



CITY OF FLOWERY BRANCH
Council Meeting
PUBLIC HEARING Minutes
Thursday May 19, 2011 6:00 pm



OPEN MEETING:

Mayor Miller opened the meeting to the Public at 6:09 pm

PUBLIC HEARING:

Fiscal Year 2012 Budget for the City of Flowerly Branch

PUBLIC COMMENTS:

There were no public comments

City Manager Bill Andrew reviewed with the Council highlights of the 2012 Draft Budget.

- General Fund was reduced by 0.81%, from \$2,615,430 to \$2,594,148.
- Water & Wastewater Fund was reduced by 2.1%, from \$1,630,993 to \$1,596,234.

The City Manager went on to say that these decreases are considerable in light of our increased costs for fuel, electricity, and insurance.

- No pay increases or changes in benefits and no furloughs.
- The Road Maintenance Budget is falling 30% from \$115,000 to \$80,000.
- Budget Line for Stormwater Management has been created at \$30,000.
- The Budget reflects a plan to create a Street Light District by November which would cut our street light budget from \$33,000 to \$14,000.
- The Property Tax Millage Rate will remain at 2.837 mills on 40% of a property's value. The City has been at this rate since FY 2006. In addition Property Taxes are expected to fall 13.4% from what we collected this year (\$685,000) to \$593,000 next year. This is a 19% reduction from the projected amount of \$731,500 in FY 2011.

This budget is also calling for a transfer of \$133,330 from the General Fund Reserve. It is likely we will be under budget (in expenses) by at least \$100,000 this year. Our 90 day reserve for expenses is \$648,537 and we should still have \$500,000 remaining in the reserve.

The City is projecting a 22% increase in Building Permit Fees from \$45,000 to \$55,000. In the Water & Wastewater Budget, there is a 2% increase in the Water and Sewer rates as well as an

increase in the Utility Billing charge from \$2.50 to \$2.75 for customers with both services, and \$1.50 to \$1.65 for customers having only one service, either water or sewer.

Council Member Yardley clarified that the City right now has a millage rate in place since 2006 and we are not increasing that rate in the current budget. The projection we are getting on the County's tax digest puts us at \$677,000. The City is lowering that number to \$593,000 in order to stay very conservative in the event there are additional drops in the property values with the June 1st mail outs.

Council Member Yardley continued and asked about the decreased budget for roads at \$80,100. Council Member Yardley inquired as to whether the \$67,000 for improvements already discussed with the County for the McEver Road / Jim Crow Road intersection improvements has already been taken out of the budgeted number of \$80,100?

City Manager Andrew confirmed that in this current year's budget the City will add \$67,000 into a capital account that will be used for those items.

ADJOURNMENT FROM PUBLIC HEARING:



CITY OF FLOWERY BRANCH

Council Meeting Work Session Minutes Thursday May 19, 2011 6:00 pm



CALL TO ORDER:

The meeting was called to order by Mayor Mike Miller, at 6:27 pm.

PUBLIC COMMENTS:

There were no public comments

UNFINISHED BUSINESS:

Discussion – 2nd Reading of Ordinance No. 348-12 – A Zoning Code Amendment to modify portions of Article 24 of the Zoning Code relating to “Changeable Electronic Multiple Message Signs”

City Planner Riker mentioned that during the last Council Meeting, Staff was asked to come back with another way to look at the regulations that were being proposed for changeable electronic multiple message signs.

City Planner Riker stated that the changes being submitted for consideration by Council include:

- Article 24, “Signs”, Sec. 24.2 “Authority and Scope”, is amended to include additional reports, studies and papers
- Article 24, “Signs”, Sec. 24.33 Note (e) has been amended so that it reads: “For Highway Signs and any other sign regulated by the Georgia Department of Transportation, no such sign shall be located within 5,000 feet of another changeable electronic multiple message sign on the same side of the highway and no such sign shall be within a 2,600 foot radius of another changeable electronic multiple message sign. For all other signs, no such sign shall be located within a 1,000 foot radius of another changeable electronic multiple message sign.”
- Article 24, “Signs”, Sec. 24.33 “Changeable Electronic Multiple Message Signs” Note (g), is amended as follows: “Each multiple message shall remain fixed for at least 10 seconds.”

Consider – Purchase of Police Vehicles (SPLOST V Funds)

City Manager Andrew reviewed with Council the original SPLOST VI Budget that was established; Cinnamon Cove \$1,300,000, Police Cars \$200,000, Road & Sidewalks \$500,000 and City Real Estate Buildings \$500,000; a total of \$2,500,000. Current collection estimates totaling \$21,000 monthly over the 6 years of SPLOST put total receipts to \$1,512,000, not 2,500,000. The City has already spent \$413,201 towards the acquisition of real estate, 5512 / 5514 Main Street, which means the amount spent is a fixed number in SPLOST VI. City Manager Andrew continued by stating that the City needs to look at the SPLOST VI budget realistically as being \$1,512,000 more or less and then the figures would be adjusted.

City Manager Andrew also stated that the City needed to address the priority of the items initially created for SPLOST VI. The order for the projects supported by SPLOST VI should be:

1. City Administration Buildings & Real Estate purchases
2. Purchase of Police Cars
3. Cinnamon Cove
4. Road Resurfacing & Sidewalks

We are asking the Council to authorize the Mayor to send a letter to the County Administrator informing them that the City is changing the priority of how we are spending SPLOST VI money.

Council Member Yardley asked what form the request for the letter would be in; a budget amendment, a motion or authorization from Council to send a letter to the County?

City Attorney Ron Bennett responded the first thing needed is to just have the Mayor sign a letter giving notice to the County and all the other municipalities that participated in the SPLOST VI stating that the City is changing our priority for SPLOST VI funding.

City Attorney Bennett closed by saying that the two things Staff needs direction on is whether the Council wants to change the priority of the SPLOST projects and then if that's the case, then just some action in the minutes will be necessary that says Council authorized the Mayor to sign and send the letter making those changes to the priorities. It could be placed on the Consent Agenda as well.

NEW BUSINESS:

Discussion – Draft meeting minutes from May 5, 2011

No discussion.

Discussion – Bell Drive pump station access road (Cinnamon Cove Sewer Line Project)

City Planner Riker explained to Council that the proposed Cinnamon Cove sewer line will require a pump station located adjacent to the Norfolk Southern Railroad right-of-way along Bell Drive. Also while researching this matter; Staff has discovered that a portion of Bell Drive that will be necessary to gain access to this pump station is located on Norfolk Southern right-of-way. As a result of this finding, Staff is seeking direction from the Council on how to proceed with this matter. There are three options that could be addressed:

1. Utilize existing Bell Drive to access the proposed pump station.
2. Construct a new access road utilizing Hall County acquired right-of-way.
3. Investigate alternate locations from McEver Road for access to the pump station.

City Attorney Bennett stated that he believes the direction Staff is looking for is if Council is contemplating whether a road should be built on the Hall County right-of-way, Staff would need to know that. Otherwise, collectively Staff's recommendation is let's just engineer this project to continue using access to Bell Drive but also with the option if necessary, to use the Hall County right-of-way.

Mayor Miller put the question out to Council if anyone wanted Staff to proceed on getting a road built. General conversation indicated Council did not want the road built.

City Attorney Bennett responded by saying that based on the discussions, at this point Staff would push forward with the current design.

Discussion – Ordinance No. 448 – An Ordinance amending Chapter 20 (Businesses), Article IV (Insurers), of the code of the City of Flowery Branch, Georgia to impose license fees and gross premiums taxes on insurers; to establish a due date for license fees; to provide for enforcement; to direct transmittal of this ordinance to the Georgia Insurance Commissioner; to establish an effective date; to provide for severability; to repeal conflicting ordinances; and for all other lawful purposes.

City Manager Andrew reviewed with Council the letter from the Georgia Municipal Association (“GMA”) indicating that based on the 2010 Census, the City may now increase the amount of its municipal license tax charged to insurance companies from \$25.00 to \$50.00 for each policy sold to a citizen within the City limits.

Council Member Swafford asked when the new fee is set to go into effect.

City Attorney Bennett replied that it starts January 1, 2012.

Discussion – Contract with ITT Water & Wastewater for scheduled pump maintenance

City Manager Andrew explained to the Council that this is a renewal of a contract with ITT Water & Wastewater for the preventative maintenance on the Flygt Pumps used in the plant. The contract was reviewed by the City Attorney as well and no concerns were found.

Discussion – Ordinance No. 449 – Changes to Code, Section 50-435, “Local Limits” in Chapter 50 of the General Sewer Use Requirements for the City of Flowery Branch

City Manager Andrew requested from Council their approval to change Ordinance No. 449, amending the Local Limits for Influent into the Flowery Branch Waste Water Treatment Plan. Staff is currently working with King’s Hawaiian Bakery to facilitate this change in order to accommodate their permitting application in a timely manner. The amendment will also correct what our Sewer Engineer, Bob Troxler, believes are errors in the original limits as well as accommodating the needs of King’s Hawaiian.

Council Member Fetterman asked for a definition of dissolved.

John Washington, an employee of Rindt-McDuff present at the meeting, stated that dissolved oxygen is the amount of oxygen taken out of water.

Discussion – Resolution No. 11-008 – A resolution calling for a referendum to submit to the electors of the City the question of whether the City shall be authorized to permit and regulate package sales by retailers of malt beverages, wine, and distilled spirits on Sundays between the hours of 12:30 pm and 11:30 pm

City Attorney Bennett addressed the Council and reviewed Resolution No. 11-008. This resolution calls for a referendum to be held in conjunction with the General Election held November 8, 2011 to allow the electors to make the decision whether the City will be allowed to permit and regulate retail package sales of Malt Beverage, Wine and Distilled Spirits on Sundays between the hours of 12:30 pm to 11:30 pm.

Council Member Yardley requested that Resolution No. 11-008 be placed on the Agenda under New Business, which calls for a referendum to permit retail Sunday alcohol sales in Flowery Branch.

Mayor Miller polled the Council and the request was approved unanimously.

DEPARTMENT REPORTS:

City Manager Report

Nothing to report

Interim City Clerk Report

Nothing to report

City Planner Report

The City’s Comprehensive Plan update is scheduled for the second meeting in June. Senate Bill 86 would have made this plan optional, but the Governor did not sign off on the bill.

City Attorney Report

Nothing to report

Council Report

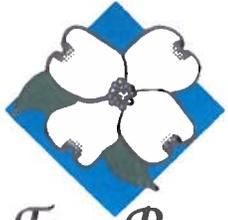
Council Member Swafford announced a fund raiser for Hearts of America that works to provide free shipping supplies and things from home to military personnel on June 30, 2011 at Aqua Land Marina and Congressman Tom Graves will be there as a guest speaker. Also Council Member Swafford held an open phone session regarding the 2012 Budget on May 18. Another session will be held on Tuesday night, May 24, 2011 between 7 pm and 9 pm

Council Member Anglin said he was very impressed with the work Newland Community is doing at the new park area.

Mayor Miller mentioned that Flowery Branch Bank had the Taste of Flowery Branch Festival on May 14 and raised over \$5,000 to go towards new uniforms. The GMA District 2 ballot for district officers needs to be sent in by June 1, 2011. The City either has to be in favor of or opposed to those nominated.

ADJOURNMENT WORK SESSION:

The Mayor closed the Work Session at 6:43 pm



Flowery Branch

**CITY OF FLOWERY BRANCH
Council Meeting Agenda**

Voting Session Meeting Minutes

Thursday May 19, 2011



OPEN VOTING SESSION:

The Voting Session was opened by Mayor Mike Miller, at 6:43 pm

CONSENT AGENDA:

Consider - Draft meeting minutes from May 5th, 2011

Consider – Mayor to send a letter to Hall County and participating municipalities in SPLOST VI informing them of our request to reprioritize the items for the City to read as follows:

1. Buildings
2. Police Cars
3. Cinnamon Cove
4. Roads & Sidewalks

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

Motion: Kris Yardley
 Second: Joe Anglin
 Unanimous

UNFINISHED BUSINESS:

Consider – Second Reading of Ordinance No. 348-12 – A Zoning Code Amendment to modify portions of Article 24 relating to “Changeable Electronic Multiple Message Signs”
City Attorney Ron Bennett read the Ordinance.

There was a motion made to approve the second reading of Ordinance No. 348-12 as read.

Motion: Kris Yardley
 Second: Tara Richards

Mayor Miller had the Council Members polled for their vote.

Ayes: Council Members Swafford, Yardley, Anglin and Richards
 Nays: Council Member Fetterman

Motion passed.

NEW BUSINESS:

Consider - Ordinance No. 448 – An Ordinance amending Chapter 20 (Businesses), Article IV (Insurers), of the code of the City of Flowery Branch, Georgia to impose license fees and gross premiums taxes on insurers; to establish a due date for license fees; to provide for enforcement; to direct transmittal of this ordinance to the Georgia Insurance Commissioner; to establish an effective date; to provide for severability; to repeal conflicting ordinances; and for all other lawful purposes.

A motion was made to approve Ordinance No. 448 as read.

Motion: Joe Anglin
Second: Chris Fetterman

Ayes: Council Members Swafford, Fetterman, Anglin and Richards
Abstain: Council Member Yardley

Motion passed.

Consider - Contract with ITT Water & Wastewater for scheduled pump maintenance

A motion was made to authorize the Mayor to enter into an agreement with ITT Water & Wastewater subject to the Attorneys' approval of liability language.

Motion: Tara Richards
Second: Kris Yardley
Unanimous

Consider - Ordinance No. 449 – Changes to Code, Section 50-435, “Local Limits” in Chapter 50 of the General Sewer Use Requirements for the City of Flowery Branch.
City Attorney Bennett read Ordinance No. 449.

A motion was made to approve Ordinance No. 449 as read.

Motion: Kris Yardley
Second: Joe Anglin
Unanimous

Consider – Resolution No. 11-008 - A resolution calling for a referendum to submit to the electors of the City the question of whether the City shall be authorized to permit and regulate package sales by retailers of Malt Beverages, Wine, and Distilled Spirits on Sundays between the hours of 12:30 pm and 11:30 pm.

Resolution No. 11-008 was read by City Attorney Bennett

A motion was made to approve Resolution No. 11-008 as read.

Motion: Amanda Swafford
Second: Kris Yardley
Unanimous

EXECUTIVE SESSION:

- ~~Land Acquisition~~
- Personnel Matters
- ~~Pending/Potential Litigation~~

There was a motion made to enter into Executive Session for the purpose of Personnel Matters.

Motion: Chris Fetterman
Second: Kris Yardley
Unanimous

There was a motion made to exit the Executive Session.

Motion: Chris Fetterman
Second: Tara Richards
Unanimous

There was a motion made to appoint Marja Burney as new City Clerk with the arrangements stated in the letter of acceptance dated May 19, 2011.

Motion: Tara Richards
Second: Chris Fetterman
Unanimous

ADJOURNMENT:

There was a motion to adjourn the Voting Session

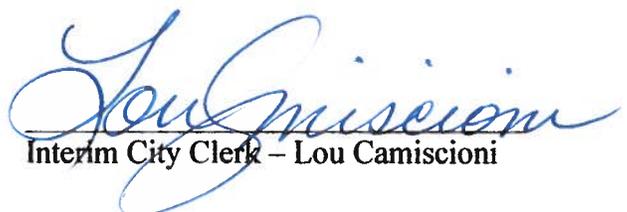
Motion: Chris Fetterman
Second: Tara Richards
Unanimous



Mayor James "Mike" Miller

6-2-2011

Date



Interim City Clerk – Lou Camiscioni