



**CITY OF FLOWERY BRANCH**  
**Public Hearing**  
**Thursday, September 15, 2011 6:00 pm.**



**CALL TO ORDER:** Mayor Mike Miller called the meeting to order at 6:01 p.m.

**IN ATTENDANCE:** Mayor Mike Miller, Council Members: Amanda Swafford, Chris Fetterman, Kris Yardley, Joe Anglin and Tara Richards were all present. Also in attendance were City Manager Bill Andrew, City Planner James Riker and City Attorney Ron Bennett

**ABSENT:** None

**PLEDGE OF ALLEGIANCE:** Mayor Miller led the pledge of allegiance

**PUBLIC HEARING:**

There is one public hearing on the agenda which is Ordinance 452 – Creation of street lighting “special assessment” districts. Mayor Miller asked City Planner Riker to come forward and give a brief synopsis of this item and then the two people that had signed up to speak at the public hearing would be able to give their input.

City Planner Riker stated that Ordinance 451 was created as a framework for street lighting “special assessment” districts. This public hearing is the first of two required public hearings. Exhibit A shown by City Planner Riker is a map showing all of the publicly paid for street lights in the City what were inventoried by Georgia Power. The City does pay for the street lights in the Madison Creek subdivision also. However, Madison Creek does reimburse the City. The contract that the City has with Madison Creek would cease to exist if street light districts were created. HOA’s or personal property owners already pay for the street lights in Tidewater Cove, Mulberry Village, Waterstone Crossing, Clarkstone Village and Anaguluskee so those street lights are not shown.

Several options were considered for classification of the street lights: light type, location and a mix of those. Ordinance 452 was crafted based on input from the Council and indicates two districts. Post Top 1 would be the post top fixtures in Madison Creek and Newberry Point and Post Top 2 would include fixtures in Portsmouth and is reflected on Exhibit B. These three neighborhoods would be part of special assessment district and this would be equitable because then all of the subdivisions in the City would be responsible for paying for their own street lights.

The most expensive street lights are on Atlanta Highway and there are only 39 taxable properties on Atlanta Highway. The cost for those lights would be \$210.00 annually per parcel. The idea was presented that all citizens of the City benefit from the street lights on Atlanta Highway. Exhibit C shows a map of all other taxable properties in the City and if the cost were spread over all of those properties, the cost would be \$11.00 a year per parcel. Exhibit D shows the breakdown of costs for each parcel. Post Top 1 would be \$34.00 per parcel per year. Post Top 2 would be \$29.00 per parcel per year. Everyone in the City would pay \$11.00. These costs would provide about \$35,000 dollars to the City which is what the cost is to the City. In the agenda packet for consideration is Resolution 11-013 which would allow the City to establish fees and charges. The resolution would only be acted on if the

districts were created. Each parcel would be charged \$1.00 for an administrative charge. This would be a total of about \$2700. This charge would cover the cost of the \$1500 needed to add a line item to the tax bill. The remainder would pay for creation of the account and the auditing of that account.

The next public hearing on this item will be on October 6. If Ordinance 452 and Resolution 11-013 were to be adopted, it would take place on October 20. The Council has questioned what is the illumination standard for different areas in the City. If a lighting study were to be conducted by the City's consulting engineer, it would give a sense of the current illumination on the streets. This would help to determine if additional or less illumination were to be needed in certain areas. The two standards that would be considered would be from the Illuminating Engineering Society of North America (IES) and the International Dark Sky Association. There is the possibility to work with Georgia Power to look at changes to reflectors and lenses. The study could ultimately save the City money as there may be areas in the City where there is actually excess illumination, possibly on Atlanta Highway.

For the benefit of the audience, City Planner Riker went over the maps that had already been presented and discussed by the Council. However, these maps will show how the Council has arrived at the maps they are now considering. Exhibit E was a map that broke down light types by district. The proposed costs were reflected on Exhibit F which shows a large cost disparity. Exhibit G was a map that included everyone in the City within about 400 feet of a street light in one district. The proposed costs were reflected on Exhibit H which reflected a cost of \$51.43 per parcel per year with 696 properties included. Exhibit I was a map that included everyone that would benefit from the street lights. The proposed costs were reflected on Exhibit J and included a total of 1324 parcels and the cost per parcel per year would be \$27.00. However, to be equitable, if all parcels in the City were to be included, which would include neighborhoods already paying for their own street lights, there would be 2700 parcels with each parcel paying \$13.26 annually.

There are some neighborhoods that pay for street lights through HOA's. There has been some concern that if the City takes over the street lights, the fees paid to the HOA's would not change. The adjustment of fees by the HOA's would be solely at their discretion.

#### **PUBLIC COMMENTS:**

Dr. Charles Goodwin of 5529 Ashmoore Court in Madison Creek Subdivision approached. Madison Creek felt as if they were being charged an excessive amount by Georgia Power for their street lights and the City stepped in to help them out. Dr. Goodwin indicated that he had handed out an informational sheet for consideration by the Council. This information sheet is attached as Exhibit K.

Mr. Fred Richards of 5546 Ashmoore Court in Madison Creek Subdivision approached. Mr. Richards stated that the current property taxes should be paying for the street lights. The easiest way to solve this issue would be to put a special assessment on Newberry Point and Portsmouth so that all of the neighborhoods are paying for their own lights. The current taxes should pay for the public street lights.

Mayor Miller then recognized Mr. Henry Skipper, a citizen of Flowery Branch. Mr. Skipper is concerned with the City collecting the money that would be charged for street lights. Some citizens will also want to know why they are paying for a street light when they do not have a street light.

Ms. Tracy Milan of Germantown Drive questioned why the residents were asked to pay for the street lights in Madison Creek, while in her neighborhood of Portsmouth, it was agreed that the City would pay for the lights. City Planner Riker stated that in Madison Creek, the HOA was responsible for the lights as the developer did not pay for the street lights up front so the lights could not be given to the City. In Portsmouth and Newberry Point, the developer did pay for the street lights up front so they could then be given to the City for payment responsibility. In addition, neither Portsmouth nor Newberry Point has an HOA that could be responsible for paying for the street lights. Council Member Anglin stated that Bowen Homes generally does not develop HOA's for their neighborhoods, so the homeowners are not responsible for the lights. Council Member Fetterman stated that the County pays for street lights for their residents through the use of assessment districts.

**ADJOURNMENT PUBLIC HEARING**

Mayor Mike Miller closed the Public Hearing session and opened the work session at 6:35 pm.



**CITY OF FLOWERY BRANCH  
Work Session  
Immediately following Public Hearing  
Thursday, September 15, 2011**



**PUBLIC COMMENTS:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- ❖ First Reading of Ordinance 452

The proposed ordinance would create street lighting “special assessment” districts. There was no further discussion on this item.

**DRAFT MINUTES:** City Clerk Burney presented the draft minutes from the September 1 Council Meeting. Council Member Swafford indicated that on page 3, fourth line from the bottom, there is an additional “e” in the minutes. The correction requested will be made for adoption of the minutes.

**NEW BUSINESS:**

- ❖ Application of Shane’s Rib Shack to sell Distilled Spirits by the drink

City Clerk Burney stated that Shane’s Rib Shack is currently selling beer and wine by the drink, but would like to begin selling distilled spirits by the drink. As this is considered a new application, it would need to be approved by the Council. Council Member Fetterman verified that the fee would be prorated as the license would only be for a portion of the year.

**CITY MANAGER REPORT:** City Manager Andrew presented a new lease for Calliope Sweets for their business at 5511 Main Street. The lease terms were to change to a rent due of \$650 a month on October 1<sup>st</sup>. City Manager Andrew suggested adjusting the rent to \$250 a month to be comparable with the other tenant, Fifth Row Center. If approved, this new rental amount would be for the time period of October 1, 2011 to September 30, 2012. Council Member Yardley verified that the only change to the lease is for the rental amount per month.

City Manager Andrew stated that he had a meeting this morning with the City Managers of Oakwood, Braselton and Buford to discuss with McFarland, Dyer and Associates the potential application for a Sustainable Communities Grant from HUD. Mr. Guy Herring of McFarland, Dyer and Associates indicated that the grant application was due on October 6<sup>th</sup>. As this is the date of the next Flowery Branch Council meeting, the Council would need to address the resolution for this item tonight. A fact sheet was distributed to the Council and is attached as Exhibit L. The grant would be for a total of \$400,000. There would be an \$80,000 match needed from the cities involved and Flowery Branch’s portion would be \$20,000. HUD verified that the matching money from the cities would not need to be paid until the grant money was spent. This would mean that the City would not need to have the match money until budget year 2013.

City Attorney Bennett verified that there did not need to be 24 hours notice on this item as the funds would not need to be provided this year. Also, if the resolution were approved to enter into the grant application with the other cities, it would not mean that the money would have to be accepted. The City could not accept the grant money. This grant would help to do a study on the infrastructure, land use and economic development issues in the area. This would help the different cities create their Comprehensive Plans. The reason Flowery Branch was interested in working with Oakwood, Braselton and Buford is because they are all cities that are in close proximity to Flowery Branch and it would be considered "county wide" as the size of the area involved is equivalent to the size of a county.

Council Member Fetterman verified that all the City would receive if this grant application were to be approved is a study. City Planner Riker stated that Comprehensive Plans can be rather expensive. The County paid about \$150,000 for their comprehensive plan.

City Manager Andrew stated that the County is holding off on their planning for about 3 years, so this would be the perfect time for the cities to look at making a plan. When growth comes back to the area, there will already be a plan of action available. Council Member Yardley wanted to know if being a part of this study would help lure developers to our area and assist with future development. City Manager Andrew felt that the study generated from this grant would help the City to lure in developers in the future which would assist with the growth of the City.

**CITY CLERK REPORT:** City Clerk Burney indicated that the business that owed back taxes in the amount of \$3200 has paid those taxes in full.

In addition, City Clerk Burney attended a presentation of IQM2 this past Sunday that was sponsored by GMA. IQM2 is a program that would help the City to automate the agenda and minutes process. There is going to be a webinar on the program on September 20<sup>th</sup>. IQM2 would cost the City \$432.00 a month, but it would allow the City agenda packets to be paperless. Information would be presented during the meeting on laptops or tablets. Council Member Yardley asked if the price quoted was for a lease. The price would be a monthly charge, but there is not a contract. If the City no longer wanted to use the system, a 30 day notice is all that would be needed and the information stored by IQM2 would be returned to the City.

Council Member Fetterman asked about storage of email, and City Manager Andrew indicated that the City would be looking for another server for storage of emails. Council Member Yardley requested that City staff look into an analysis of what the savings would be in relation to copies, ink etc. if IQM2 were to be purchased. This system would allow the City to track projects better and search for past agenda items.

**CITY PLANNER REPORT:** City Planner Riker stated that some of the curb and gutter has been laid already for the TE project.

City Planner Riker asked about the RFP for the downtown stormwater study. In the budget, a line item was identified for the stormwater study. An RFP has been prepared and the City is looking at sending out the RFP, but City Planner Riker wanted to be sure that was what the Council was still interested in doing. The RFP will be assessing potential improvements on some streets in the downtown area. It will also look at the four culverts on Flowery Branch Creek. The study would give the City information on recommendations and cost estimates for some of the stormwater projects.

Council Member Swafford questioned if there would actually be \$30,000 spent on this project. The amount being spent for the study will not exceed the \$30,000 amount. The concern of Council Member Swafford is that the amount spent would only be for a study, there would not be funds to implement the findings of the study and by the time work could be done, the information from the study would no longer be valid. City Planner Riker stated projects would come out of this study and the City would then have the information needed to determine which projects they would like to address and budget for.

City Manager Andrew stated that when the culvert washed out on Atlanta Highway, the initial thought was to quadruple the number of pipes. The engineer sent information over that amount. The County Engineer verified that the City's idea was incorrect. The City was going to put a pipe in on Church Street and there were questions related to flow, size, etc. that the City did not have answers to. A study would ensure that the information would be available when needed. In addition, the state is closely looking at stormwater reports. If the City does not show correct handling of stormwater, the state may reconsider the permit for the sewer plant that the City gets from the state. The stormwater report is due January 30<sup>th</sup> and is an annual report.

Council Member Yardley suggested waiting until later in the year so that the City could do a mid-year budget review to look at actual revenues before sending out the RFP. The focus of the study will be in the old town area of the City. Council Member Fetterman agreed that the City should wait until the actual revenues can be reviewed but that something does need to be done.

Council Member Richards asked if the culvert could be broken out so that the size criteria for the culvert would be available. City Planner Riker stated that he would have to look at that and he hoped that the analysis would show that the ones on Mulberry Street and Phil Neikro Boulevard would not need to be upgraded.

Council Member Swafford wanted to know if the money set aside for the study could be used for repairs instead. City Planner Riker stated that if there were to be a problem prior to spending the money on a study, it could be used for repairs. Council Member Richards stated that the City would still have to get someone to look at it to tell the City the flow rates so that the repairs could be done correctly. The study would not give specific drawings for a specific location, but it would indicate flow rates, which are necessary to determine pipe sizes.

**CITY ATTORNEY REPORT:** None

**CITY COUNCIL REPORTS:**

Council Member Swafford stated that the City is in difficult financial times and is having to look at what the priorities are. She is asking for citizens to please contact the members of the Council to give input on the proposed street light districts and what priorities the City should be focusing on.

Council Member Fetterman stated that he and Council Member Yardley have spoken to one of the communities about the street lights. He is asking citizens to give their input about this project. The public hearings were pushed back a few weeks to ensure that the public could give their input.

Council Member Yardley stated that the City is looking to prioritize spending without going into debt or raising taxes. The Council is trying to determine what services can be maintained with the money that is available.

Council Member Anglin had no report.

Council Member Richards had no report.

Mayor Miller reminded the audience that the Car Show is this Saturday. Technology for Council meetings was going to be a topic, but that has already been discussed. Some tiger scouts came down to the City this past Monday and had a tour of the Depot and Caboose. Saturday, September 24 is Wrigley's celebration of 40 years in Flowery Branch. The celebration will begin at 10:00 a.m.

Mayor Miller then verified with City Attorney Bennett that the lease for Calliope Sweets and Resolution 11-014 would need to be added to the agenda.

**ADJOURNMENT WORK SESSION**

Mayor Miller closed the Work Session and opened the voting session at 7:20 p.m.



**CITY OF FLOWERY BRANCH  
Council Meeting  
Voting Session  
Immediately following Work Session  
Thursday, September 15, 2011**



**OPEN VOTING SESSION:**

Mayor Mike Miller opened the Voting Session at 7:20 p.m.

**CONSENT AGENDA:**

Consider – Draft meeting minutes from September 15, 2011

**Motion: Joe Anglin**

**Second: Tara Richards**

Discussion: None

**Unanimous**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

Consider – First reading of Ordinance 452 which is an ordinance to create street lighting special assessment districts within the City of Flowery Branch as indicated on Exhibit “A” and Exhibit “A-1” attached hereto; to provide for payment and collection of assessment fees; to provide for severability; to provide for codification; to provide for an effective date; to repeal conflicting ordinances and for all other lawful purposes.

**Motion: Joe Anglin**

**Second: Kris Yardley for purpose of discussion**

Discussion: Council Member Yardley stated that approval of the reading of Ordinance 452 does not mean a passage of this ordinance. There is still input needed and approving the first reading of Ordinance 452 moves the process forward. Council Member Fetterman stated that the second reading of this ordinance will not be on October 20. The vote tonight is to move the process forward. Council Member Richards stated that she is not in favor of this ordinance as it feels as if the City is double charging citizens. Mayor Miller asked City Planner Riker to look at the fees listed on Exhibit K, item 10 and what that would look like as an option.

**City Clerk Burney did a roll call vote at the request of Mayor Miller**

**Council Member Swafford – Yes**

**Council Member Fetterman – Yes**

**Council Member Yardley – Yes**

**Council Member Anglin – Yes**

**Council Member Richards - No**

City Planner Riker indicated that October 20 is not a public hearing, but there is time for public comment. If the Council wished to have a public hearing at that meeting, it would need to be advertised. The Council agreed to have another public hearing on October 20.

Consider – Application of Shane’s Rib Shack to sell distilled spirits by the drink.

**Motion: Kris Yardley**

**Second: Chris Fetterman**

Discussion: None

**Unanimous**

Consider – Lease for Calliope Sweets with a correction to the lease amount of \$250.00 a month.

**Motion: Kris Yardley**

**Second: Tara Richards**

Discussion: Council Member Fetterman stated that he was glad to see the City help keep a business in downtown, but that in the future the City needed to look at increasing the rent as there has been time for businesses to be established. Council Member Swafford indicated that she agreed with Council Member Fetterman. The lease did originally say that the rent was to go up to \$650.00. If the City is going to be a landlord, the City needs to act like a landlord and hold to the original agreement.

**Council Members Fetterman, Yardley, Anglin and Richards – Aye**

**Council Member Swafford – No**

Consider – Resolution 11-014 which is a resolution of the Mayor and City Council of the City of Flowery Branch, Georgia to apply for funding through the Sustainable Communities Planning Grant jointly with the cities of Buford, Oakwood and Braselton; it rescinds conflicting resolutions and is for all other lawful purposes.

There was no motion given and Mayor Miller proclaimed the item dead. Council Member Yardley asked if the item could be tabled to the next meeting but City Manager Andrew stated that the application had to be turned in on the day of the next meeting. Council Member Fetterman asked if there could be a Special Called Meeting for this item. City Manager Andrew reminded the Council that this would not be a commitment of funding.

**Motion: Tara Richards**

**Second: Joe Anglin**

Discussion: None

**City Clerk Burney did a roll call vote at the request of Mayor Miller**

**Council Member Swafford – No**

**Council Member Fetterman – No**

**Council Member Yardley – No**

**Council Member Anglin – Yes**

**Council Member Richards – Yes**

**Motion Fails**

Council Member Yardley made a motion at 7:34 to enter to Executive Session to discuss pending/potential litigation.

**Motion: Kris Yardley**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

**EXECUTIVE SESSION:**

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

There was a motion to exit the Executive Session and resume the Voting Session at 8:41 p.m.

**Motion: Tara Richards**

**Second: Chris Fetterman**

Discussion: None

**Unanimous**

There was a motion made by Council Member Richards to exit the voting session at 8:41 p.m.

**Motion: Tara Richards**

**Second: Kris Yardley**

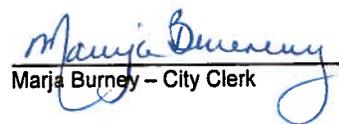
Discussion: None

**Unanimous**

**Adjournment:**

  
James "Mike" Miller - Mayor

10-6-11  
Dated

  
Marja Burney - City Clerk







Option to create a street lighting district for Post Top 1 and Post Top 2. In addition, establish a district of the entire city to cover "general public street lighting" meaning those areas outside of a defined subdivision. The numbers are arbitrary in this option and are designed to arrive at the budgeted amount of \$ 35,795

Type	Qty	\$ per parcel	General public cost \$ per parcel	Revenue
Post Top 1	207	\$ 34.00	\$11.00	\$ 7,038.00
Post Top 2	67	\$ 29.00	\$11.00	\$ 1,943.00
Parcels not in an HOA and/or those utilizing public street lights	422		\$11.00	\$ 4,642.00
Parcels in an HOA paying for their own lights (Tidewater, Waterstone, Clarkstone, etc...)	628		\$11.00	\$ 6,908.00
Other Parcels outside of downtown proper (Stonebridge Village, Thurmon Tanner Parkway, etc..)	276		\$11.00	\$ 3,036.00
Parcels in Sterling on the Lake	1100		\$11.00	\$ 12,100.00
<b>Total Parcels</b>	<b>2700</b>			
<b>general public cost</b>		<b>\$11.00</b>		<b>\$ 35,667.00</b>



# Sheet 1 Corresponds with MAP 1

District	Qty	Unit \$	Monthly \$	Annual \$	# of Parcels	\$ per Parcel
Post Top 1	36	\$ 16.17	\$ 582.12	\$ 6,985.44	207	\$ 33.75
Post Top 2	10	\$ 16.17	\$ 161.70	\$ 1,940.40	67	\$ 28.96
Old Town 1	70	\$ 10.26	\$ 718.20	\$ 8,618.40		
	4	\$ 17.95	\$ 71.80	\$ 861.60		
				\$ 9,480.00	251	\$ 37.77
Old Town 2	31	\$ 10.26	\$ 318.06	\$ 3,816.72		
	5	\$ 24.91	\$ 124.55	\$ 1,494.60		
	1	\$ 31.61	\$ 31.61	\$ 379.32		
	2	\$ 16.17	\$ 32.34	\$ 388.08		
	23	\$ 11.96	\$ 275.08	\$ 3,300.96		
				\$ 9,379.68	132	\$ 71.06
Atlanta Hwy	18	\$ 31.61	\$ 568.98	\$ 6,827.76		
	3	\$ 10.26	\$ 30.78	\$ 369.36		
	2	\$ 24.91	\$ 49.82	\$ 597.84		
	1	\$ 17.95	\$ 17.95	\$ 215.40		
				\$ 8,010.36	39	\$ 205.39
				\$ 35,795.88	696	

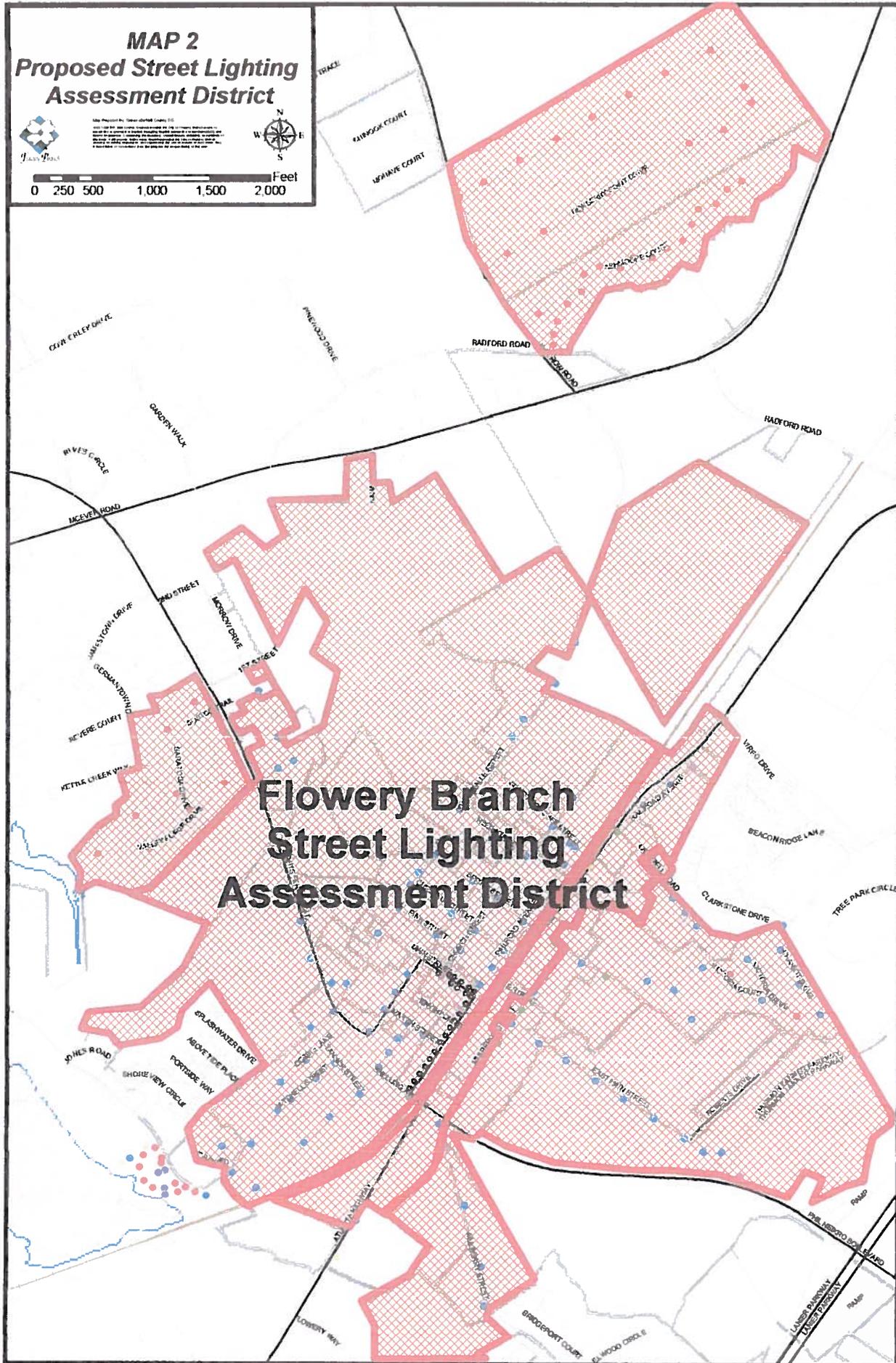
# MAP 2 Proposed Street Lighting Assessment District



Map Prepared by: Urban Light & Energy LLC  
©2011 Urban Light & Energy LLC. All rights reserved. This map is a service of Urban Light & Energy LLC. It is not a warranty, representation, or agreement of any kind. It is provided for informational purposes only. The City of Flowering Branch is not responsible for any errors or omissions on this map.



0 250 500 1,000 1,500 2,000 Feet



## Sheet 2 Corresponds with MAP 2

District	Qty	Unit \$	Monthly \$	Annual \$	# of Parcels	\$ per Parcel
	36	\$ 16.17	\$ 582.12	\$ 6,985.44	207	
	10	\$ 16.17	\$ 161.70	\$ 1,940.40	67	
	70	\$ 10.26	\$ 718.20	\$ 8,618.40		
	4	\$ 17.95	\$ 71.80	\$ 861.60		
				\$ 9,480.00	251	
	31	\$ 10.26	\$ 318.06	\$ 3,816.72		
	5	\$ 24.91	\$ 124.55	\$ 1,494.60		
	1	\$ 31.61	\$ 31.61	\$ 379.32		
	2	\$ 16.17	\$ 32.34	\$ 388.08		
	23	\$ 11.96	\$ 275.08	\$ 3,300.96		
				\$ 9,379.68	132	
	18	\$ 31.61	\$ 568.98	\$ 6,827.76		
	3	\$ 10.26	\$ 30.78	\$ 369.36		
	2	\$ 24.91	\$ 49.82	\$ 597.84		
	1	\$ 17.95	\$ 17.95	\$ 215.40		
				\$ 8,010.36	39	
Does not include (Tidewater, Clarkstone, Mulberry Village, Waterstone Crossing, etc...)				\$ 35,795.88	696	\$ 51.43

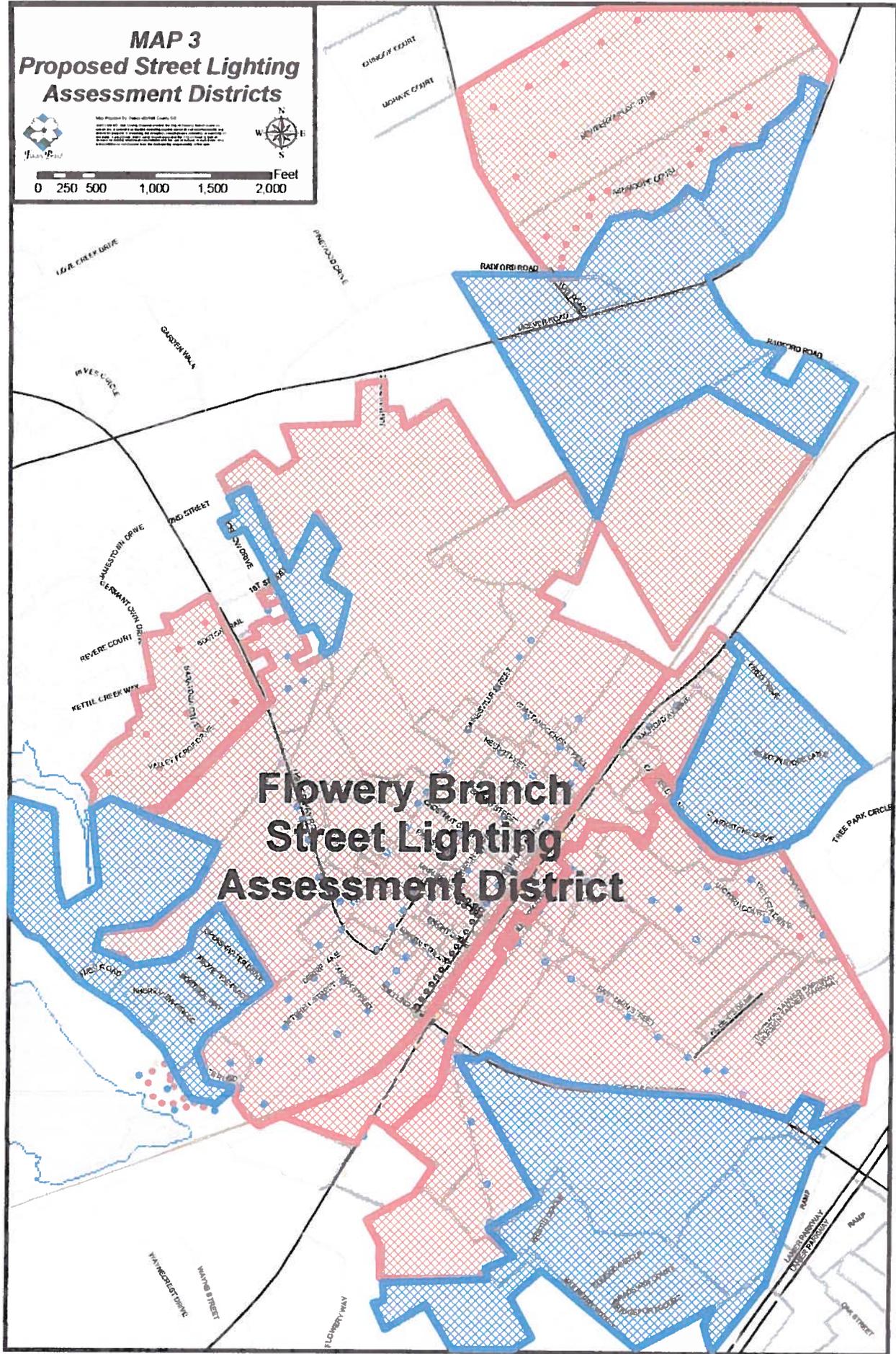
# MAP 3 Proposed Street Lighting Assessment Districts



Map Prepared by: Thomas Mitchell County GIS  
2017-2018  
This map was prepared for the City of Flowering Branch, Georgia, and is the property of the City of Flowering Branch. It is not to be used for any other purpose without the written consent of the City of Flowering Branch. The City of Flowering Branch is not responsible for any errors or omissions on this map.



0 250 500 1,000 1,500 2,000 Feet



# Sheet 3 Corresponds with MAP 3

District	Qty	Unit \$	Monthly \$	Annual \$	# of Parcels	\$ per Parcel
	36	\$ 16.17	\$ 582.12	\$ 6,985.44	207	
	10	\$ 16.17	\$ 161.70	\$ 1,940.40	67	
	70	\$ 10.26	\$ 718.20	\$ 8,618.40		
	4	\$ 17.95	\$ 71.80	\$ 861.60		
				\$ 9,480.00	251	
	31	\$ 10.26	\$ 318.06	\$ 3,816.72		
	5	\$ 24.91	\$ 124.55	\$ 1,494.60		
	1	\$ 31.61	\$ 31.61	\$ 379.32		
	2	\$ 16.17	\$ 32.34	\$ 388.08		
	23	\$ 11.96	\$ 275.08	\$ 3,300.96		
				\$ 9,379.68	132	
	18	\$ 31.61	\$ 568.98	\$ 6,827.76		
	3	\$ 10.26	\$ 30.78	\$ 369.36		
	2	\$ 24.91	\$ 49.82	\$ 597.84		
	1	\$ 17.95	\$ 17.95	\$ 215.40		
				\$ 8,010.36	39	
				\$ 35,795.88	696	\$ 51.43
				\$ 35,795.88	1324	\$ 27.04
				\$ 35,795.88	2700	\$ 13.26

With all areas identified in BLUE

With all taxable properties including Sterling on the Lake

**TO: Flowery Branch Administrators and the City Council Members - FOR YOUR CONSIDERATION**

1. As things have stood historically, some subdivisions were not paying for their street lights, two specific cases were Newberry Point and Portsmouth. The claim was, these subdivisions did not have HOAs that could be used as the vehicle with which to pay these costs. Therefore, they got free streetlights, in one way, namely, they were not paying their proportionate share.
2. Other subdivisions were paying for their streetlights through their homeowners associations. The subdivisions paying for their own streetlights, in reality, were also paying for Newberry and Portsmouth subdivision's streetlights through their property tax assessments.
3. The whole discussion regarding streetlights was initiated as a result of the City of FB attempting to help the citizens of Madison Creek pay a reasonable rate for their streetlights. The problem was that Georgia Power was charging MC an excessive fee for their eighteen streetlights.
4. The City agreed to take over the payment of these streetlights because the City got a government rate of around 15-16 dollars per light. (FYI – The Madison Creek Homeowners Association paid in excess of 30.00 per light, as stipulated by Georgia Power.)
5. The City now pays for MC's streetlights. However, it does not cost the city a dime, because Madison Creek set up an account from which the city draws the charge for streetlights every month. Additionally, the city charges Madison Creek a 10% fee for administering this service. So, in reality, MC's arrangement is a profit generator for the city (no extra employees, etc. – just write a check).
6. By instituting a special lighting tax assessment on the property owners of Newberry and Portsmouth, the city has now created a vehicle to collect money for the cost of streetlights in those two subdivisions.
7. It seems to us, that the funding (\$36,000 per year, according to Jeff Gill, a report for the *Gainesville Times*) for the operation of streetlights throughout the city (Atlanta Hwy, Main Street, etc.) are currently being paid for out of our property tax dollars. Unfortunately, as we have stated, we are also paying for the streetlights of the two subdivisions (Newberry and Portsmouth).
8. Rather than create a monster, why not stay with the elementary principle and restrict "your fix" to the subdivisions what are not carrying their "fair share" of the cost for their neighborhood streetlights. For the present, continue to pay the cost of streetlights for non-subdivision citizens (who are paying for their lights through the general property tax).
9. Following this procedure would not require creating streetlight districts and, additionally, this suggested procedure is equitable for all.
10. Wrap-up – Just charge Newberry Point and Portsmouth residents the street light fees as suggested (\$45.00 & \$40.00) and let everything else remain as it is at present.

September 15, 2011      Submitted by Dr. Charles Goodwin and Fred Richards  
Directors – on the Board of Madison Creek Homeowners Association

**ATTACHMENT K**

## **FACT SHEET for the HUD Sustainable Communities Grant**

- Final Grant Application is Due October 6, 2011 – This Resolution is a requirement of the Application.
- This Resolution announces:
  - We are applying through a Joint Application for the FY 2011 Sustainable Communities Planning Grant in the amount of \$400,000, to include the Cities of Buford, Flowery Branch, Oakwood and Braselton.
  - \$400,000 would be the maximum amount we would apply for and the match would be 20% or \$80,000 divided between the four cities.
  - This Grant will be applied for under the recipient name of the City of Buford with the other municipalities listed as sub- recipients.
  - Authorize the Consultant Firm of McFarland-Dyer and Associates, Inc. to be the Authorized Organization Representative (AOR) with the authority to prepare the data for the grant and make application for *The Sustainable Communities Grant* Submittal to HUD.
- We have confirmed with HUD, the local match of \$20,000 would not be incurred until the grant is being spent and so we could push this cost into FY 2013.
- If for budgetary or other reasons we later find we do not wish to accept the grant, we could turn down the funding and not be penalized.