



CITY OF FLOWERY BRANCH
Council Meeting Minutes
Voting Session
Thursday July 5, 2012 6:00 PM



CALL TO ORDER: Mayor Mike Miller called the meeting to order at 6:36 p.m.

IN ATTENDANCE: Mayor Mike Miller, Mayor Pro tem Joe Anglin, Council Members: Damon Gibbs, Mary Jones and Fred Richards. Also in attendance were City Manager Bill Andrew, City Planner James Riker and City Attorney Ron Bennett.

ABSENT: Council Member Tara Richards

PUBLIC COMMENTS:

Mr. George McLeod of 5710 Newberry Point Drive approached to question how the street light districts would be set up.

Mr. Ed Lezaj of 5612 Newberry Point Drive approached and stated that he does not agree with the City charging for street lights as it is a hidden tax and it is not equitable. Mr. Lezaj also questioned if the proposed sirens could be heard at the

Ms. Nancy Stewart of 5429 Ashmoore Lane approached and stated that she would like the Homeowners Association for Madison Creek to continue to pay for the street lights. If the HOA were no longer responsible for payment of the street lights, it would probably disband and the neighborhood would no longer look as attractive.

Dr. Charles Goodwin of Madison Creek approached to thank the Council for their help with the street light charges for their neighborhood. Dr. Goodwin would like to request that the situation remain as it is in regards to street light charges.

Ms. Darla Eden, who is running for Tax Commissioner for Hall County approached and introduced herself to the Council.

Mayor Miller explained that the Madison Creek contract does indicate that once the street light districts were created, the current contract with Madison Creek would be null and void.

City Planner Riker indicated that he could speak with Mr. McLeod regarding any questions that he might have. Street light districts have been created by both Hall and Gwinnett Counties, and there are no legality issues. The public hearing for the street lights issue will be on August 16, where a presentation will be made regarding the street light districts.

Council Member Damon Gibbs requested that City Planner Riker address the concerns of the homeowners in Madison Creek in regards to their HOA paying for the street lights. Ordinance 467 will allow the HOA to continue to pay for the street lights, if it is requested by the homeowners.

CONSENT AGENDA:

Draft Council meeting minutes from June 21, 2012

Motion to approve consent agenda: Damon Gibbs

Second: Fred Richards

Unanimous

UNFINISHED BUSINESS: None

NEW BUSINESS:

First reading of Ordinance 467 – modifies Ordinance 451 – framework Ordinance for creation of street light “special assessment” districts.

AN ORDINANCE TO AMEND THE CITY’S ADOPTED MUNICIPAL CODE RELATING TO CHAPTER 42 SPECIAL ASSESSMENT DISTRICTS ARTICLE 1 STREET LIGHTING DISTRICTS SECTION 42-5 “RESPONSIBILITY FOR COSTS; FEES AND CHARGES” AND SECTION 42-7 “PAYMENT DEU DATE; PENALTIES; IMPOSITION OF LIENS”; TO PROVIDE FOR PAYMENT AND COLLECTION OF COSTS; 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 to approve first reading of Ordinance 467 which modifies Ordinance 451 – framework Ordinance for creation of street light “special assessment” districts:

Joe Anglin

Second: Damon Gibbs

Council Member Anglin stated that he liked this ordinance because it allows homeowner associations to pay for the street lights with dues paid by homeowners.

Council Member Gibbs stated that this ordinance does not exclude other subdivisions in the City from forming homeowner associations and petitioning the City to act in a similar fashion as was done towards Madison Creek.

Unanimous

Contract extension for engineering firm – Pond and Company

Motion to approve contract extension with Pond and Company: Fred Richards

Second: Mary Jones

Unanimous

Application for Antebellum to sell distilled spirits by the drink at 5510 Church Street

Motion to approve Antebellum to sell distilled spirits by the drink: Damon Gibbs
Second: Mary Jones
Unanimous

Application for Crossroads Meat Company to sell wine by the package at 5315 Atlanta Highway

Motion to approve Crossroads Meat Company to sell wine by the package: Mary Jones
Second: Fred Richards
Unanimous

Emergency Management Performance Grant with Hall County Fire Services

Motion to pursue the grant for installation of storm sirens: Fred Richards
Second: Joe Anglin
Unanimous

Communication services contract for phones and DSL

Motion to select Windstream as the City vendor for phones and DSL and authorize City Manager Andrew to pursue a contract with the chosen vendor: Mary Jones
Second: Damon Gibbs
Unanimous

City participation in class action hotel lawsuit with online vendors

Motion for the City to not participate in the lawsuit for collection of past and current hotel taxes for reservations made through online vendors: Joe Anglin
Second: Fred Richards
Unanimous

ADJOURNMENT:

Motion to adjourn the voting session at 7:13 p.m. Damon Gibbs
Second: Mary Jones
Unanimous


James "Mike" Miller - Mayor

August 2, 2012
Dated


Marja Butney - City Clerk