CITY OF FLOWERY BRANCH
Council Meeting Minutes
Voting Session
Thursday October 4, 2012

CALL TO ORDER: Mayor Mike Miller called the meeting to order at 6:50 p.m.

IN ATTENDANCE: Mayor Mike Miller, Mayor Pro tem Joe Anglin, Council Members: Mary Jones, Damon Gibbs, and Fred Richards. Also in attendance were City Manager Bill Andrew, City Planner James Riker, City Finance Director Jeremy Perry, Interim Police Chief David Spillers and City Attorney Ron Bennett.

ABSENT: Council Member Tara Richards

PUBLIC COMMENTS:
Bryan Puckette of 5011 Atlanta Highway approached and indicated that he had sent letters to two police officers regarding damage done to his property in 2008. Mr. Puckette wanted to know if the City was going to repair the damage as the former Chief of Police, Gerald Lanich, indicated that the City would make repairs and no repairs have been made. Mr. Puckette also indicated that there is a 4 year statute of limitations to sue for damage to personal property and needed to know as soon as possible whether the City would be paying for repairs.

CONSENT AGENDA:
Draft Council meeting minutes from September 20, 2012

Motion to approve consent agenda: Joe Anglin
Second: Damon Gibbs
Unanimous

UNFINISHED BUSINESS: None

NEW BUSINESS:
Resolution 12-007 – Authorization for sale of City surplus property

> **RESOLUTION THAT DIRECTS THE CITY OF FLOWERY BRANCH, WHICH IS AUTHORIZED BY O.C.G.A. § 36-35-3 AND ART. VI, § 6.13 OF THE CHARTER OF THE CITY OF FLOWERY BRANCH TO SELL AND CONVEY ANY REAL OR PERSONAL PROPERTY OWNED BY THE CITY IN ACCORDANCE WITH THE PROVISIONS OF O.C.G.A. §36-37-6. A LISTING OF THE PROPERTY IS ATTACHED AS EXHIBIT "A".**

Motion to approve Resolution 12-007: Fred Richards
Second: Mary Jones
Unanimous

Hearing regarding possible suspension/revocation of alcohol license for Best Buy Quality Foods LLC located at 5415 Atlanta Highway

There was some discussion among the Council members regarding what action to take regarding these alcohol and business licenses. Council Member Gibbs verified that Mr. Ghulam Ahmed needs to reapply for a business license under his name as SS Best Buy Quality Food LLC no longer exists. City Attorney Bennett verified that the location at 5415 Atlanta Highway is not authorized to sell alcohol as the location currently does not have a state license to sell alcohol. Mayor Miller verified with Mr. Ahmed that he is interested in having a license to run his business as a convenience store only with no sales of alcohol or fuel, as he is unable to afford to have fuel at this location.

The decision made by the Council was that Mr. Ahmed would need to come in and apply for a new business license under his own name. Sign violations on the property would need to be corrected. If there is no trouble at this location and all items and completed by Mr. Ahmed, then another hearing would not be necessary. If another hearing is necessary, then it would be held at the next regularly scheduled Council meeting on October 18, 2012.

Motion to hold over the hearing until the next regularly scheduled Council meeting on October 18, 2012, pending Mr. Ahmed applying for a new business license and correcting the signage issues: Damon Gibbs
Second: Mary Jones
Unanimous

Approval of work order with Pond and Company to conduct a stormwater analysis for the culverts along Flowery Branch Creek

Motion to approve work order with Pond and Company for $21,000: Joe Anglin
Second: Damon Gibbs
Unanimous

The City has been awarded money to install weather sirens. This item was previously approved at the Council meeting on July 5, 2012. However, as additional documentation is needed regarding the City funding match on this project, the City Planner is requesting that the Council reaffirm their vote on this item.

Motion to reaffirm vote regarding approval of cash match by City for weather sirens: Mary Jones
Second: Fred Richards
Unanimous

EXECUTIVE SESSION:

Executive Session for acquisition of real estate and pending/potential litigation
Motion to enter Executive Session at 7:08 p.m. for the purposes of acquisition of real estate and pending/potential litigation: Damon Gibbs
Second: Fred Richards
Unanimous

Motion to exit Executive Session at 7:48 p.m.: Mary Jones
Second: Damon Gibbs
Unanimous

ADJOURNMENT:

Motion to adjourn the voting session at 7:48 p.m.: Mary Jones
Second: Damon Gibbs
Unanimous

James "Mike" Miller - Mayor

11-1-12
Dated

Marja Burney – City Clerk