



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



**CALL TO ORDER:** Mayor Mike Miller called the meeting to order at 6:02 p.m.

**IN ATTENDANCE:** Mayor Mike Miller, Council Members: Amanda Swafford, Chris Fetterman, 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:** Council Member Richards led the pledge of allegiance

**PUBLIC HEARING:**

The first public hearing on the agenda was Ordinance 452 – Creation of street lighting “special assessment” districts. City Planner Riker presented to the audience a map that showed the location and light type of all of the street lights in the City. This map is attached as Exhibit A. The next map presented is the map requested by the Council which identifies 3 different neighborhoods in the City that do not pay for their own street lights individually as Post Top 1 (Newberry Point), Post Top 2 (Madison Creek) and Post Top 3 (Portsmouth). This map is attached as Exhibit B. City Planner Riker then presented a breakdown of the payment amounts using the map requested by the Council. That sheet is attached as Exhibit C.

Based on the type of lighting utilized, the breakdown shows that residents in Newberry Point would pay \$29.00 per parcel for neighborhood street lights and a \$10.00 per parcel charge for general street lights throughout the City. Madison Creek residents would pay \$39.00 per parcel for neighborhood street lights and a \$10.00 per parcel charge for general street lights throughout the City. Portsmouth residents would pay \$29.00 per parcel for neighborhood street lights and a \$10.00 per parcel charge for general street lights throughout the City. In addition, all other taxable properties in the City would pay \$10.00 per parcel.

City Planner Riker stated that this hearing is the second public hearing which is required. The City Council has elected to have a total of three public hearings on this topic to give citizens ample time to voice their opinions. The final public hearing has been advertised and will be held on October 20, 2011. After the public hearing on that date, if the Council adopts Ordinance 452, it would also adopt a resolution which would set the fees for the street light districts. Property tax bills would be sent out to citizens the beginning of November. Some citizens from Madison Creek did meet with City Planner Riker and proposed having the street lights paid for by their HOA. However, this would not help with standardizing the way street lights are handled in the City. If this option were to be offered to Madison Creek, it would have to be offered to other neighborhoods. Council Member Anglin verified with City Planner Riker that charges for street lights would be shown as an additional line on the property tax bill; it would not be a separate bill.

**PUBLIC COMMENTS:**

Mr. Ed Lezaj of 5612 Newberry Point approached and indicated that he had some questions. Mr. Lezaj wanted to know why some of the other neighborhoods were not listed as being

expected to pay for street lights. Mr. Lezaj feels that since everyone benefits from the street lights, the total amount paid for street lights should be divided between all of the taxable parcels. Mr. Lezaj also feels that the Council should pay for services for everyone in the City equally. The Council should look into this idea further so that it is equitable.

Mr. Ed Asbridge of 7702 Copper Kettle Way approached for public comment. Mr. Asbridge wanted to know if the Council was sure that the taxes needed to be raised for the citizens of Flowery Branch. Have all of the options been explored? How did the City end up in this situation? Are all of the street lights that we have now necessary at the wattage they are at? Mr. Asbridge felt that some of these questions needed to be answered before taxes are raised. Raising the taxes by assessing citizens for street lights should be done only as a last resort.

City Planner Riker answered some of the questions presented by the speakers in public comment. The City is only addressing some of the street lights because some neighborhoods (Anaguluskee and Sterling on the Lake) already pay for their street lights either individually or through homeowner fees. The only street lights being addressed by the City are the street lights that are being paid for by the City. There were some questions asked by the second speaker about how the City ended up in this situation. City Planner Riker stated that he did not have a good answer for that but that several years ago the City did not have a professional staff as the City was small with only about 1800 citizens. Council members worked as quasi-Department Heads and there was not an overall plan of how to proceed as the City has grown. City Planner Riker stated that any future neighborhoods that are developed in the City would have to pay for their street lights through their HOA, or they would need to become a street light district. This would eliminate any future subsidies for street lighting. This process started when Madison Creek approached the City regarding their street lights. There is not a subsidy between the property taxes and the enterprise funds.

Council Member Fetterman verified that some citizens are paying for street lights through property taxes and other citizens are paying for street lights through their HOA's. If the street light assessments districts were to be created, it would be a property tax increase. If this problem is not solved now, the problem will just persist and get worse. Council Member Fetterman stated that he has appreciated the input received from citizens, but that citizens need to continue to give their input. In doing the math, it appears that if only the three subdivisions not currently paying for their street lights did have to begin paying, there would still be a \$27,000 shortfall in to the general fund.

City Planner Riker stated that City may consider doing a study if the districts are created to determine if the City street lights are consistent with street lighting standards. There are two groups that have standards and they are The Illuminating Engineering Society of North America and the International Dark Sky Association. There may be a savings as it may be determined that the City has too many street lights, or that there is excess illumination.

Council Member Swafford stated that the estimated annual cost for street lights is \$38,000. The City will be paying \$14,000 of that with what was approved in the budget to pay for the street lights through November. Almost \$4000 would come from the proposed neighborhood assessment districts. That would leave about \$20,000 to be paid for by the City which was not already included in the budget. Council Member Swafford stated that she had originally voted against the budget as she felt that the subsidy for street lights needed to end right away. Looking at the issue now, there will be \$20,000 needed to pay for the street lights that was not budgeted. The Council needs to look at where that money will come from.

Council Member Anglin verified with City Planner Riker that the \$20,000 amount would be the amount covered by the \$10.00 fee that would be charged to all of the taxable parcels in the City. City Planner Riker stated that some people have suggested raising the City millage rate. If the millage rate were to be raised, this would disproportionately impact citizens in the City. The millage rate would tax property owners based on the value of their home, not on the value of the lighting that is received. Charging a flat fee would be more equitable to citizens.

Council Member Richards stated that some neighborhoods are paying for street lights through their HOA dues and there is not a way to guarantee that homeowners would not pay for street lights twice. The City does not have jurisdiction over how the HOA's design their fees to pay for street lights. Council Member Richards feels that the City has not researched this issue enough and that prior to charging citizens, a study of the street lights may need to be done. Charging the individual neighborhoods for their street lights is fine, but there needs to be further research before charging all of the citizens of Flowery Branch for street lights. The street lights in the downtown area are distributed unevenly.

Mr. Lezaj indicated that he agreed with Council Member Richards' comments and that her ideas and suggestions have been well thought out. Mr. Lezaj agrees that the issue needs further research.

Council Member Swafford stated that these are issues that need to be addressed. The point of this process in looking at the street lights is to determine what the function of the government is. This process will help to address what the priorities are.

For the second public hearing, City Planner Riker presented Ordinance 455 – Ordinance 458 which is the annexation and rezoning of wastewater treatment plant spray field (0 Thurmon Tanner Parkway and 4604 Atlanta Highway). This request is for a spray field that the City owns in conjunction with the City of Oakwood and Hall County government which is not currently located inside the City limits. The applications for annexation and rezoning have been approved and endorsed by both the City of Oakwood and Hall County government. These two properties are solely developed as a spray field with a reuse holding tank. The request for rezoning is to rezone the property to the M-2 classification which would be consistent with the City Comprehensive Plan. There has been vandalism on the property and as the property is not inside of the City limits, the City Police are not able to respond to calls. Annexing the property would also expedite permits that would need to be obtained for the property as the City would be able to process those.

Council Member Fetterman questioned whether or not this would make Wrigley's an island. City Planner Riker stated that the area shown is all part of an unincorporated island and the law does allow cities to go back and fill in unincorporated islands.

#### **ADJOURNMENT PUBLIC HEARING**

Mayor Mike Miller closed the Public Hearing session and opened the work session at 6:45.



**CITY OF FLOWERY BRANCH  
Work Session  
Immediately following Public Hearing  
Thursday, October 6, 2011**

**PUBLIC COMMENTS:**

Mr. Paul Coggins, owner of Toasted and Tapped, approached to speak about traffic issues in the downtown area. Mr. Coggins stated that people avoid downtown Flowerly Branch because of the way the roads are in the downtown area. There are several stop signs in the area which causes people to have to stop quite a bit. There was a traffic study done that suggested continuing Lights Ferry Road to Phil Niekro Blvd. There are several empty businesses in the downtown area and Mr. Coggins requested that the Council try to work on the issue of traffic flow downtown.

**UNFINISHED BUSINESS:**

- ❖ Scheduling of 2<sup>nd</sup> reading of Ordinance 452 – Creation of street lighting “special assessment” districts will be heard at the Council meeting on October 20.
- ❖ City Clerk Burney presented the draft minutes from the September 15, 2011 Council Meeting. These minutes were tabled at the Special Called City Council Meeting on September 29, 2011. City Clerk Burney stated that the changes forwarded by Council Member Swafford have been incorporated.

**NEW BUSINESS:**

- ❖ First Reading of Ordinances 455-Ordinance 458 – Annexation and rezoning of wastewater treatment plant spray field (0 Thurmon Tanner Parkway and 4604 Atlanta Highway)

Council Member Anglin asked if this property was no longer a spray field, were there any limitations from the Environmental Protection Division as to how long the property would have to remain undeveloped. City Manager Andrew stated that the water being sprayed is fine to be exposed to; it can just not be used for drinking water. There is no contamination on the site.

**DRAFT MINUTES:** City Clerk Burney presented the draft minutes from the September 29, 2011 Special Called City Council Meeting. City Clerk Burney stated that the changes forwarded by Council Member Swafford have been incorporated.

**NEW BUSINESS:**

- ❖ Hearing regarding business license for Flowerly Branch Auction and Antiques

City Planner Riker stated that the City had received a letter from Mr. Schulte responding to the letter sent to him by the City regarding possible revocation of his business license. City Planner Riker has met with the property owner’s engineer, Mr. Wendell Cross, and he has submitted a plan which addresses the requested parking area improvements. This plan was shown as Exhibit D. The plan is in concept form, but the property owner is moving forward

with the process of improving the parking area. The property owner, Mr. Bailey has applied for a lease from Norfolk Southern for additional parking. Mr. Bailey is also considering a detention area. The plan does meet the 10 foot landscape requirement and current parking regulations. City Planner Riker is requesting that the Council postpone the hearing regarding the business license for 30 days to await a final plan. Most likely, a variance application may need to be submitted for the parking plan to work. Mr. Bailey is currently moving forward on unblocking the sewer pipe located on Mr. Bailey's other property.

Mayor Miller asked if the plan presented address any of the issues with the building itself. City Planner Riker stated that this plan does not address any issues with the building and that those issues may need to be discussed with Mr. Schulte, who is present. City Planner Riker stated that the Gateway Grant provides for a line of small shrubs to be planted on the landscape strip between the parking area on this site and the main road. This would be a cost savings to Mr. Bailey as this would keep him from having to plant the shrubs required by the code.

Mr. Schulte stated that to help alleviate some of the problems with the appearance of the site, he is now renting two dumpsters for the disposal of trash. In addition, Mr. Schulte stated that he is considering a canopy at the front entrance and making additional improvements to the building. Mayor Miller stated that he was concerned with this property because it is a main entrance into the City.

Council Member Fetterman verified that this plan does not cover the exterior of the building. The general maintenance of the exterior of the building is not a function of government and Council Member Fetterman wanted to make sure that the City is not turning into a glorified HOA. City Planner Riker stated that the City does have an adopted International Property Maintenance Code. Council Member Fetterman stated that he just wants to make sure the Council is not involved with telling people what color to paint their houses. City Planner Riker stated that the improvements to this building should have been required in 1999 and they still have not been done.

❖ First Reading of Ordinance 459 – Amendment to Chapter 8 (Alcoholic Beverages) of the Code of the City of Flowery Branch

This item was presented by City Attorney Ron Bennett. Several months ago the City adopted a resolution to call for a referendum on the question of Sunday Sales. The election is scheduled to take place on November 8, 2011. Ordinance 459 will add Sunday Sales hours to the City code as 12:30 pm to 11:30 pm on Sundays. The effective date was chosen randomly as December 1, 2011. However, the effective date is for the Council to decide. The Sunday after the election would be a possible effective date, as would the date that the election returns are certified. Certification of the election results generally occurs within 3-5 days. Council Member Swafford asked if the effective date could be either November 13 (the first Sunday after the election) or the date the election returns are certified. City Attorney Bennett indicated that would be his suggestion.

❖ First Reading of Ordinance 460 – Call for Special Election for Post 3 to be hold on March 6, 2012

This item was presented by City Clerk Burney. As Kris Yardley has resigned his seat on the Council, Post 3, there would need to be a Special Election to fill that seat. As it is too late to have that election on the ballot for November 8<sup>th</sup>, the election will need to be held at a later

date. As 2012 is an even numbered year with a presidential election, the Special Election could only be held on the date of the Presidential Preference Primary, which was set by the Secretary of State's office for March 6, 2012.

Council Member Fetterman asked what the qualifying period was for this election. City Clerk Burney stated that the qualifying dates in the ordinance were set for November 2<sup>nd</sup> through November 4<sup>th</sup> with only a half day for qualifying on the 4<sup>th</sup>. The law requires two and one-half days for qualifying for a Special Election, so the qualifying will end at noon on Friday, November 4<sup>th</sup>. Council Member Swafford questioned how that date was chosen. City Attorney Bennett stated that qualifying can begin as soon as the election is called, but at least 29 days in advance of the election. Council Member Swafford stated that she felt the qualifying date was too early. There were only two months between this past qualifying period and the upcoming election on November 8<sup>th</sup>. City Attorney Bennett clarified that it is actually 25 days in advance of the election. Council Member Swafford verified that the qualifying period for the upcoming election was in the last week of August.

City Clerk Burney stated that the qualifying for the March election is scheduled early due to concern with the upcoming holidays. Council Member Swafford stated that there is already confusion among the public about the election and that adding in qualifying will just confuse the public even more. Council Member Anglin stated that he felt that two months is not a very long time for citizens to get to know the candidates and that a longer period of time between qualifying and the election would give citizens that opportunity. Council Member Fetterman suggested the middle to end of November as a possible qualifying period to eliminate confusion. Mayor Miller stated that the end of November would be too close to Thanksgiving and then there is Christmas to be concerned with. If qualifying were to occur in January, there would be presidential primaries to be concerned about. Mayor Miller stated that he has continued to hear from citizens that they are not familiar with the candidates and moving qualifying forward would allow the citizens to become familiar with the candidates.

Council Member Swafford stated that qualifying was not a magic date. A candidate can campaign before they are qualified. Council Member Fetterman suggested having qualifying the week after the election as doing it sooner would create confusion. Council Member Swafford stated that she does not see a problem with moving the qualifying to January. That would allow the candidates to have equal treatment as other candidates as there would be two months between qualifying and the election. Council Member Anglin felt that the only people that would be aware of the qualifying date would be people that were serious about running for City Council. Early qualifying would allow the candidates to get their message out there and would allow the citizens time to get to know the candidates. Council Member Swafford stated that she is concerned with people that want to run for Council having to decide now whether they want to run or not. Council Member Fetterman asked about having qualifying November 14<sup>th</sup> to November 18<sup>th</sup>, which would be the week after the election and have qualifying for five days.

Council Member Richards stated that she does not see a problem with the dates of November 2<sup>nd</sup> through November 4<sup>th</sup>. Council Member Swafford stated that would be too soon as the November 8<sup>th</sup> election would still be winding down. Council Member Swafford feels that there is no conceivable advantage to having qualifying early. Council Member Swafford feels that anyone that is going to run for the Council should already be involved and attending the Council meetings. Council Member Fetterman asked if December would be better for qualifying. Mayor Miller stated that the cost to have an election may not be incurred if there is

only one person that qualifies. That person could be seated immediately on the Council. City Clerk Burney stated that if only one person qualifies, there is not an election held as it is assumed that if only person qualifies that they would vote for themselves. Council Member Swafford stated that there is also the possibility of a run-off election, which would occur on December 6<sup>th</sup>. Council Member Fetterman proposed December 12<sup>th</sup> as it would be a midway point. Council Member Anglin stated that he still feels that two months is not long enough. Council Member Swafford stated that it is known now that the position is available.

Council Member Richards questioned why candidates should not be given as much time as possible to campaign, especially with the holidays. Council Member Swafford stated that it would be very confusing to the voters. Council Member Fetterman wanted to know if the members of the Council were fine with the week of December 12<sup>th</sup>. City Attorney Bennett stated that once the time limit to qualify as a write-in candidate passes, the Clerk can certify an unopposed candidate as the winner.

❖ Confirmation of Purchase of Police Vehicles with SPLOST V funds

City Manager Andrew indicated that he was speaking with the Chief of Police and the question came up as to how many cars were to be ordered with SPLOST funds. City Manager Andrew stated that he would look at the minutes to find out how many to order. Upon review of the minutes, it was discovered that there was not a mention of the purchase of these vehicles in the minutes. However, the newspaper did a story on the purchase of six cars. The tape of the meeting would not be beneficial as the approved minutes are the official record of the meeting. Six cars have been ordered, but as there is no record of approval of the purchase, City Manager Andrew would like for it to be reaffirmed at this meeting. There was \$147,421 available in SPLOST V and the amount that would be spent on the vehicles is \$120,210. This would leave \$27,211 for roads. This money is from the old SPLOST funds and is currently in the bank.

❖ Contract with Lawrence Scripps Wilkinson Foundation for Model Train

City Manager Andrew stated that he received an email from the foundation requesting a report on the model train in the Depot. City Manager Andrew spoke to the Foundation and they stated that there was a contract signed by the Mayor in December of 2006 that requires a yearly report. City Manager Andrew stated that he was unable to find the contract in our records. The train is valued at about \$900 and there should be a contract in place. The train is a replica of the Southern Crescent Train that used to stop at the Depot in Flowery Branch.

**CITY MANAGER REPORT:** City Manager Andrew indicated that Chattahoochee Street is closed as a valve broke and it is closed for the remainder of the evening and will reopen tomorrow once the valve is replaced.

**CITY CLERK REPORT:** None

**CITY PLANNER REPORT:** City Planner Riker stated that the TE project is moving forward and should be complete in 30-45 days upon receipt of the street lights.

**CITY ATTORNEY REPORT:** None

**CITY COUNCIL REPORTS:**

Council Member Swafford stated that she would be interested in a mid-year budget adjustment for the \$20,000 gap due to the street lighting issue. Council Member Swafford feels that some of the other items in the budget could be cut to help make up the gap. Citizen input has been very helpful during this process

Council Member Fetterman stated that he wishes Kris Yardley luck along with his six competitors in the upcoming Special Election.

Council Member Anglin had no report.

Council Member Richards had no report.

Mayor Miller had no report.

**ADJOURNMENT WORK SESSION**

Mayor Miller closed the Work Session and opened the voting session at 7:26 p.m.



**CITY OF FLOWERY BRANCH**  
**Council Meeting**  
**Voting Session**  
**Immediately following Work Session**  
**Thursday, October 6, 2011**



**OPEN VOTING SESSION:**

Mayor Mike Miller opened the Voting Session at 7:26 p.m.

**CONSENT AGENDA:**

Consider – Draft meeting minutes from September 15, 2011

Consider – Draft meeting minutes from September 29, 2011

**Motion: Amanda Swafford**

**Second: Tara Richards**

Discussion: None

**Unanimous**

**UNFINISHED BUSINESS:**

- ❖ Consider – Scheduling of 2<sup>nd</sup> reading of Ordinance 452 – Creation of street lighting “special assessment” districts

City Planner Riker stated that there has already been a first reading on this ordinance, there is a second reading scheduled for this ordinance on October 20<sup>th</sup>. There will be an ordinance that has map districts and a resolution that will set fees and charges. City Planner Riker requested direction from the Council as to what they would like to see for the second reading. City Planner Riker clarified that the ordinance would show districts of Post Tops 1-3 and general overall street lighting and there would be a resolution to correspond with each of those maps.

Council Member Swafford asked if there was any support for putting the \$20,000 for general street lighting back into the budget. Mayor Miller stated that there are street lights that are common use and they should be paid for out of the general fund. Therefore, the Mayor would like to see Post Tops 1-3 paid for by the respective neighborhoods and the rest of the street lights be paid by the general fund. In addition, the Mayor would support a study of the street lights in the City. Council Member Richards expressed agreement with the Mayor’s recommendation.

City Planner Riker questioned about payment of the \$1500.00 administrative cost to have the street light fee placed on the City tax bills. With the new recommendation requested by the Council, the \$1500.00 administrative cost would be paid for by about 250 parcels. Council Member Swafford stated that the administrative cost would be a fee that would need to be paid for as two neighborhoods in question have received street lighting at no cost for 12 years. City Planner Riker stated that the administrative fee could be paid for by the neighborhoods in Post Tops 1-3 and that once the initial fee was paid, the amount could be adjusted each year.

**NEW BUSINESS:**

- ❖ Consider – First reading of Ordinance 455-Ordinance 458 – Annexation and rezoning of wastewater treatment plant spray field (0 Thurmon Tanner Parkway and 4604 Atlanta Highway)

City Attorney Bennett advised that there would need to be a separate motion for each of the ordinances, but that the Council could make a motion to suspend the reading of the ordinances.  
**Council Member Fetterman made a motion to suspend the reading of the ordinances.**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

Ordinance 455 – Annexation of 4604 Atlanta Highway

**Motion: Chris Fetterman**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

Ordinance 456 – Rezoning of 4604 Atlanta Highway to M-2 (Heavy, Manufacturing & Industrial)

**Motion: Joe Anglin**

**Second: Tara Richards**

Discussion: None

**Unanimous**

Ordinance 457 – Annexation of 0 Thurmon Tanner Parkway

**Motion: Joe Anglin**

**Second: Chris Fetterman**

Discussion: None

**Unanimous**

Ordinance 458 – Rezoning of 0 Thurmon Tanner Parkway to M-2 (Heavy, Manufacturing & Industrial)

**Motion: Chris Fetterman**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

❖ Consider – Hearing regarding business license for Flowery Branch Auction and Antiques  
**Council Member Fetterman made a motion to suspend the hearing for this business until the Council Meeting on November 3, 2011.**

**Second: Amanda Swafford**

Discussion: None

**Unanimous**

City Planner Riker verified with the Council that if the Engineer continues to work with the City that Mr. Schulte could be notified that he would not need to attend the meeting on November 3.

- ❖ Consider – First reading of Ordinance 459 – An ordinance amending Chapter 8 (Alcoholic Beverages), Article III (Licensing and Registration), Division 6 (Premises) or the code of the City of Flowery Branch, Georgia to permit and regulate package sales by retailers of malt beverages, wine and distilled spirits on Sundays between the hours of 12:30 P.M. and 11:30 P.M.; to establish an effective date; to provide for severability; to repeal conflicting ordinances; and for all other lawful purposes.

City Attorney Bennett indicated that Section II: Effective Date shall read as follows:

This ordinance shall become effective on the date the referendum results are certified.

**Motion: Amanda Swafford**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

- ❖ Consider – First reading of Ordinance 460 – An ordinance to provide for a Special Election for the City of Flowery Branch, Georgia for 2012; to establish and set the date and time of the special election for the city of Flowery Branch, Georgia for 2012 for Council Member post 3, to provide a qualifying period for said position; to provide for the qualifying fees for said position; to provide for a qualifying procedure; to appoint election officials; to provide for the opening and closing of registration for said Special Election; to repeal conflicting ordinances; to provide for severability and for all other lawful purposes.

**Council Member Fetterman made a motion to approve Ordinance 460 with a change of setting the qualifying dates for December 12 through December 16**

**Second: Amanda Swafford**

Discussion: Council Member Richards indicated that she still would like to have the qualifying period sooner than the middle of December. Council Member Anglin verified that the requested qualifying dates in the ordinance as written are November 2 through November 4 and that the current election is scheduled for November 8. Council Member Fetterman stated that the dates in December would give candidates 2½ months between the qualifying date and the election date. Council Member Anglin stated that from a system standpoint he liked the early qualifying date. Council Member Swafford stated that she was concerned that qualifying is too rushed. Qualifying has nothing to do with when a candidate can begin campaigning, but it could affect the available pool of candidates. Council Member Fetterman felt that the question that needed to be asked was if the Council wanted to allow candidates more time to decide to run or more time to campaign.

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

**Council Member Swafford – Yes**

**Council Member Fetterman – Yes**

**Council Member Anglin – No**

**Council Member Richards – No**

**As there was a tie, Mayor Miller cast a vote to break the tie – No**

**Motion fails**

**Council Member Richards made a motion to approve Ordinance 460 with the dates of qualifying as presented of November 2 through noon on November 4.**

**Second: Joe Anglin**

Discussion: Council Member Fetterman stated that this was the first time that he was disappointed that government was moving fast as he felt that it was moving too fast. Council Member Anglin stated that he looked at the situation as a system. When someone vacates a seat, the qualifying should be held before the person that left runs for the seat that they left for.

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

**Council Member Swafford – No**

**Council Member Fetterman – No**

**Council Member Anglin – Yes**

**Council Member Richards – Yes**

**As there was a tie, Mayor Miller cast a vote to break the tie – Yes**

**Motion passes**

- ❖ Consider - Confirmation of purchase of Police vehicles with SPLOST V funds. The motion would be to authorize staff to purchase six police department vehicles with accumulated SPLOST V funds in the amount of \$120,210 with the balance of the funds going to road improvements.

**Motion: Tara Richards**

**Second: Joe Anglin**

Discussion: None

**Aye: Chris Fetterman, Joe Anglin, Tara Richards**

**No: Amanda Swafford**

**Motion passes with three votes**

- ❖ Consider – Contract with Lawrence Scripps Wilkinson Foundation for Model Train

**Motion: Joe Anglin**

**Second: Tara Richards**

Discussion: None

**Unanimous**

**Council Member Fetterman made a motion at 7:47 to enter to Executive Session to discuss land acquisition and pending/potential litigation.**

**Second: Tara Richards**

Discussion: None

**Unanimous**

**EXECUTIVE SESSION:**

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

**There was a motion made by Council Member Fetterman to exit the Executive Session and resume the Voting Session at 8:12 p.m.**

**Second: Joe Anglin**

Discussion: None

**Unanimous**

**There was a motion made by Council Member Fetterman to exit the voting session at 8:12 p.m.**

**Second: Joe Anglin**

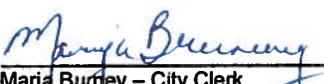
Discussion: None

**Unanimous**

**Adjournment:**

  
James "Mike" Miller - Mayor

10-20-11  
Dated

  
Marja Burrey – City Clerk

# Street Lighting



## Legend

### FB\_StreetLights

### Light\_Desc

- 150 watt HPS Post Top (UG)
- 100 watt HPS Cobrahead (OH)
- 250 watt HPS Cobrahead (OH)
- 400 watt HPS Cobrahead (OH)
- 400 watt HPS Directional Flood (OH)
- Main Street (UG)

Map prepared by [unclear] at [unclear] on [unclear].  
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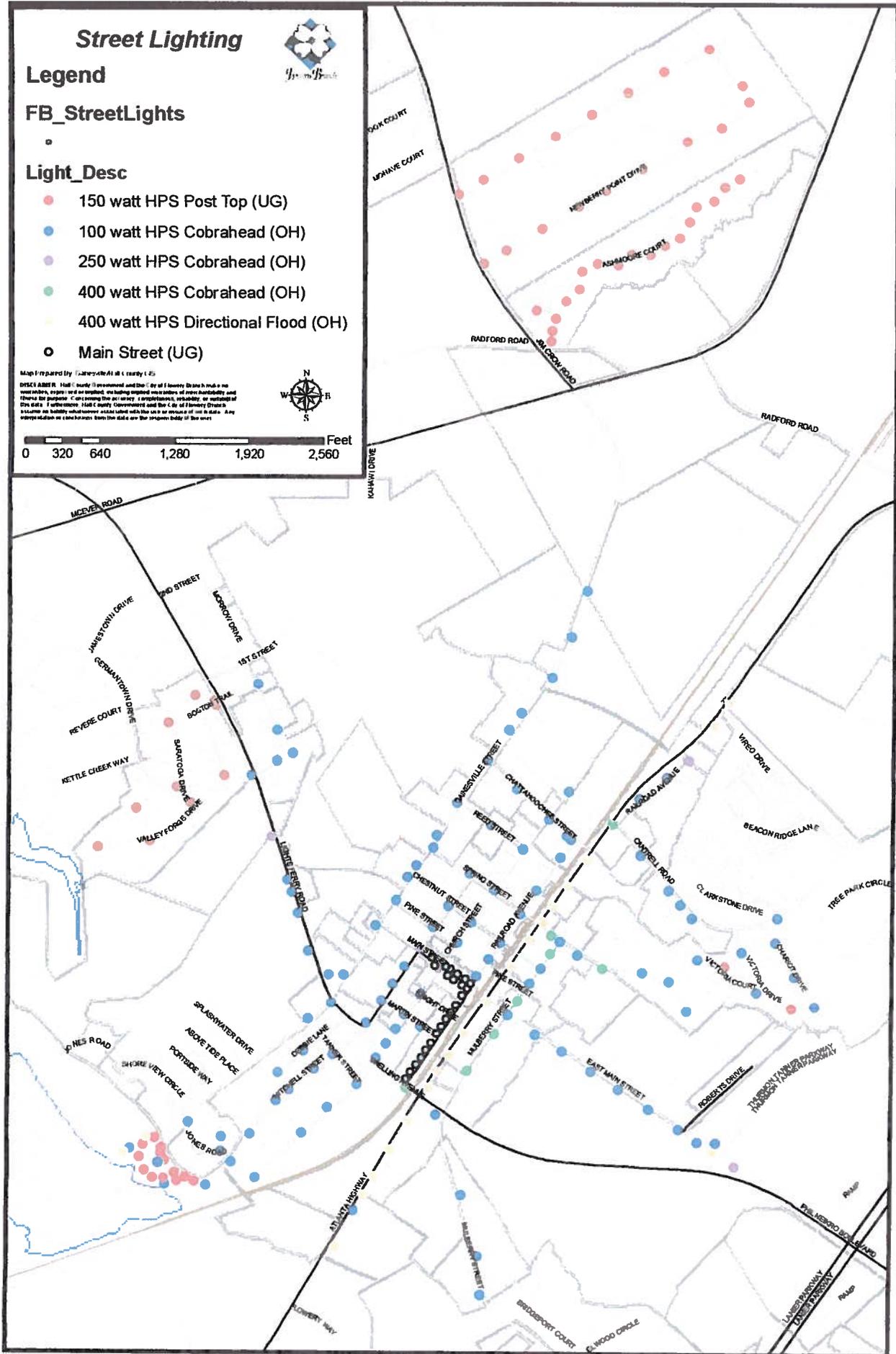


EXHIBIT A

# Alternate Proposed Street Lighting Assessment Districts



Map From The City of Houston  
 2012-2013  
 2012-2013  
 2012-2013

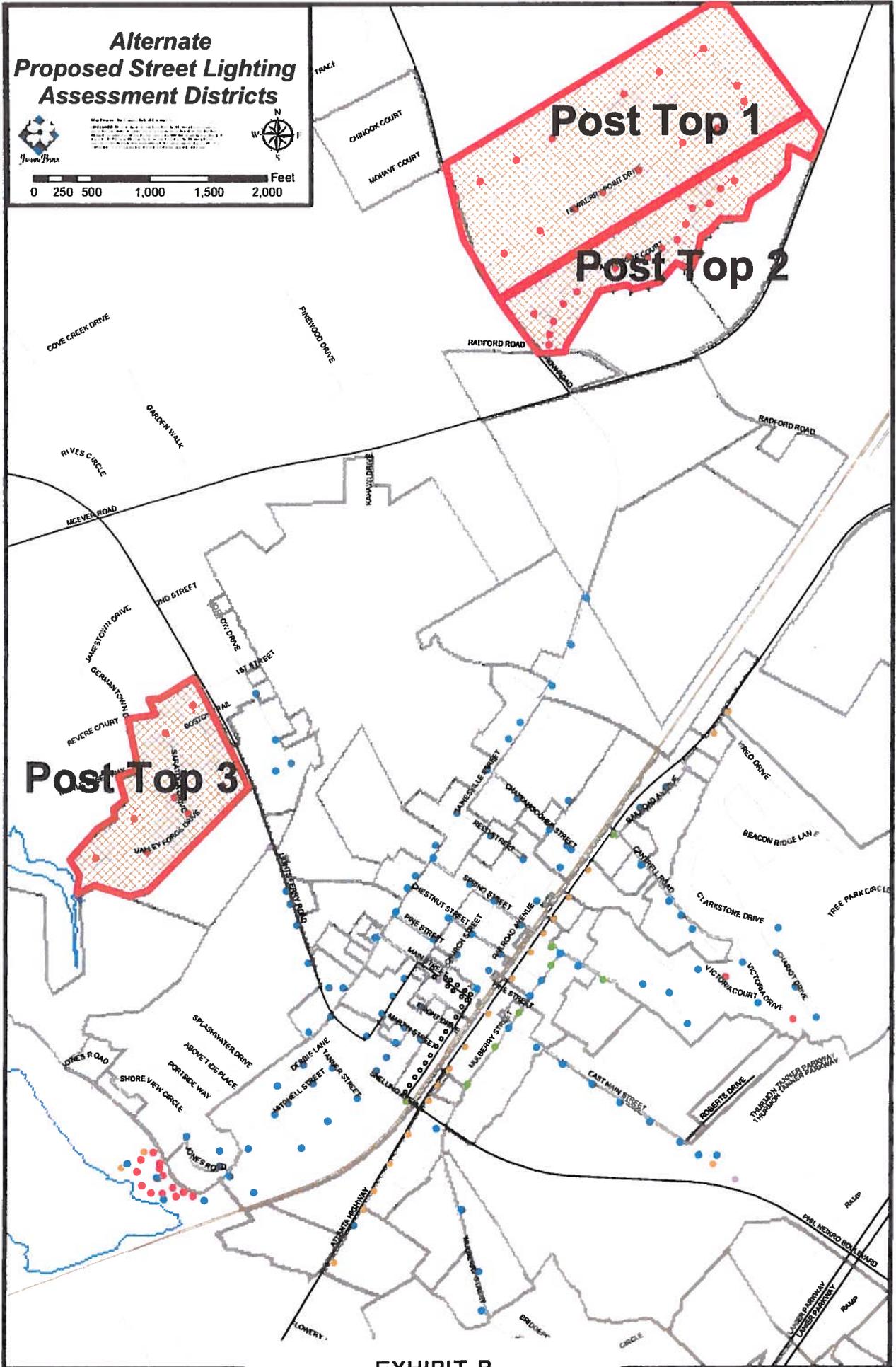
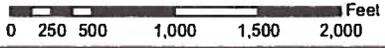


EXHIBIT B

# Separate Post Top Districts (Newberry, Madison and Portsmouth)

Option to create a street lighting district for Post Top 1 (Newberry Point), Post Top 2 (Madison Creek) and Post Top 3 (Portsmouth). In addition, establish a district of the entire city to cover "general public street lighting".

| Type                                                                                          | Qty         | \$ per parcel  | General public cost \$ per parcel | Revenue             |
|-----------------------------------------------------------------------------------------------|-------------|----------------|-----------------------------------|---------------------|
| Post Top 1                                                                                    | 115         | \$ 29.00       | \$10.00                           | \$ 4,485.00         |
| Post Top 2                                                                                    | 92          | \$ 39.00       | \$10.00                           | \$ 4,508.00         |
| Post Top 3                                                                                    | 67          | \$ 29.00       | \$10.00                           | \$ 2,613.00         |
| Parcels not in an HOA and/or those utilizing public street lights (Old Town area)             | 422         |                | \$10.00                           | \$ 4,220.00         |
| Parcels in an HOA paying for their own lights (Tidewater, Waterstone, Clarkstone, etc...)     | 628         |                | \$10.00                           | \$ 6,280.00         |
| Other Parcels outside of downtown proper (Stonebridge Village, Thurmon Tanner Parkway, etc..) | 276         |                | \$10.00                           | \$ 2,760.00         |
| Parcels in Sterling on the Lake                                                               | 1100        |                | \$10.00                           | \$ 11,000.00        |
| <b>Total Parcels</b>                                                                          | <b>2700</b> |                | <b>\$</b>                         | <b>\$ 35,866.00</b> |
| <b>general public cost</b>                                                                    |             | <b>\$10.00</b> |                                   |                     |

## Breakdown of Post Top Districts

| Lots           | Qty of Lights | \$ per month | \$ per year | annual \$ per lot |
|----------------|---------------|--------------|-------------|-------------------|
| Newberry Point | 18            | \$ 16.17     | \$ 3,492.72 | \$ 30.37          |
| Madison Creek  | 18            | \$ 16.17     | \$ 3,492.72 | \$ 37.96          |
| Portsmouth     | 10            | \$ 16.17     | \$ 1,940.40 | \$ 28.96          |

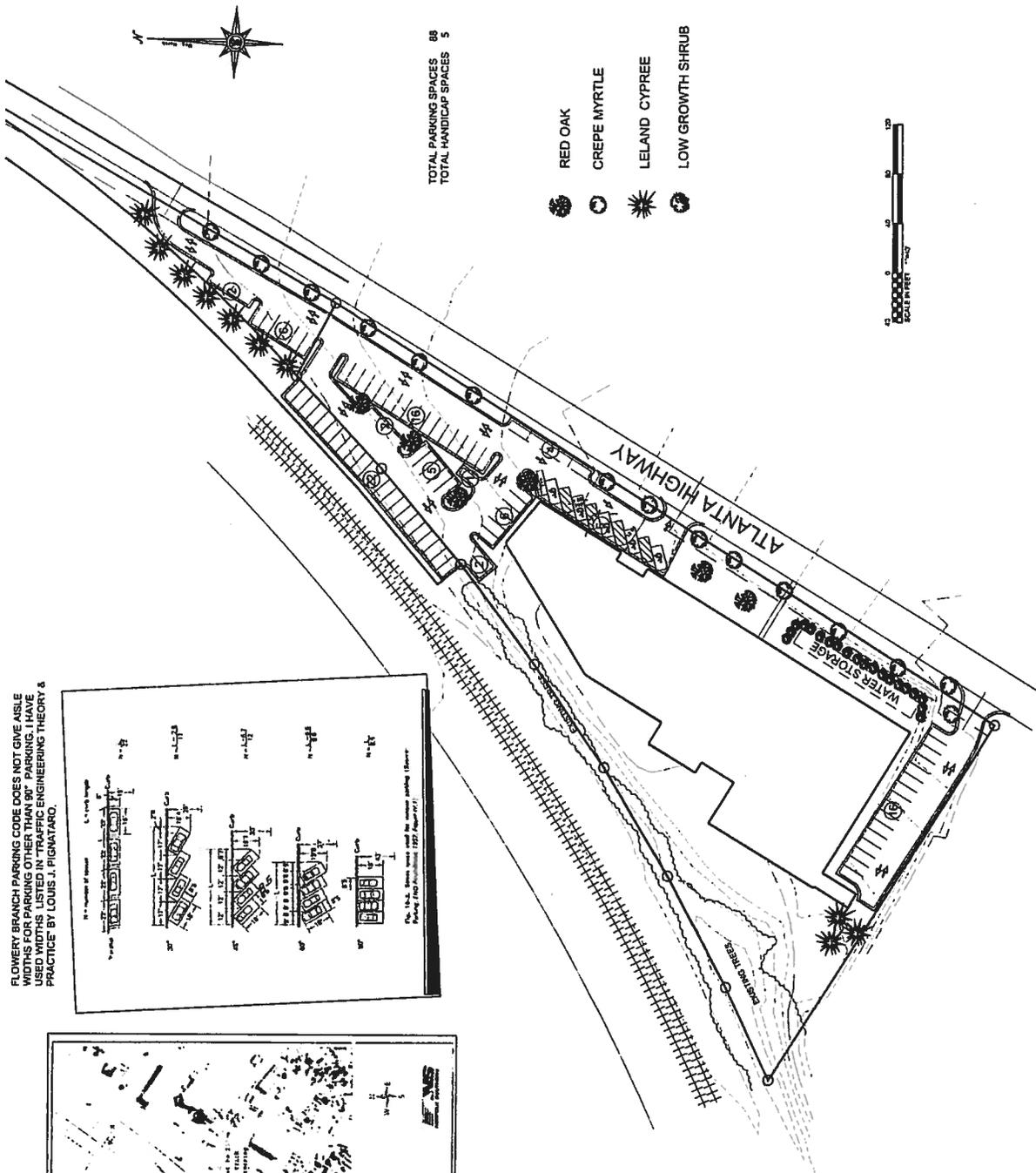
E. W. CROSS, P. E.  
 CIVIL ENGINEERS  
 P. O. BOX 5188  
 GAINESVILLE, GA 30504



|          |  |
|----------|--|
| DATE     |  |
| REVISION |  |

FLOWERY BRANCH ANTIQUES  
 PARKING LOT  
 CONCEPT PLAN  
 5540 ATLANTA HIGHWAY  
 FLOWERY BRANCH, GEORGIA 30542

Version: N/A  
 Approved: ECA  
 1" = 40'  
 Drawn by: E. W. CROSS  
 MTF  
 1  
 SHEET 28 OF 2011  
 11013



FLOWERY BRANCH PARKING CODE DOES NOT GIVE AISLE WIDTHS FOR PARKING OTHER THAN 90° PARKING. I HAVE USED WIDTHS LISTED IN TRAFFIC ENGINEERING THEORY & PRACTICE BY LOUIS J. PIGNATARO.

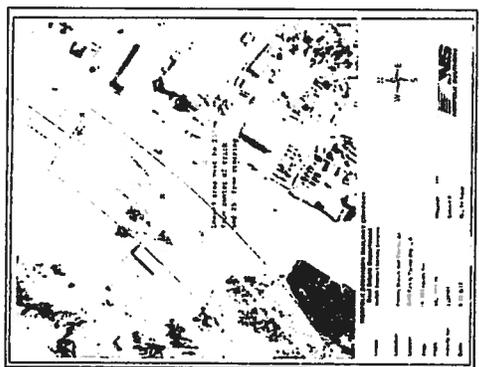
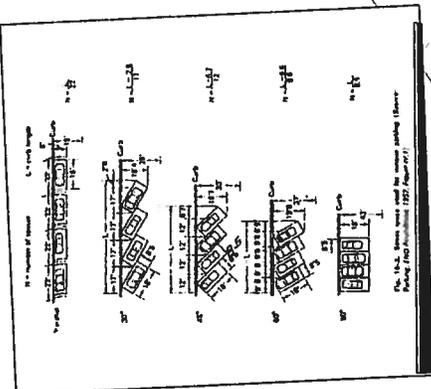


EXHIBIT D