

**MINUTES FROM THE RESCHEDULED REGULAR
FLOWERY BRANCH COUNCIL MEETING
JUNE 30, 2004 - 6:00 P.M.**

IN ATTENDANCE: Mayor Bryan Puckette, Council Members Jim Herold, Larry Pritchett, and Jim Worl, City Manager Tim Gillette, City Clerk Judy Foster and City Attorney Bill Coolidge. Jan Smith and Ed Lezaj were absent from the meeting.

OPEN MEETING: Bryan Puckette called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Bryan Puckette led the pledge of allegiance.

INVOCATION: Bryan Puckette gave the invocation.

CONSENT AGENDA

Larry Pritchett made a motion to approve the consent agenda as follows:

- Approval of meeting minutes dated June 10, 2004;
- Approval of agenda as presented;
- Approval of payment of accounts payable as due and as funds are available in accordance with approved budget.

Jim Worl seconded and the motion passed unanimously with three (3) votes.

CITIZEN'S COMMENTS

None.

OLD BUSINESS

2nd Reading of Ordinance No. 308 – Zoning Ordinance for the City of Flowery Branch:

Bill Coolidge read Ordinance No. 308 in summary form which repeals Ordinance No. 102, as amended, and the Medical Incinerator Ordinance of Flowery Branch, and adopts a new Zoning Ordinance for the City of Flowery Branch, Georgia for the purpose of regulating the location, height, bulk, number of stories and the size of buildings and structures; the amount of lot which may be occupied; the size of yard, courts, and other open space; the density and distribution of population; the use of buildings, structures and land for trade, industry, commerce, residence, recreation, agriculture conservation, water supply, sanitation, public activities, and other purposes, creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein, providing for the means of administration and amendment; adopting procedures for the calling and conducting of public hearings and adopting standards governing the exercise of zoning power; defining the powers and duties of the Mayor & Council and any designated representative, if authorized and adopted; providing penalties for violation; repealing conflicting regulations; and for other purposes. Jim Worl made a motion to adopt Ordinance No. 308 as read. Larry Pritchett seconded and the motion passed unanimously with three (3) votes.

Approval of the FY05 Budget: Jim Herold made a motion to adopt Resolution No. 04-053 which approves the FY05 Budget as presented. Jim Worl seconded and the motion passed unanimously with three (3) votes.

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Condemnations for Widening Project on Spout Springs Road: Bill Coolidge updated the Council on the status of the condemnations. He stated that Hall County needs the right of way acquisitions within the next five (5) weeks.

Solid Waste Bid Proposals: Tim Gillette reported that at the last Council Meeting, the Council awarded the sanitation contract to Advanced Disposal. However, Advanced Disposal could not meet the requirements of utilizing only single axle trucks and have since withdrawn their bid. Discussion was held about the options available. Jim Herold made a recommendation on behalf of the Sanitation Committee to approve Option A with Red Oak Sanitation. Jim Worl suggested only renewing for one more year at this time. Jim Herold made a motion to accept the recommendation of the Sanitation Committee and renew the contract with Red Oak Sanitation, Option A as outlined in their bid, for a period of one year. Jim Worl seconded and the motion passed unanimously with three (3) votes.

City/County Inmate Boarding Agreement: Tim Gillette reported that the agreement is not yet ready. He is still negotiating with Hall County regarding jail costs. Mr. Gillette reported that he should have an agreement for the Council to consider in July.

NEW BUSINESS

Site Plan for The Norton Agency: Frank Norton Jr. with the Norton Agency presented a preliminary site plan for improvements at the Falcon's Training Complex which includes dormitories for players to utilize during training camp. Mr. Norton stated that the site plan meets or exceeds requirements of the new Zoning Ordinance. Mr. Norton stated that during the discussions over the past few weeks there were three issues that were of concern to the Council;

- 1) The security fence will be next to buildings and will meander throughout the improvements;
- 2) There are no covenants on the existing property or adjacent Banks family property; and
- 3) Parking requirements have been met onsite.

Jim Worl made a motion to approve the preliminary site plan as submitted. Larry Pritchett seconded and the motion passed unanimously with three (3) votes.

Patrol Car Take Home Policy: Chief Charles Tucker proposed a take home policy for the patrol officers which would make them responsible for their own vehicle and it would increase usage of the cars instead of "hot seating" them which means they run 24/7. He stated that the officer would be allowed to drive the patrol car to and from their residence and for training purposes only. Chief Tucker stated that if any officer abuses the system, they will lose the privileges of taking the vehicle home. Another reason for the take home policy is parking will be limited due to Major McGill's opening back up again and loss of parking privileges at that location. Larry Pritchett reported that the Public Safety Committee has been looking into adopting such a policy and believes it would be beneficial to the City. Chief Tucker stated that he would add a disciplinary clause and course of action to the policy. Larry Pritchett made a

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motion to approve the take home policy for patrol cars as proposed by Chief Tucker with the stipulation that the City Attorney and City Manager approve the final agreement before it becomes effective. Jim Herold seconded and the motion passed unanimously with three (3) votes.

Planning & Zoning Commission: Jim Herold made the following motion: I make a motion to dissolve the existing Planning & Zoning Commission as created by Mayor & Council on 9/24/02, and as subsequently amended by Mayor & Council on 10/28/03. I would further include in this motion that a new Planning & Zoning Commission be established within 90 days following an orderly review process to ensure we will have an effective and efficient Planning & Zoning Commission, and to ensure that goal, that the City Manager be tasked to 1) Provide an orderly process for the re-appointment of existing commission members, or the selection of new members; 2) Develop policies and procedures which establish length of terms served by members, parliamentary procedures, and 3) To schedule for the adequate training of commission members. Jim Worl seconded and the motion passed unanimously with three (3) votes.

Council Meeting Schedule for July: Tim Gillette requested the Council reschedule the Work Session from 7/20/04 to 7/13/04 and include a voting meeting to follow the work session. Mr. Gillette requested the regular Council Meeting continue on 7/27/04 with a Work Session immediately preceding the voting meeting. There was a general consensus to approve this schedule.

MEETING ADJOURNED: Larry Pritchett made a motion to adjourn the meeting. Jim Herold seconded and the motion passed unanimously with three (3) votes. The meeting was adjourned at 6:30 p.m.

CITY CLERK

DATE

MAYOR