



**City of Lilburn  
City Council Meeting Agenda**

**February 13, 2017 at 7:30 p.m.  
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Council Members:  
Johnny Crist, Mayor  
Brian Burchik, Post 1  
Scott Batterton, Post 2  
Eddie Price, Post 3  
Tim Dunn, Post 4*

- I. Call To Order**
- II. Roll Call**
- III. Pledge To The Flag**
- IV. Approval Of Agenda**
- V. Announcements**
- VI. Ceremonial Matter**

- 1. Reading Of Arbor Day 2017 Proclamation

In honor of Arbor Day, the City of Lilburn is hosting a Tree Planting and Maintenance Lunch & Learn on Saturday, March 4. For more information click on the link below:

[LINK TO LUNCH AND LEARN](#)

Documents:

[ARBOR DAY 2017 PROCLAMATION.PDF](#)

- 2. Presentation Of Banner From Gwinnett Relay Rally

At the Kick-off to Gwinnett Relay Rally the Dynamite Lilburnites were honored as one of the top ten Relay groups who raised the most money, They would like to present the banner to the City of Lilburn and announce that they will be hosting the Lilburn Relay Rally on April 21st.

Presenter: Lilburn Women's Club

- VII. Public Comment**

## VIII. Approval Of Minutes

1. Consideration Of The City Council Regular Meeting Minutes From January 9, 2017

Mayor's Signature      Yes  
Required:

Documents:

[CC MEETING DRAFT MINUTES FOR 1-9-17.PDF](#)

## IX. Public Hearing

### X. Agenda

1. Amendment To Intergovernmental Contract - City Of Lilburn And Lilburn Downtown Development Authority

Clarification was needed to amend the intergovernmental contract between the two entities stating that " the City of Lilburn does not make payments under the contract unless the DDA does not have sufficient funds to make timely payments".

Staff recommends approval of the following Resolution #2017-03.

Department:              City Hall  
Presenter:                City Manager  
Staff  
Recommendations:      "Motion to approve Resolution number 2017-03 amending the intergovernmental contract between the City of Lilburn and the Lilburn Downtown development Authority. Further, authorize Mayor to execute said Resolution on behalf of the city of Lilburn".  
Department Head      BJ  
Approval:  
Mayor's Signature      Yes  
Required:  
City Manager's Initials: BJ

Documents:

[SECOND AMENDMENT TO CONTRACT LILBURN 2017.PDF](#)  
[CITY RESOLUTION 2017-03 LILBURN 2017 - SECOND AMENDMENT TO CONTRACT.PDF](#)

2. Google Fiber Request And Franchise Agreement

The City has received notification of Google Fiber as an approved franchisee of the State of Georgia. Future projects may impact the City of Lilburn and use of the City rights-of-way.

Attached you will find Resolution number 2017-04 establishing a franchise fee agreement in the amount of 5% that will be forwarded to Google fiber upon approval.

Department:              City Hall  
Presenter:                City Manager

Staff Recommendations: "Motion to approve Resolution number 2017-04 to establish a franchise fee applicable to holders of cable and video franchises issued by the State of Georgia. Further, authorize Mayor to execute Resolution on behalf of the city of Lilburn".

Department Head Approval: BJ

Mayor's Signature Required: Yes

City Manager's Initials: BJ

Documents:

[RESOLUTION - FRANCHISE FEE.PDF](#)  
[GOOGLE FIBER - KING AND SPALDING.PDF](#)

### 3. Branded Barrel Alcohol License

The City alcohol license is subject to the State license so that the Branded Barrel can start selling at their package store. The owners were working diligently to obtain a Certificate of Occupancy and State approval, however, they have been subject to a Temporary Restraining Order due to certain deed restrictions and as a result not been able to continue work. In order to avoid automatic forfeiture and in accordance with Section 6-68 (c), they have requested an extension due to the extraordinary circumstances of the TRO.

Below are the provisions of the ABO regarding nonuse:

Section 6-68. Forfeiture for nonuse.

(a) All holders of licenses hereunder must, within three months after the issuance of the license, open for business the establishment referred to in the license. **Failure to open the licensed establishment within three months after the issuance of the license shall serve as the automatic forfeiture and cancellation of the license**, and no refund of license fee shall be made to the license holder.

(b) Any holder of a license hereunder who shall begin the operation of the business authorized in the license, but who shall for a period of three months thereafter cease to operate the business as authorized in the license, shall, upon expiration of such three-month period, automatically forfeit the license; and the license shall, by virtue of such failure to operate, be canceled without the necessity of any further action of the mayor and council, and no refund of license fee shall be made to the license holder.

**(c) Extensions of the time period may be granted by the mayor and council under extraordinary circumstances.**

Department: Planning & Economic Development

Presenter: Doug Stacks

Staff Recommendations: Staff recommends approval of the extension through June 30, 2017.

Documents:

[RE\\_ALCOHOL\\_LICENSE\\_NONUSE.PDF](#)

## **XI. Adjournment**

*As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. Doug Stacks, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 13.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.*

*The City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to Doug Stacks, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.*