

CITY OF FLOWERY BRANCH
AGENDA
Work Session followed by Voting Session
Thursday, December 8th, 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 6:00 p.m.

NEW BUSINESS:

1. Discussion of contracts for construction of new water pump station. Mr. Herold informed the Mayor and Council that bids had been received from the engineering firm of Rindt-McDuff from four companies. Bids range from \$69,888.00 to \$102,393.00. The bids are for setting up the booster pump and associated equipment at the base of the water tank on Roberts Drive so as to provide and maintain 100 lbs. of pressure per square inch; Tree Park Apartments issue. Rindt-McDuff recommends that the city accept the low bidder, CSR. This vendor also stated that they could complete the job in 30 days once it was awarded to them. Mayor Puckette asked Mr. John Washington when the bids were received, Mr. Washington stated November 28, 2005.

PLANNING, ZONING, & ANNEXATION ISSUES:

None

REPORT FROM THE CITY ATTORNEY: [Mr. Bennett]

1. BellSouth Occupational License Tax. Mr. Bennett relayed to Mayor and Council that there are still two (2) issues that need to be addressed and reviewed (these are on pages 2 & 3). The tax that Bellsouth will pay to the City this year should amount to approximately \$17,000.00 also.
2. Charter Communication Franchise Fees. Mr. Bennett informed Mayor and Council that he is now talking with a local representative of Charter Communication. That person will contact Mr. Bennett later on prior to the current agreement ending.
2. Jackson EMC Franchise Fees. Mr. Bennett informed Mayor and Council that so far, no action has been taken by Jackson EMC. Council could decide to implement the same sort of agreement the City currently has with Bellsouth (tax) with Jackson EMC, should they so desire.

CITIZEN COMMENTS:

None

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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.

OPEN MEETING: Mayor Puckette called the Voting Session to order at 6:00 p.m.

CONSENT AGENDA:

Approval of Council Minutes for: November 10th, 2005 6 p.m. Work Session & Voting Meeting; November 14th, 2005 2:30 p.m. Emergency Called Meeting and November 15th, 2005 7:00 p.m. Emergency Called Meeting.

Mr. Herold made a motion to approve the minutes of November 10, 2005. Mr. Pritchett seconded the motion. Motion carried unanimously.

Mr. Pritchett made a motion to approve the minutes of November 14, 2005. Mr. Bryans seconded the motion. Motion carried unanimously.

Mr. Herold made a motion to approve the minutes of November 15, 2005. Mr. Pritchett seconded the motion. Motion carried unanimously.

PUBLIC HEARING:

1. **Rezoning Amendment** to Ordinance No. 312. Request from S.G Development Group for an amendment to the original conditions of approval for the Clarkstone Village subdivision. Mr. Riker updated Mayor and Council on the changes to the ordinance pertaining to Clarkstone. Mr. Sutton arrived at 6:14 p.m. and informed the members of the Council and Mayor, he was in full agreement with the changes set forth.

Public Hearing over at 6:33 p.m.

OLD BUSINESS:

1. **Resolution No. V-05-03** pertaining to variance application for Jones & Hall Ventures for increase billboard height at 4945 Oak Street. **Mr. Riker explained to the Mayor and Council that this application has been withdrawn by the applicant.**
2. Universal Concepts – cost to store Christmas Tree for the City. Proposal from Universal Concepts received; the cost to install, take down, store it and do a total rebuild as well as any repairs prior to delivering it for the 2006 season is \$5,250.00. Mr. Herold made a motion to direct the Staff to arrange for the storing of the Christmas Tree and decorations in a commercial facility rather than with Universal Concepts and the costs of storage was not to exceed \$5,000.00 for the year. Mr. Worl seconded the motion. Motion carried unanimously.

NEW BUSINESS:

1. FY 04/05 Audit Review – Mr. Warren Almand (Alexander Almand and Associates) Mr. Warren Almand of Alexander Almand and Associates gave a 30 minute review of the FY 04/05 Audit that was completed by his firm. Mr. Almand will not proceed to supply a final report.

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SUBJECT TO CHANGE

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2. Wilwat Properties, Inc., - Tree Park Apartments. Mr. Bennett discussed the invoice forwarded to the City by Wilwat Properties for maintaining the Fire Suppression System. Mr. Herold made a motion to have the City Attorney (Mr. Bennett) and a member of Council meet with and negotiate with Wilwat Properties to see if a resolution can be reach. Mrs. Smith seconded the motion. Four (4) votes in the affirmative – one (1) vote abstained – Mr. Pritchett. Motion carries.
3. 6th Annual Flowery Branch 5k Boo Run. A representative from the Masonic Lodge who sponsored the 2005 Boo Run requested permission to also organize the 2006 event. They need authorization from the City so that they can line up vendors for the event. Mr. Herold made a motion that the City award the 2006 Boo Run to the Masonic Lodge. Motion seconded by Mr. Bryans. Motion carried unanimously.
4. Fall Festival - Boy Scout Troop. A representative from the Boy Scout Troup requested authorization from the Council to organize both the Spring and Fall Festivals in 2006. The Spring festival will take place in April and the Fall Festival will take place sometime in September. Mrs. Smith made a motion authorizing the Troup to organize both events. Mr. Pritchett seconded the motion. Motion carried unanimously.
5. Ordinance No. 312-A 1st Reading. Request from S.G Development Group for an amendment to the original conditions of approval for the Clarkstone Village subdivision. The caption of Ordinance No. 312-A was read by the City Attorney to Mayor and Council. Mr. Herold made a motion to adopt Ordinance No. 312-A as read along with all the conditions presented by Staff. Mr. Worl seconded the motion. Motion carried unanimously.
6. Approval of Contract to construct a new Water Pump Station. Mr. Herold made a motion to accept the bid from C.S.R. in the amount of \$69,888.00 in constructing the Booster Pump project. Mr. Bryans seconded the motion. Motion carried unanimously.

PLANNING, ZONING & ANNEXATION ISSUES:

1. Comprehensive Plan Update – scheduling 2nd Public Hearing. Council has scheduled Thursday, January 5, 2006 at 6:00 p.m. for the Public Hearing to take place at City Hall.
2. TE Grant Update – scheduling 2nd Public Meeting. Council has scheduled Monday, January 23, 2006 for the TE Grant Public Meeting, and to have it take place at the City's Depot.
3. A Special Called Meeting has been scheduled by Council along with Mayor elect Diane Hirling for Monday, January 2, 2006 at 6:00 p.m. for swearing in new elected officials. Documents for authorized check signers will also be addressed at this meeting.
3. Code Enforcement Update. Mr. Riker informed Mayor and Council that the debris along Railroad Avenue have been cleaned up. The removal of the buildings is the next step. Mr. Herold requested that the City's Code Enforcement Officer examine the awning over 5509 Main Street be examined due to its condition. Mr. Riker will have Mr. Bowers (Code Enforcement Officer) investigate.
4. Railroad Leases – space along Railroad Avenue. Mr. Riker is working with the railroad on this issue.
5. Soil & Erosion Ordinance Update. Mr. Riker informed Mayor and Council that he is working with the City Attorney, Mr. Bennett on this ordinance.

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INTERIM CITY CLERK:

Lou Camiscioni presented plaques acknowledging Mr. Worl, Mr. Pritchett, and Mayor Puckette's dedication and service to the City. Their terms will end December 31, 2005.

7:56 p.m. Mr. Herold made a motion to adjourn into Executive Session for Potential / Pending Litigation and Land Acquisition. Mr. Pritchett seconded the motion. Motion carried unanimously.

8:27 p.m. Mr. Herold made a motion to enter into Executive Session for reasons stated above. Mrs. Smith seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

- Potential / Pending Litigation
- Personnel Matters
- Land Acquisition

9:07 p.m. Mr. Pritchett made the motion to adjourn from Executive Session. Mr. Herold seconded the motion. Motion carried unanimously.

9:10 p.m. Mr. Herold made the motion to go into the regular Open Meeting. Motion seconded by Mr. Pritchett. Motion carried unanimously.

Resolution No. 05-092 Condemnation Proceedings. Mr. Bennett read Resolution No. 05-092 in its entirety to Mayor and Council. Mr. Herold made a motion to adopt Resolution No. 05-092 as read. Mr. Worl seconded the motion. Three (3) votes in the affirmative, one (1) vote opposed – Mr. Bryans, and one (1) vote abstained – Mrs. Smith. Motion carries.

ADJOURNMENT:

Mr. Herold made a motion to adjourn the Open Meeting. Mr. Worl seconded the motion. Motion carried unanimously.

City Clerk Melissa McCain

Date:

Mayor Diane Hirling