



CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session
Thursday August 26, 2010
Immediately following Public Hearing



CALL TO ORDER:

Interim Mayor Miller called the meeting to order at 6:14 p.m.

PUBLIC COMMENT:

Chris Strickland – 5639 Mohave Court, Flowery Branch Ga. 30542

Mr. Strickland approached the council and advised that he was running for the Flowery Branch Post 1 seat but that he was before the council on the issue of the blood shortage in Hall County.

Mr. Strickland continued by requesting the City allow Life South to come into the City and conduct a blood drive at one of the City facilities on September 16 from 4-8 pm.

Clerk McCain suggested that Mr. Strickland have Life South contact the City for a date and time the facilities would be available for a no charge use for a day.

Craig Lutz, 8072 Sleepy Lagoon Way, Flowery Branch, Ga. 30542

Mr. Lutz approached the council and requested that the discussion on the Utility Rates be discussed on this date as indicated by the agenda but that a vote on this item be postponed to a later date giving the press an opportunity to report on the utility increase and also give the residents an opportunity to comment on the rates.

Mike Baker, 6221 Bell Drive, Flowery Branch, Ga. 30542 (Not in City Limits)

Mr. Baker approached the council and stated he felt it was only fair to equalize the utility rates for all residents.

Mr. Baker further inquired if there were any updates on the McEver Road and Gaines Ferry intersection

Planner Riker advised that work is being done to consolidate the properties and straighten out lot lines but that there has been no discussion of developing the site.

Henry Skipper, 5636 Church Street, Flowery Branch, Ga. 30542

Mr. Skipper approached the council and expressed concerns on the increase of the utility rates and stated that those individuals on fixed incomes will have a hard time affording even the slightest increase in their utility bills.

Mr. Skipper gave the example of his sister who uses 300 gallons a month and the neighbor who uses 4,500 gallons a month and their bills are exactly the same. Residents should be charged for what they use not a flat amount up to a certain use.

[Aaron Swansey, 5259 Gainesville Street, Flowery Branch, Ga. 30542](#)

Mr. Swansey approached the council and advised that the council needed to be a more diverse group of individuals as he felt all the council members were from one area of the City.

Mr. Swansey also advised that council that the utility rates were going to drive citizens crazy.

Mr. Swansey further requested that the city install an Olympic size swimming pool.

UNFINISHED BUSINESS:

[Discussion – 2nd Reading Ordinance 436 - 2010 Ad Valorem Tax and Mill Rate](#)

Clerk McCain reviewed the Ordinance and advised that the mill rate was being proposed at 2.837 mills per 1000 dollars of the 40% appraised value of a home and that the rate had not changed in the last five years.

[Discussion – 2nd Reading Ordinance 437 - Call for Special Election November 2, 2010](#)

Clerk McCain reviewed Ordinance 437 and the Call for the Special Election for November 2, 2010. Clerk McCain stated that the seats for this Special Election would be for the Mayor Seat as well as Post 4.

NEW BUSINESS:

[Discussion Ordinance 439 – Annexation of 6.41 acres also known as 6477 McEver Road](#)

Planner Riker advised that he had nothing further to ad from that of the Public Hearing immediately prior to this Work Session.

[Discussion Ordinance 440 – Rezoning of 6.41 acres also known as 6477 McEver Road](#)

Planner Riker advised that he had nothing further to ad from that of the Public Hearing immediately prior to this Work Session.

[Discussion – Submittal of Watershed Protection Plan](#)

Planner Riker reviewed the unfunded mandated report for the City of Flowery Branch Watershed Protection Plan.

Councilman Fetterman inquired on the cost to put this report together.

Planner Riker stated that the cost to put this annual report together is approximately \$39,000.

Discussion – Sewer payments between the City of Flowery Branch and Oakwood

Manager Andrew stated that this payment will allow the City to free up funds which have been frozen due to possible legal action and will bring the City into closer compliance with the sewer agreements between Flowery Branch, Oakwood, and Hall County.

Further, Manager Andrew made the following points:

1. Oakwood maintains the Ingles sewer connection fee should have been paid to Oakwood.
2. Instead Ingles paid \$264,000 to Flowery Branch (\$22.00 per gallon with 12,000 gpd).
3. Flowery Branch then paid Hall County \$120,000 (\$10.00 per gallon with 12,000 gpd), which was Hall County's fee for providing Ingles with an allocation of Hall County's sewer capacity and kept the remaining \$144,000.
4. Based on Oakwood's Sewer Connection Fee Distribution, dated 5/16/08 (see attached spreadsheet), Flowery Branch is due of a portion of the Ingles sewer fee equal to \$51,000 (\$4.25 per gallon with 12,000 gpd).
5. Therefore, \$93,000 of the \$144,000 currently held by Flowery Branch is due to Oakwood.

Continuing, Manager Andrew stated that upon receipt of the \$93,000 payment, Oakwood will go ahead and forward to Flowery Branch the fee distribution of other eligible connections since May 2008. As noted in the attached spreadsheet, the fee distribution we are currently holding that is due to Flowery Branch is \$133,258.50. Coupled with the \$51,000, Flowery Branch will then have \$184,258.50 or a net increase of \$40,258.50 over the \$144,000 the City currently has.

Discussion – Contract Cummins Power South for Backup Generator Maintenance

Manager Andrew reviewed the contract and stated that the City has been using Cummins South and that the company completes the entire City's planned maintenance.

Discussion - August 12, 2010 Public Hearing Meeting Minutes

There were no changes or comments.

Discussion - August 12, 2010 Meeting Minutes

There were no changes or comments.

Discussion – Contract Online Bill Pay Merchant Services

Clerk McCain stated that the online bill pay will allow residents to check the amount of their current bill for utilities and taxes in a real time environment. A payment can then be made and will show instantly both online and at city hall that the bill has been paid.

This contract is for the platform to make that online transaction and is a vendor that our current software provider recommended and has used before.

Further, Clerk McCain advised that the cost for this merchant service is approximately 2.25% of the cost of the transaction.

There is also a monthly statement fee of \$5.00 and an internet secure fee (required) of \$10.00. The City anticipates charging a 3% percent convenience fee and feels this should be just enough to cover the cost of providing this service to the community.

Finally, Clerk McCain stated that there is an additional cost that will be charged in November from our software company to add the program on to our current software package. The City anticipates paying these costs with no additional fees to the resident.

Discussion – Resolution 10-015 - Utility Rates Fee Schedule

Manager Andrew reviewed the Resolution and advised that this item would not be voted on as staff would like to add tampering fees and that this would require the ordinance to be amended first and then the resolution for fees would be considered with those tampering fees included. Manager Andrew advised that the earliest this Resolution would be voted on would be September 23, 2010.

Councilman Fetterman suggested that the staff review the possibility of increasing the hardship rate.

Councilman Yardley inquired on the number of low water users.

Manager Andrew advised that all residents are charged a minimum bill which is the ready to use charge. This amount is currently between \$56.00 and \$69.00.

Interim Mayor Miller inquired on the economic impact of increasing the hardship rate to \$20.00 as opposed to the current \$10.00 and inquired on how many are currently taking advantage of the hardship rate discount.

Interim Mayor Miller further suggested that staff review the possibility of charging elders the same rate as the multifamily users.

Discussion - Resolution 10-017 – Alcoholic Beverage License Fee Schedule

Clerk McCain stated that as part of the updating of City regulations to include brew pubs the resolution for the alcoholic beverage fee schedule also needed to be updated to include the manufacturing of alcoholic beverages.

Continuing Clerk McCain advised that the resolution sets a \$5,000 license fee for a brew pub.

Discussion - Resolution 10-016 – Public Defender Salary

Attorney Bennett reviewed the resolution and stated that the proposed pay would be a flat fee of \$333.33 per session.

DEPARTMENT REPORTS:

City Manager

Manager Andrew stated that the RFP for solid waste had been returned and opened on August 24, 2010.

Manager Andrew further stated that a committee would review the submissions and make a recommendation to the council.

Continuing, Manager Andrew requested that the committee consist of the City Manager, City Clerk, Public Works Director, the Mayor and one other council member. Councilwoman Richards offered to sit on the committee.

Clerk Report

No report

Planner Report

Planner Riker advised the council that there was a training session on Planning and Zoning available for the council if they were interested in attending. Hall County would be offering a session at \$95.00 with no lunch provided and the Town of Braselton would be hosting the other session and would be including for \$110.00.

Interested parties should inform the Clerk for registration.

ATTORNEY REPORT:

No report

ADJOURNMENT:

The Work Session was adjourned at 7:25 pm.



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Thursday August 26, 2010
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CALL TO ORDER:

Interim Mayor Miller called the Voting Session was called to order at 7:25 pm.

CONSENT AGENDA:

- Submittal of Watershed Protection Plan
- Sewer payments between the City of Flowery Branch and Oakwood
- Contract Cummins Power South for Backup Generator Maintenance
- August 12, 2010 Public Hearing Meeting Minutes
- August 12, 2010 Meeting Minutes
- Contract Online Bill Pay Merchant Services

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

MOTION: Chris Fetterman
SECOND: Tara Richards
Unanimous

UNFINISHED BUSINESS:

[2nd Reading Ordinance 436 - 2010 Ad Valorem Tax and Mill Rate](#)

Attorney Bennett read Ordinance 436

There was a motion made to approve the second reading of Ordinance 436 as presented.

MOTION: Kris Yardley
SECOND: Chris Fetterman
Unanimous

[2nd Reading Ordinance 437 - Call for Special Election November 2, 2010](#)

Attorney Bennett read Ordinance 437

There was a motion made to approve the second reading of Ordinance 437 as presented.

MOTION: Tara Richards
SECOND: Kris Yardley
Unanimous

[Ordinance 439 – Annexation of 6.41 acres also known as 6477 McEver Road](#)

Attorney Bennett read Ordinance 439

There was a motion made to approve the first reading of Ordinance 439 as presented.

MOTION: Kris Yardley
SECOND: Chris Fetterman
Unanimous

[Ordinance 440 – Rezoning of 6.41 acres also known as 6477 McEver Road](#)

Attorney Bennett read Ordinance 440

There was a motion made to approve the first reading of Ordinance 440 as presented.

MOTION: Tara Richards
SECOND: Kris Yardley
Unanimous

[Resolution 10-015 - Utility Rates Fee Schedule](#)

There was a motion made to postpone the vote on this item until September 23, 2010.

MOTION: Kris Yardley
SECOND: Chris Fetterman
Unanimous

[Resolution 10-017 – Alcoholic Beverage License Fee Schedule](#)

Attorney Bennett read resolution 10-017

There was a motion made to approve Resolution 10-017 as read

MOTION: Chris Fetterman
SECOND: Tara Richards

Discussion:

Councilman Yardley inquired if this ordinance would allow the manufacture to produce an increased amount of brew.

Clerk McCain and Attorney Bennett both advised that the amount is regulated strictly by the State of Georgia and that the City does not regulate amounts of production.

VOTE: Unanimous

[Resolution 10-016 – Public Defender Salary](#)

Attorney Bennett read resolution 10-016

There was a motion made to approve the Resolution 10-016 as read.

MOTION: Tara Richards
SECOND: Kris Yardley
Unanimous

EXECUTIVE SESSION:

There was a motion made to go into Executive Session at 7:35 pm for:

Pending/Potential Litigation
Personnel
Land Acquisition

MOTION: Chris Fetterman
SECOND: Tara Richards
Unanimous

RECONVENE OPEN SESSION:

There was a motion made to exit Executive Session and reconvene Open Session.

MOTION: Tara Richards
SECOND: Kris Yardley
Unanimous

ADJOURNMENT:

There was a motion made to adjourn the meeting at 8:37 pm.

MOTION: Chris Fetterman
SECOND: Kris Yardley
Unanimous