

*Flowerly Branch*

**CITY OF FLOWERY BRANCH**  
**Council Meeting**  
**Work Session Minutes**  
**Thursday July 18, 2013 6:00 PM**



**OPEN MEETING:**

**CALL TO ORDER:** Mayor Miller called the meeting to order at 6:04 p.m.

**IN ATTENDANCE:** Mayor Mike Miller, Mayor Pro tem Joe Anglin, Council Members: Damon Gibbs, Mary Jones, Fred Richards and Tara Richards. Also in attendance were City Manager Bill Andrew, City Attorney Ron Bennett, City Director of Planning and Community Development John McHenry, City Finance Director Jeremy Perry and Chief of Police David Spillers

**ABSENT:** None

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Cody Green with Boy Scout Troop 228

**UNFINISHED BUSINESS:**

**Second Reading Ordinance 476 – Update of City Alcohol Ordinance**

**NEW BUSINESS:**

**Resolution 13-010 – Establish Alcoholic Beverage Licensing Fees**

- City Attorney Bennett indicated that the changes requested by the Council at the previous Council Meeting have been incorporated. Those changes were removing the limitation on Happy Hour prohibitions and leaving the food sale requirement at 40 percent. In addition a correction was made regarding the percent of alcohol allowed in beer and malt beverages so it would be in line with State law.
- Resolution 13-010 is also included and specifies the fee for a corkage permit as being \$150 and the fee for a license transfer of \$200.
- Council Member Anglin indicated that he was not present at the first reading of Ordinance 476 and is concerned with the public safety of citizens if there are not any limitations to “Happy Hour” sales.
- Council Member Tara Richards indicated that the discussion at the previous meeting was that the members of the Council felt that it was not fair for the City to regulate how a business is run.
- Council Member Gibbs further indicated that the main two items discussed at the previous council meeting were how drink prices are determined and how can the City enforce ordinances regarding drink prices.

## **NEW BUSINESS:**

### **Draft Council meeting minutes from June 27, 2013**

- No comments

### **Pall Corporation Contract for Annual Filter Service**

- City Manager Andrew indicated that this contract is for maintenance of the drinking water filters in the water plant. The filters are currently under warranty and as a result maintenance by Pall is required. The filters are under warranty until 2015.
- The cost for the work to be completed is \$11,145.56 plus airfare. This is less expensive than previously because the City does not have to pay for hotel accommodations for the Pall representative.
- Council Member Fred Richards confirmed with City Manager Andrew that there was a problem last year as there was a lapse in the maintenance contract which required parts to be ordered at a cost of about \$11,000.

### **Resolution 13-011 – End Declaration of Local Emergency made at 5:42 P.M. on July 3, 2013**

- City Manager Andrew indicated that the declaration allowed the City to hire a contractor immediately to install a temporary bridge. It also allowed the City to shore up one shed on private property and remove another shed that was on private property that had fallen into the creek. The shed in the creek was removed as it was very close to the culvert on East Main Street.

### **Renewal of contract with Sophicity for City IT services**

- City Finance Director Perry stated that this contract would run from July of 2013 to June of 2014. There are 10 users on the program and there have been some issues which have been resolved. The contract cost is \$18,420, which is a 3 percent increase from last year.

### **Approval of Consultant to Prepare an Opportunity Zone Application**

- City Director of Planning and Community Development McHenry indicated that the City would like to apply to the Department of Community Affairs to create an Opportunity Zone. The application would need to be completed by the end of September. Employers that locate in the zone would receive a tax credit of \$3500 per job created, if two or more are created.
- Currently Oakwood and Gainesville are applying to create Opportunity Zones.
- The City would like to use Bleakly Advisory Group to analyze the data and complete the application as they have done several of these applications. The cost for Bleakly to complete and submit the application would be \$9000.

- Council Member Tara Richards was concerned that the City was applying for the Zone too early, but there has been a rumor that the State may be changing legislation to limit creation of Opportunity Zones, so applying now is the best time to apply.
- The City would like to create an Opportunity Zone west of Interstate 985.
- Council Member Anglin asked if it was possible for City staff to handle making this application. However, City staff would not be able to handle this application as there is not time and there would be a better chance of having the application approved if it were to be completed by Bleakly as they have experience in these types of applications.
- The City is already at a disadvantage as the City is required to charge and collect impact fees for Hall County while Oakwood is not. Creating an Opportunity Zone could help a great deal to increase economic development in the City.

## **DEPARTMENT REPORTS:**

### **City Director Planning and Community Development Report**

- Mr. Frank McGowan, builder for Tidewater Cove Phase III, is now planning on doing 97 single family homes with a price point of \$150,000 to \$190,000. Mr. McGowan is interested in discussing ways to connect this area with the downtown area via walking trails or paths.
- Block and Blade will be moving in to the old Crossroads location on Atlanta Highway and should be opening soon.
- There was a Redevelopment Plan Core Team Meeting held Thursday, July 18 that was well attended. There was a great deal of input received to help guide the redevelopment in the downtown area.

### **City Manager Report**

- Discussed with Mr. Jason Bodwell of GEFA (Georgia Environmental Finance Authority) a possible loan for the Cinnamon Cove Sewer line. The current rate is 1.4%. The application for the loan must be turned in by August 9 for consideration at their October 8 meeting. If approved, the City will have 6 months to decide if they are interested in accepting the loan with the terms given. The funding is through the Clean Water State Revolving Fund.
- The house purchased by the City of Church Street was tested for asbestos by ECS Southeast. There is some asbestos present to a contractor will need to be hired to contain the asbestos as the house is removed. ECS Southeast would be able to complete this work for the City.
- There will be a meeting with Norfolk Southern on Friday, July 19 to discuss the culvert designs. The City would also like to discuss how trains are parked in the City and block all of the crossings and the stormwater structures on Railroad Avenue.

**City Finance Director Report:** None

City Clerk Report: None

City Attorney Report: None

Chief of Police Report:

- The Fiddlin at the Tracks concert will be held on Saturday at the Depot from 6:00 to 9:00 p.m. Food will be available and this will be an opportunity for citizens to come out and meet the City police officers. Some business owners have suggested that something like this be done once a month in the community so more events may be held in the coming months.

Council Report

- Council Member Tara Richards: None
- Council Member Joe Anglin: None
- Council Member Fred Richards: None
- Council Member Mary Jones: None
- Council Member Damon Gibbs: None
- Mayor Mike Miller: None

**ADJOURNMENT WORK SESSION:** Adjourned at 6:45 p.m.



**CITY OF FLOWERY BRANCH**  
**Council Meeting**  
**Voting Session Meeting Minutes**  
**Immediately following Work Session**  
**Thursday July 18, 2013**



**OPEN VOTING SESSION:** Mayor Miller called the meeting to order at 6:45 p.m.

**PUBLIC COMMENTS:** None

**CONSENT AGENDA:**

Draft Council meeting minutes from June 27, 2013

**Motion to approve consent agenda: Mary Jones**

**Second: Damon Gibbs**

**Unanimous**

**UNFINISHED BUSINESS:**

Second Reading Ordinance 476 – Update of City Alcohol Ordinance

**AN ORDINANCE TO AMEND ORDINANCES NUMBERED 54, 54-9, AMENDMENT TO ORDINANCE #54 DATED 10-15-90, AN AMENDMENT TO ORDINANCE NO. 54 DATED 8-1-94, 54-A, 54-D, 54-E, 54-F, 170, 170-A, 170-B, 170-C, 170-D, 287, 287-A, 314, 424, 424A AND 470. THIS ORDINANCE IS INTENDED TO REPLACE ALL PRIOR ORDINANCES CONCERNING ALCOHOLIC BEVERAGE LICENSING AND REGULATION WITHIN THE CORPORATE LIMITS OF THE CITY OF FLOWERY BRANCH BY SETTING FORTH THE PURPOSE OF ALCOHOLIC BEVERAGE REGULATION, LEVYING TAXES, ESTABLISHING REQUIREMENTS FOR LICENSING AND REGULATION, IMPOSING PENALTIES FOR VIOLATIONS, BEING SEVERABLE, REPEALING CONFLICTING ORDINANCES AND/OR RESOLUTIONS, ESTABLISHING AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.**

**Motion to approve Second Reading of Ordinance 476: Tara Richards**

**Second: Fred Richards**

Council Member Tara Richards verified with City Attorney Bennett that the changes to the alcohol ordinance would be effective immediately.

**In Favor: Damon Gibbs, Mary Jones, Fred Richards, Tara Richards**

**Oppose: Joe Anglin**

**Motion passes with four votes**

**NEW BUSINESS:**

Resolution 13-010 – Establish Alcoholic Beverage Licensing Fees

**A RESOLUTION ESTABLISHING THE AMOUNT OF ALCOHOLIC BEVERAGE LICENSING FEES; REPEALING CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR ALL OTHER LAWFUL PURPOSES.**

**Motion to approve Resolution 13-010 – Establish Alcoholic Beverage Licensing Fees: Fred Richards**

**Second: Damon Gibbs**

**Unanimous**

Pall Corporation Contract for Annual Filter Service

**Motion to authorize Mayor to sign contract with Pall Corporation for Annual Filter Service: Joe Anglin**

**Second: Mary Jones**

**Unanimous**

Resolution 13-011 – End Declaration of Local Emergency made at 5:42 P.M. on July 3, 2013

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLOWERY BRANCH, GEORGIA ENDING THE DECLARATION OF LOCAL EMERGENCY MADE AT 5:42 P.M. EST ON JULY 3, 2013**

**Motion to approve Resolution 13-011 – End Declaration of Local Emergency made at 5:42 P.M. on July 3, 2013: Tara Richards**

**Second: Damon Gibbs**

**Unanimous**

Renewal of contract with Sophicity for City IT services

**Motion to authorize Mayor to sign renewal contract with Sophicity for City IT services: Joe Anglin**

**Second: Fred Richards**

**Unanimous**

Approval of Consultant to Prepare an Opportunity Zone Application

**Motion to approve consultant to prepare Opportunity Zone Application: Damon Gibbs**

**Second: Mary Jones**

**In Favor: Damon Gibbs, Mary Jones, Fred Richards, Tara Richards**

**Oppose: Joe Anglin**

**Motion passes with four votes**

**EXECUTIVE SESSION:**

*Executive Session for Personnel Matters and Pending/Potential Litigation.*

*Motion to enter Executive Session at 6:50 p.m. for the purpose of personnel matters and pending/potential litigation: Tara Richards*

*Second: Joe Anglin*

*Unanimous*

*Motion to exit Executive Session at 7:45 p.m.: Tara Richards*

*Second: Joe Anglin*

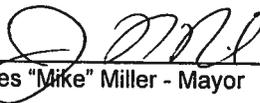
*Unanimous*

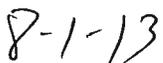
**ADJOURNMENT:**

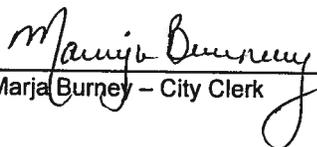
**Motion to adjourn the voting session at 7:45 p.m.: Fred Richards**

**Second: Damon Gibbs**

**Unanimous**

  
James "Mike" Miller - Mayor

  
Dated

  
Marja Burney - City Clerk