

CITY OF FLOWERY BRANCH
Council Meeting - Voting Session
Thursday, September 29th, 2005 - 6:00 P.M.

MINUTES

IN ATTENDANCE: Mayor Bryan Puckette, Council Members Jim Herold, Jan Smith, and Larry Pritchett. Interim City Clerk Lou Camiscioni, Planning and Zoning Administrator James Riker, and City Attorney Ron Bennett.

OPEN MEETING: Mayor Puckette called the Council Meeting to order at 6:00 p.m. leading with the Pledge of Allegiance and Invocation.

1) CONSENT AGENDA:

Approve the Council Minutes for: August 25, 2005 6 p.m., August 31, 2005 Special Called Meeting 5 p.m., September 1, 2005 Special Called Meeting 5 p.m., and September 8, 2005 Work Session 6 p.m.

Motion made by Jan Smith to approve the minutes for August 25, 2005 6:00 pm only due to the absence of Mr. Worl. Motion seconded by Mr. Herold and the vote was unanimous. The minutes for August 31, 2005 Special Called Meeting, September 1, 2005 Special Called Meeting and September 8, 2005 Work Session Meeting will be voted on at the next Council Work Session scheduled for October 13, 2005.

2) PUBLIC HEARING

- a) The Variance application No. V-05-02 for Grace Baptist Church for reduction in development setbacks at 4256 Martin Road was presented to the Mayor and Council by Mr. Riker. Public Comments were heard from Mr. Jeff Worly and Mr. Ed Lezaj. The Public Hearing portion ended at 6:25 p.m.
- b) The Variance application No. V-05-03 for Hall Jones Ventures for increase in height of billboards at 4945 Oak Street was presented to the Mayor and Council by Mr. Riker. Public comments were heard from Mr. Jim Hall, Ms. Kathy Caulk, Mr. Sandy Jones, Mr. Jerry Crow and Mr. Ed Lezaj. The Public Hearing portion ended at 6:40 p.m.

3) OLD BUSINESS:

- a) Stormwater Management Ordinances, 1st readings for:
 - i) Ordinance No. 05-322 Post-development Stormwater Management for new development and re-development. A motion was made by Mr. Herold to approve the ordinance as read. Motion seconded by Mr. Pritchett and carried unanimously.

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- ii) Ordinance No. 05-323 Illicit Discharge and Illegal Connection. A motion to approve the ordinance as read was made by Mr. Pritchett and seconded by Mrs. Smith. Motion carried unanimously.
 - iii) Ordinance No. 05-324 Model Litter Ordinance. A motion to approve as read was made by Mr. Herold and seconded by Ms. Smith. Motion carried unanimously.
 - iv) Ordinance No. 05-325 Model Stream Buffer Protection. A motion to approve as read was made by Mr. Herold and seconded by Mr. Pritchett. Motion carried unanimously
- b) Proposal / Bid for the WWTP New Lab Facility.
Mr. Bennett submitted and explained to the Mayor and Council the document entitled Owner's Supplementary Conditions dated September 29, 2005 and how it relates to the Bid On File from Maxwell Development Company regarding the building of the new WWTP Lab Facility. Ms. Smith recommended to the Council that no action is taken on this matter until more information is obtained by Mr. Washington and submitted at the next scheduled Council Work Session scheduled for October 13, 2005.
- c) TE Grant. Mr. Riker reviewed the proposal submitted by Pond Engineering. The start date of March 2007 was setup in the event any additional right-of-ways would be required, if not the start date could be moved up. A motion was made by Mr. Herold to accept the design proposal submitted by Pond for the amount of \$62,000.00 and was seconded by Ms. Smith. Motion carried unanimously/

4) NEW BUSINESS

- a) 1st reading of Amendment Ordinance No. 321-A providing for the General Election in 2005. Mr. Bennett read the caption of the ordinance to the Mayor and Council. Mr. Herold made a motion to approve the amended ordinance as read. Motion seconded by Mr. Pritchett. Motion carried unanimously.
- b) 1st reading of Amendment Ordinance 1 No. 322-A providing for the Special Election in 2005. Mr. Bennett read the caption of the ordinance to the Mayor and Council. Ms. Smith made a motion to approve the amended ordinance as read. Motion seconded by Mr. Pritchett. Motion carried unanimously.
- c) Resolution No. 05-084 pertaining to variance application for Grace Baptist Church for reduction in development setbacks at 4256 Martin Road. Mayor Puckette read the caption of Resolution No. 05-084 to the Council. Mr. Herold made a motion to approve Resolution No. 05-084 as read. Motion seconded by Mr. Pritchett. Motion carried unanimously.

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- d) Resolution No. 05-085 pertaining to variance application for Hall Jones Ventures for increase in height of billboards at 4945 Oak Street. No action was taken by Council on this Resolution at this meeting.
- e) Resolution No. FP-05-06 pertaining to Final Plat Map application for Sterling on the Lake Pod i. A motion was made by Mr. Pritchett to approve Resolution No. FP-05-06 as read. Ms. Smith seconded the motion. Motion carried unanimously.
- f) Reimbursement to the Atlanta Falcons for \$7,500.00. Duplicate contribution paid to the City, 6/29/05 and 8/12/05. Requesting Council's approval. Mr. Herold made a motion giving authorization to the Interim City Clerk to process the refund amounting to \$7,500 payable to the Atlanta Falcons. Motion seconded by Ms. Smith. Motion carried unanimously.
- g) Better Hometown Funds for Christmas. A motion was made by Mr. Herold allowing Ms. Smith to have access to the budget amount allocated for the BHT Christmas Event, \$4,000.00. Motion seconded by Ms. Smith. Mr. Pritchett abstained from the vote. Motion carried after Mayor's vote in the affirmative.
- h) FY 04/05 Audit. This item was delayed until the next regular Council Work Session scheduled for October 13, 2005 by Ms. Smith.
- i) Water / Sewer Budget. This item was delayed until the next regular Council Work Session scheduled for October 13, 2005 by Ms. Smith.
- j) BHT Expense (non-budgeted item) request for a Sound System. Mayor Puckette explained to the Council the reason for this expense. Ms. Smith recommended instead of associating it with just Better Hometown functions that it become part of the City's equipment. A motion was made by Mr. Pritchett to create a new line item in the FY 05/06 budget to provide for the purchase of the system. Motion was seconded by Ms. Smith. Motion carried unanimously. The new budget line item will show the cost for the purchase but will not have funds transferred into the account balance.
- k) Revise Capital Budget for new vehicle (small pickup truck) for Code Enforcement Officer / Building Inspector. Also discussed was the BB&T Lease/Purchase for new Police, WWTP, and Public Works vehicles. Mr. Bennett submitted to the Mayor and Council Resolution No. 05-087 entitled Approving Financing Terms. After much discussion it was decided that this item if still necessary would be discussed at the next regular Council Work Session scheduled for October 13, 2005.

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- l) Workbooks for Candidates running for the November Election. A request was made by Mr. Allen Bryans, Sr. to have each candidate also receive a Workbook that is prepared for all parties prior to any Council Meeting available to them. Mr. Herold made a motion to have one (1) Workbook be made available for each candidate running for office at City Hall. Mr. Pritchett seconded the motion. Motion carried unanimously. This will start for the next regular Council Work Session scheduled for October 13, 2005.
- m) Halloween – Charlotte Cornett. Not discussed at this meeting.
- n) Rent Payment for 5509 Main Street. Mayor Puckette requested the Council to direct and give authorization to Mayor Pro Tem Larry Pritchett to approve the Lease Payment on this building which is due October 1, 2005. Per Mr. Bennett no approval or authorization is required in performing this task since the Mayor has elected not to approve the payment.

8:53 p.m. Mr. Pritchett had to leave the meeting due to illness. Therefore no longer having a quorum to conduct City's business, the meeting ended.

5) PLANNING, ZONING, and ANNEXATION ISSUES

- a) Update on Comprehensive Plan. *Not addressed by Mayor and Council at this meeting.*
- b) Update on Building Department activity from August and September. *Not addressed by Mayor and Council at this meeting.*

6) REPORT FROM THE CITY ATTORNEY

- a) Qualcon – Title Search. [Mr. Bennett] *Not addressed at this meeting.*
- b) Wilwat Properties [Mr. Bennett] *Not addressed at this meeting.*
- c) Test Well [Mr. Bennett] *Not addressed at this meeting.*

Interim City Clerk

October 27, 2005
Date Approved

Mayor ProTem