes
- Beer & Wine License Walgreens
- Beer & Wine License Oceans Paradise (Lake House)

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

MOTION: Kris Yardley
SECOND: Tara Richards
Unanimous

UNFINISHED BUSINESS:

Resolution 10-012 - 4606 Elk Ridge Court – Variance Side Yard Setback

Attorney Bennett read Resolution 10-012.

There was a motion made to approve Resolution 10-012.

MOTION: Chris Fetterman
SECOND: Kris Yardley
Unanimous

2nd Reading – Ordinance 348-10 - Zoning Code Amendment

Attorney Bennett read Ordinance 348-10.

There was a motion made to approve Ordinance 348-10.

MOTION: Tara Richards
SECOND: Kris Yardley
Unanimous

Resolution 10-013 - FOG Fee Schedule

Attorney Bennett read Resolution 10-013.

There was a motion made to approve Resolution 10-013.

MOTION: Tara Richards
SECOND: Chris Fetterman
Unanimous

1st Reading Ordinance 434 – Alcoholic Beverage Open Containers

Attorney Bennett read Ordinance 434.

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

MOTION: Tara Richards
SECOND: Chris Fetterman

Discussion

Councilman Yardley requested the council consider allowing for banning glass as proposed but to allow aluminum can containers no larger than 16 oz.

There was a consensus to allow for can containers holding alcoholic beverages and to have this change made for the second reading on August 12, 2010.

VOTE: Unanimous

1st Read Ordinance 435 – Appointment-Removal of Public Defender

Attorney Bennett read Ordinance 435

There was a motion made to approve the first reading of Ordinance 435.

MOTION: Kris Yardley
SECOND: Chris Fetterman
Unanimous

EXECUTIVE SESSION:

There was a motion made to exit open session and enter executive session at 6:59 pm for land acquisition and pending/potential litigation.

MOTION: Tara Richards
SECOND: Chris Fetterman
Unanimous

RECONVENE OPEN SESSION:

There was a motion made to exit executive session and reconvene open session at 7:49 pm.

MOTION: Kris Yardley
SECOND: Chris Fetterman
Unanimous

Planner Riker advised the council that the City does not have a budget for a Better Hometown program and the City is in receipt of a memorandum of understanding from the State of Georgia pertaining to the Better Hometown Program.

Planner Riker continued by stating since there is no budget for this status he inquired if the council wanted to continue this status with the State which would require detailed reports or if the council wanted to consider not executing the document and discontinuing the Better Hometown program until such time as the budget can support such a position and status.\

There was a consensus of the council to discontinue the Better Hometown Program until further notice.

ADJOURNMENT:

There was a motion made to adjourn the meeting at 7:56 p.m.

MOTION: Chris Fetterman
SECOND: Tara Richards
Unanimous