

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

WORK SESSION:

IN ATTENDANCE: Mayor Bryan Puckette, Council Members Jim Herold, Jan Smith, Larry Pritchett, Allen Bryans, Sr., and Jim Worl. Interim City Clerk Lou Camiscioni, City Planner James Riker and City Attorney Ron Bennett.

OPEN MEETING: Mayor Puckette called the Work Session to order at: 6 P.M. and congratulate Mr. Bryans who won the Special Election for the council seat vacated earlier this year by Ed Lezaj.

Questions from Mr. Herold to Mayor Puckette was if council was going to vote on the Agenda once the voting session started because there are a number of things Mr. Herold wanted to add to the Agenda. Mr. Herold will add three (3) items to the Voting Session of the Agenda when that begins.

1) OLD BUSINESS:

- a) After a lengthy discussion by the Mayor, Council Members, and Mr. Brillbrough, it was agreed that the City of Flowery Branch would entertain the non-disclosure, non-compete agreement AFTER Hall County and the City of Oakwood agreed to the proposal as well. (*This discussion consists of six (6) pages that will be included with the approved minutes of this meeting.*)

NEW BUSINESS:

1) PLANNING, ZONING, and ANNEXATION ISSUES:

- a) After a lengthy discussion by Mayor, Council with Mr. Sutton of SG Development, it was decided that Mr. Sutton at his earliest convenience work with Mr. Riker on the suggestions presented. The variance to change the set-backs were discussed; Mayor and Council indicated they would agree to the changes also. Additional enhancements to the project would be presented again at a later time by Mr. Sutton. Mayor and Council also agreed to ad the Quick Claim Deed back to the property as well. (*This discussion consists of three (3) pages that will be included with the approved minutes of this meeting.*)
- b) Removed from initial Agenda (Jones Road).
- c) Georgia Power Franchise Agreement and TE Grant. Mr. Riker discussed the Georgia Power Agreement. We have fun across a provision of the Georgia Power Franchise Agreement that we think may require Georgia Power to relocate and underground the utilities on Main Street here. There was an original addendum to that agreement sent to the City that eliminated that requirement and it is our understanding from the City Attorney that the City never executed that so the first item here tonight I would ask maybe Council would give the City Attorney direction to contact Georgia Power and inform them that we are going to take this TE Grant Roadway Improvement and that they be put on notice that they are going to be required to underground power on Main Street the length of the improvement. The reason I've asked it tonight probably means the attorney has to do a little research, write a letter I don't direct the Attorney so I'm hoping if the Council thinks that this is appropriate that we at least investigate Georgia Power being required to underground power the length of our roadway improvement which would be what we anticipate from Main Street up I think it's to Mitchell Street. Mr. Herold: Do we have to vote on that? Mr. Bennett: I think consensus is enough. Mr. Herold: well consider yourself requested; Ms. Smith agreed; Mr. Pritchett agrees, Mr. Bryans agrees and Mr. Worl agreed. Mr. Bennett will proceed then.
- d) TE Grant (concept designs). [Mr. Riker] Roadway improvements landscaping, sidewalks along Main Street. Mr. Riker announced that the City had gotten an extension on the TE Grand and as

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

part of that the consultant has prepared some conceptual drawings is recommending and is recommending that we hold a Public Meeting to discuss what he has come up with which are three (3) different options for what the TE Grant improvements would cover extending from Railroad Avenue forward. I'm asking tonight when the Council would like to set a Public Meeting that we can advertise the consultant can be available here to discuss the different options as he sees them for the roadway improvements. The two firms that are working on this are Pond Engineering and the Yager Company. Specifically we need to set a date, advertise for a Public Meeting and solicit input because there are a few different designs that are available to the City. The consultant has asked that we consider doing that sometime in early December but I would like to get some specific direction tonight if you would like to set a specific meeting to talk about the TE Grant. Mr. Pritchett: sounds like we need to. Mrs. Smith: what time frame are you looking at James? Mr. Riker: The consultant mentioned sometime in early December the first week to week and a half. The expectation would be we publish something in the newspaper certainly alert the property owners and business owners in downtown hopefully encourage Mr. Weeks of the Times to let people know that we'll be talking about it at that night and specifically talk about the TE Grant, the consultant would be here for a presentation and we can solicit community input and decide what the appropriate design should be; if that is the wish of the Council. It was decided that Monday, November 28, 2005 there would be a Public Meeting at 6 P.M. at the Depot. Designs would be available on November 11, 2005 for the public to review for the Downtown TE Project at the Depot also.

- e) NPDES Annual Report. Mr. Riker informed the Mayor and Council that this report is required by December 9, 2005. Due to the heavy workload by Staff, a bid from Rindt-McDuff had been received to prepare the annual report and bring us up to date the responsibilities under our permit; the bid was for \$4,680.00. The report is due by December 9, 2005. Moved to Voting Session.
- f) Comprehensive Plan. Mr. Riker asked if the Council still confirms the date of November 30, 2005 for a Public Meeting. If that is the case the City has advertised that appropriately already in the Gainesville Times, our expectation is that we will post those banners again in the community talking about the meeting. The meeting will involve a presentation by the consultant highlighting the plan that is available for review by the public. The expectation then is that maybe we'll have another two weeks for the Council and citizens to look at that and then if the Council thinks it is appropriate they can approve transmittal of that document to the State. We anticipate that review from the State to take three (3) to four (4) months. We will still however be able to make changes to that document as we go along. It was agreed that the meeting would take place on November 30, 2005 at 6 P.M.

2) **REPORT FROM THE CITY ATTORNEY:**
during voting session

3) **CITIZEN COMMENTS:** (limited to two (2) minutes)

No comments from any citizen.

7:26 P.M. Mayor requested a 10 minute break before entering into the Voting Session.

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

VOTING SESSION:

IN ATTENDANCE: Mayor Bryan Puckette, Council Members Jim Herold, Jan Smith, Larry Pritchett, Allen Bryans, Sr., and Jim Worl. Interim City Clerk Lou Camiscioni, City Planner James Riker and City Attorney Ron Bennett.

Voting Session started at: 7:38 P.M.

Mr. Herold requested that Resolution #05-089 (Appealing the Courts Decision on Smith & Puckette vs. the City of Flowery Branch) be added to the Agenda. (e under New Business)

Mr. Herold requested that Resolution #05-090 (Additional compensation for Mr. Camiscioni for the period starting 9/1/05) be added to the Agenda. (f under New Business)

Mr. Herold requested that a discussion on the election that was held on 11/8/05 to be put under New Business as well. (g under New Business)

Mrs. Smith requested that under New Business the December 2005 scheduled Council meeting dates be added for discussion. (h under New Business)

Mayor Puckette stated that Resolution 05-089 may require an Executive Session prior to that being discussed or voted on.

Mayor Puckette asked to have the Christmas Budget & Expenses be added to the Agenda under New Business. (i under New Business)

1) **CONSENT AGENDA:**

- a) Approval of Council Minutes for: [October 27, 2005 Voting Session Meeting](#). A motion was made by Mr. Herold to approve the Consent Agenda. Motion seconded by Mr. Pritchett. Four (4) votes in the affirmative, one (1) vote abstained (Mr. Bryans). Motion carries.

2) **PUBLIC HEARINGS:**

- a) **Rezoning Amendment** to Ordinance No. 312, a request from S.G Development Group for an amendment to the original conditions of approval for the Clarkstone Village subdivision. *Applicant has requested item be continued to next voting session.* Postponed until December 8, 2005.
- b) **Resolution No. V-05-03** pertaining to variance application for Jones & Hall Ventures for increase billboard height at 4945 Oak Street. *Applicant has requested item be continued to next voting session.* Postponed until: December 8th, 2005.

3) **OLD BUSINESS:**

- a) **CD's Brand Bank** (convert two (2) to cover approved budgeted Capital items)
 - i) New Lab Facility \$362,000.00
 - ii) New Vehicles (Water & Sewer) \$58,000.00
 - iii) New Tapping Machine (WWTP) \$3,500.00
 - iv) Existing Lease payments (previously purchased vehicles) \$12,000.00
 - v) New Water Tank \$650,000.00

Mr. Herold directed the City Clerk to convert two (2) CD's as appropriate for the list of Capital

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

items with the understanding that there's also going to be some costs associated with the installation of the new pressure pumps. We may need more of the CD than \$1,085,000.00, that there may be more things related to the Water Tank. Motion seconded by Mr. Worl. Ms. Smith stated she realizes the technicality of cashing in the CD's but up front she stated she would vote against it not for the Lab Facility and the Water Tank etc. but she did have issues with the Capital Improvement Plan that was passed by this Council so I do have a problem with the CD funds from Water and Sewer being used for this purpose so I will be opposed to this motion. But I do approve of the Lab Facility and the Water Tank expenses. Three (3) votes in the affirmative, one opposed (Mrs. Smith) and one (1) abstained (Mr. Bryans). The motion carried with three (3) votes.

- b) ((see b) under Public Hearings))
- c) **2nd Reading: Ordinance No 326** for annexation of 5710 Jim Crow Road. A request from High Pointe Capital for annexation of a 53.4+ acre parcel to PUD (Planned Unit Development). The applicant intends to develop the site for the construction of single family homes. The Mayor mentioned two other developments within the City's limits have approached the City for Sewer service; Breevelove on the Titshaw property, approximately 395 homes (east side of Hog Mountain Road) and Millard Bower has presented a request for the Conner property for almost 200 homes. Mayor mentioned that if you don't have capacity to serve them how can you go out and annex another piece in and promise him sewer when you already have people in the City limits you are going to have to provide service for too. If you are going to burden the City in that manner than you should let the new Council that is coming in that is going to have to deal with the burden make that decision. [\[Mr. Bennett read Caption\]](#) Motion made by Mr. Worl to adopt the second reading of Ordinance No. 326 as read. Mr. Pritchett seconded the motion. Four (4) votes in the affirmative and one (1) vote abstained (Mr. Bryans). Motion carries.
- d) **2nd Reading: Ordinance No 327** for rezoning of 5710 Jim Crow Road. A request from High Pointe Capital for rezoning of a 53.4+ acre parcel to PUD (Planned Unit Development). The applicant intends to develop the site for the construction of single family homes. [\[Mr. Bennett read Caption\]](#) Mr. Herold made a motion to adopt Ordinance No. 327 as read. Motion seconded by Mr. Worl. Four votes in the affirmative, one vote abstained (Mr. Bryans). Motion carries.
- e) **2nd Reading: Ordinance No. 328** for annexation of No. 08097-000009. A request from Paulson-Mitchell for annexation of a 3.078+/- acres parcel to CB (Commercial Business). [\[Mr. Bennett read Caption\]](#) Mr. Pritchett made a motion to adopt Ordinance No. 328 as read. Motion seconded by Mrs. Smith. Mr. Pritchett made a motion that the City adopts the second reading of Ordinance No. 328. Mrs. Smith seconded the motion. Motion carried unanimously.
- f) **2nd Reading: Ordinance No. 329** for rezoning of No. 08097-000009. A request from Paulson-Mitchell for rezoning of a 3.078+/- acres parcel to CB (Commercial Business). [\[Mr. Bennett read Caption\]](#) Mr. Worl made a motion to adopt the second reading of Ordinance #329 as read. Mr. Pritchett seconded the motion. Motion carried unanimously.
- g) **2nd Reading Ordinance # 330** - Property Tax Mileage Rate Increase [\[Mr. Bennett read Caption\]](#) Mr. Worl made a motion to adopt the second reading of Ordinance No. 330 as read. Mr. Pritchett seconded the motion. Three (3) votes in the affirmative, two (2) votes opposed (Mrs. Smith and Mr. Bryans). Motion carries.
- h) Tree Park Apartments – Mr. Washington (Rindt-McDuff Associates, Inc.,) to report to Mayor and Council with findings regarding retrofitting existing pump along with required materials and costs. Mr. Washington addressed the Mayor and Council on the specifications for the booster pump.

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

Booster pump will help offset the low water pressure for Tree Park Apartments. Documents have been prepared that can be provided to a contractor to give the City a price on the costs. Georgia Power are in the works of providing the necessary power service that is needed; three phase is needed and single phase is there. Regarding the Well in providing a document that with meets and bounds to satisfy the proceedings that Mr. Bennett needs for his part and they also have been prepared. Mr. Herold stated that the City already owns these pumps which were needed anyhow and they have been purchased. The Booster Pump is a skid mount package and costs \$90,000.00. These pumps are part of the water improvement package that the City has been working on. Pumps need to be housed in a weather proof building for protection. By the time you add the controls and other associated equipment you could be looking at close to a \$100,000.00 piece of equipment. Preliminary bids have come in; a metal building, one for a concrete block, one for wood that came in around \$20,000.00. Fiberglass as well as a reinforced, pre-fab concrete includes the slab and roof and it was in the neighborhood of \$30,000.00. The Mayor asked he the bids could be seen. Mr. Herold stated that the figures we have were just preliminary and would like to have Mr. Washington to have that ready for the City as soon as possible, for our next meeting, so that we can go ahead and give approval. The information is needed prior to the next meeting so that the Council can decide which option to select. Mr. Herold is asking Mr. Washington to present to the Council actual bids to go forward with this. Mrs. Smith started she believed that Mr. Washington was supposed to supply Council with the bids at this meeting, which was discussed during the meeting held on October 27, 2005. Mr. Washington stated that he had prepared the plans and specifications for this to give to contractors to submit bids but we were not informed whether the Council wanted to advertising, or solicit bids. In this case it's an emergency situation but you can solicit bids. Mr. Herold stated that the Council wants something in writing that we can pass around and look at. Mr. Pritchett would like to know the dimensions of the building. Mr. Bryans stated that the City needs to move along with it, we're looking at losing \$556,000.00 if we do not get this job done. Bids need to be solicited. Mr. Washington stated the building is approximately 20' x 20' and I just need direction to go out and solicit bids if that is the wish of the Council to do the piping work basically, to hook it up to the water system over there. Mrs. Smith asked if Mr. Herold and Mr. Bryans be interested in meeting with Mr. Washington and reviewing the plans, and then the two of them approve them and Mr. Washington would put them out to bid and then the Council would vote as Mr. Herold suggested as a special called meeting on November 28th, 2005. Mr. Bryans and Mr. Pritchett agreed on that process. Mr. Herold and Mr. Bryans agreed to meet with Mr. Washington in preparing the bids for soliciting.

- i) Universal Concepts – cost to store Christmas Tree for the City. [Mr. Camiscioni] Spoken with Universal Concepts four times with assurance they would get back to me prior to this meeting and they have not. Will continue to obtain costs and inform the Mayor and Council via e-mail.
- j) Qualcon Lease (Mr. Billbrough). [Ms. Smith] A motion was read by Mrs. Smith allowing its customer's engineer evaluate the sprayfield site for suitability and that the City enter into a non-disclosure and one (1) year non-compete agreement subject to: 1) the City Attorney's approval of a written non-disclosure and one (1) year non-compete agreement; 2) Hall County's approval of Qualcon's proposal and its attorney's approval of a written non-disclosure and one (1) year non-compete agreement; and 3) Oakwood's approval of Qualcon's proposal and its attorney's approval of a written non-disclosure and one (1) year non-compete agreement. Mrs. Smith made a motion to approve the motion as read. Mr. Herold seconded the motion. Motion carried unanimously. Discussion by Mayor Puckette and Council relating to who would survey the sprayfield. Wayne Mitchell with Metro Appraisers was suggested by Oakwood. The fee would be split between Flowery Branch and Oakwood. Mr. Green has done a great job as well. Mr. Herold then made motion to have Mr. Mitchell do the appraisal at the sprayfield. Mrs. Smith seconded the motion. Motion carried unanimously with the members present.

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

4) **NEW BUSINESS:**

- a) Final Plat approval for Sterling on the Lake – Pod R. (Tab # 7) [Mr. Riker]
- b) Final Plat approval for Sterling on the Lake – Amenity Center. (Tab # 7) [Mr. Riker]
- c) Final Plat approval for Sterling on the Lake – Lake Sterling Boulevard. (Tab # 7) [Mr. Riker]
- d) Final Plat approval for Sterling on the Lake – Lake Crossing Drive. (Tab # 7) [Mr. Riker]

Mr. Pritchett made a motion to approve all four (4) Final Plats; Pod R, the Amenity Center, Lake Sterling Boulevard and Lake Crossing Drive. Mr. Worl seconded the motion. Motion carried unanimously.

- e) Resolution No. 05-089 [Mr. Herold] Mayor Puckette said that he would reclude myself from chairing the meeting for the following two reasons. 1) This should not be on the Agenda because first of all the City Council should have met in a public advertised meeting according to Georgia Open Meetings Act to engage the Attorney to draft the resolution and 2) I have a conflict. The meeting was yielded to the Mayor Pro Tem. Mr. Herold read Resolution 05-089 directing Council to appeal the courts decision in Puckette and Smith vs. Flowery Branch presently pending in Hall County Superior Court as Civil Action # 2005CV2059B to provide for the payment of attorneys fees and expenses for the appeal, repeal conflicting resolutions and other lawful purposes. Mr. Worl made a motion that Resolution No. 05-089 be adopted as read. Mr. Herold seconded the motion. Motion passes with three (3) votes in the affirmative and with two (2) votes abstained (Mrs. Smith and Mr. Bryans).
- f) Resolution No. 05-090 [Mr. Herold] Mr. Herold read Resolution No. 05-090; additional compensation for Lou Camiscioni. Mr. Worl made a motion to approve Resolution No. 05-090 as read. Mr. Pritchett seconded the motion. Four (4) votes in the affirmative. One (1) vote abstained (Mr. Bryans). Motion carries with four votes.
- g) Discussion of the Election that was held on November 8, 2005 [Mr. Herold] Mr. Herold brought up an issue that came up late on Election Day. Mr. Herold read an article out of the Gainesville Times that dated Wednesday, November 9, 2005. Mr. Herold stated for the record and having talked to other members of the Council that Mr. Herold had nothing to do with this item, and he does not want the City of Flowery Branch identified with this kind of action. Mr. Herold stated that he had nothing to do with this. If it was an attempt to influence the election by anybody connected with this City that was very wrong. Mayor Puckette stated he had talked to a woman at the Secretary of States Office and the conversation did not go the way you eluded it did and he didn't think it was an issue at all. Discussion followed by Mr. Pritchett, Mayor Puckette. Mr. Pritchett stated he had nothing to do with this issue as well. Ms. Smith had nothing to do with the issue as well.
- h) Scheduled Council Meeting dates discussion [Mrs. Smith] Council will miss a second voting session in November which can effect the progress of business that needs to be taken care of. The next Work Session is scheduled for December 8th, 2005, the voting session is December 22, 2005. Mrs. Smith suggests that the Council either has a voting session on December 8th and maybe cancel that one or change that meeting, December 22nd, 2005 Voting Session to an different, earlier date in the month. Mr. Pritchett asked if the Council could consolidate the two meetings and hold them both on December 8th, 2005. Mr. Herold then made a motion that on December 8th, 2005 we have a Voting Session immediately after the scheduled Work Session and that we cancel the December 22nd, 2005 Voting Meeting. Mr. Pritchett seconded the motion.

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

Ms. Smith mentioned that we also have two rezoning Public Hearings. Mr. Riker stated there is one Public Hearing and then there was another resolution related to a variance that has been continued twice and it would be continued again to whatever meeting we decided in December. Mr. Herold asked if we could pass his motion and then come back and state which dates these last two items mentioned by Mr. Riker would be scheduled for. Motion carried unanimously.

Mr. Herold stated that the City needs to have a Public Hearing on the rezoning amendment to Ordinance No. 312. Mr. Bennett was then asked if the City could have the Public Hearing and in the same meeting vote on whether to adopt the amendment to Ordinance No. 312? Mr. Bennett stated yes, it would be the first read of that Ordinance. Mr. Bennett further stated there can be a Public Hearing that precedes the first reading. That would have to be done on the November 28th, meeting then would it not? Mr. Pritchett asked Mr. Riker if that would be OK. That would be the Public Hearing and the first reading of Ordinance No. 312. Mr. Riker would prefer that if we could get a little extra time and handle that on December 8th. That approval will take a little time to craft those conditions. Then the Public Hearing and rezoning amendment would take place on December 8th.

Mr. Herold made a motion that we have the Public Hearing to the rezoning amendment Ordinance No. 312 and the first reading of the rezoning amendment to Ordinance No. 312 on December 8th, 2005. Mr. Pritchett seconded the motion. Motion carried unanimously.

Mr. Herold then made a motion that we reschedule the Resolution No. V-05-03 to the December 8th, Voting Session. Motion seconded by Mrs. Smith. Motion carried unanimously.

- i) Christmas Budget and Expenses [\[Mayor Puckette\]](#) Mayor Puckette stated that when he voted to release the funds for the event the Mayor voted to break the tie on that matter with the understanding that the funds would be limited to \$4,000.00. We are passed that and before I sign this contract I want to make sure the City Council Ok with it. It totals \$2,075.00. Mrs. Smith informed the Council that this item up for discussion has been paid for by corporate sponsorships specifically this one by donations from Sterling on the Lake that total \$3,000.00. My total contributions so far are a little over \$4,000.00. So all these activities are being funded by private corporations. Mayor canvassed the Council for any objections, being none the contract was signed by the Mayor.

5) PLANNING, ZONING, & ANNEXATION ISSUES:

- a) NPDES Permit.
- b) Rindt-McDuff proposal for \$4,680.00 to do the NPDES permitting for the City.

Motion made by Mr. Herold to direct the Staff to engage Rindt-McDuff to deal with this issue. Mr. Worl seconded the motion. Motion carried unanimously.

6) REPORT FROM THE CITY ATTORNEY:

- a) BellSouth Occupational License Tax. [\[Mr. Bennett\]](#) Mr. Bennett informed the Mayor and Council that this is being reviewed by the BellSouth attorney assigned to this particular account and he and Mr. Bennett will be in discussion as to craft an ordinance ahead of time that we know is agreeable and can be passed and will continue to work on that. 3% of local reoccurring revenue is what BellSouth pays to most jurisdictions. Mr. Bennett consulted with GMA and they indicated that despite their best efforts that is the best presently that they have been able to get out of BellSouth so that is the number that I put in there (draft ordinance). BellSouth presently claims

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

that our existing ordinance is illegal and that it violates the Home Rule Act in imposing an overly burdensome tax and have some arguments under the Federal Tele Communication Act about being unfair compensation for use of the right-of-ways. Mrs. Smith requested from the City Attorney what 3% will generate.

- b) Jackson EMC. [Mr. Bennett] Currently paying a voluntary franchise fee. The City Attorney was directed by Council to entertain with in the idea of entering into a franchise agreement. Mr. Bennett called a few times, his contact who is in the financial administrative end of it has not returned any calls yet. Jackson EMC has paid their voluntary franchise fee for this year already. A new one would not be due until the beginning of the year. Mr. Bennett will continue to get an agreement crafted with them.
- c) Charter Communications Letter dated 10/10/05 – Franchise Renewal GA0297. [Mr. Bennett] Renewal negotiations to begin by the Mayor and Mr. Bennett. A letter from Charter was received with a phone number on it. Both the Mayor and the City Attorney has tried sever times without success. A letter was written by the City Attorney, the fax went through, it was also mailed asking them to please call us and we would be willing to enter into those negotiations.
- d) Transitional Meeting. [Mr. Bennett] Several people have asked about a meeting to bring the new Council up to speed as to where we are and if there are any kind of legal implications that the City needs to be aware of and having that sort of meeting. Initial advice is just be careful and not get into executive session items prior to an elected official taking a seat in office. Be careful not to have a quorum without giving the public notice.

7) CITIZEN COMMENTS: (limited to two (2) minutes)

Mayor Puckette mentioned that he has received a petition with a number of signatures on it for sidewalk out Mitchell Street, from the downtown area to the Marina.

8:44 P.M. A motion was made by Mr. Herold to go into Executive Session to discuss Potential or Pending Litigation, Personnel Matters, and Land Acquisition. Mrs. Smith seconded the motion. Motion carried unanimously.

8) EXECUTIVE SESSION - 8:55 P.M.

- Potential / Pending Litigation
- Personnel Matters
- Land Acquisition

10:28 P.M. A motion was made by Mr. Herold to go into regular session. Motion seconded by Mrs. Smith. Motion carried unanimously.

Mrs. Smith move to adopt Resolution #05-091. Mr. Herold seconded the motion. Motion carried unanimously.

Mr. Bryans asked that the City Attorney be present at the transition meeting. Mr. Bennett agreed. Mr. Bryans stated that he'll check with the other elected officials and get back to Mr. Bennett. Mr. Bryans stated that Mr. Riker, Lou and the City Attorney would be invited as well.

9) ADJOURNMENT:

Mr. Herold made a motion to adjourn. Motion seconded by Mr. Worl. Motion carried unanimously.

CITY OF FLOWERY BRANCH
Council Meeting Minutes
Work Session followed by Voting Session
Thursday, November 10th, 2005 - 6:00 P.M.

Interim City Clerk

Date Approved

Mayor