



**CITY OF FLOWERY BRANCH**  
**Council Meeting Minutes**  
**Work Session**  
**Wednesday August 19, 2009**  
**9:30 A.M.**



**CALL TO ORDER:**

Mayor Hirling called the meeting to order at 9:37 am.

**IN ATTENDANCE:**

Mayor Diane Hirling and Council Members Allen Bryans, Pat Zalewski, Craig Lutz, and Mary Jones. Also in attendance were City Manager Bill Andrew, City Clerk Melissa McCain, City Planner James Riker and City Attorney Ron Bennett.

**ABSENT:**

Chris Fetterman

**PLEDGE OF ALLEGIANCE:**

Mayor Hirling led the pledge of allegiance.

**PUBLIC COMMENTS:**

JP Banks 3403 Gainesville St Gainesville.

Mr. Banks approached the Council representing the drug free collation of Hall County.

Mr. Banks stated that the goal and mission of the group to assist with a reducing the abuse of drugs and alcohol by minors and eventually adults and to increase collaboration between governments concerning such abuse.

City Manager Andrew advised that once the Ordinance was approved we would get a copy to Mr. Banks and work on reviewing it for any updates that were applicable.

**UNFINISHED BUSINESS:**

Mayor Hirling advised that there was an addition to the agenda. The addition is Resolution 09-011 setting the fees for the alcoholic beverage licenses pertaining to Ordinance 424.

There was no objection to the addition to the agenda.

[Discussion Ordinance 424- Alcoholic Beverage Ordinance](#)

Clerk McCain advised that the only changes made to the ordinance were the ones suggested by council at the last meeting.

[Discussion - Resolution 09-011 – Alcoholic Beverage License Fees](#)

Clerk McCain advised that the fees were the same but that the fees are being set by resolution for the ease of codification.

Clerk McCain further advised that the fees for catering have been removed as the ordinance does not address caterers. Licenses are issued by the State for such instances.

[Discussion – Ordinance 348-9 – Amendment to Zoning Code to modify Article 11.](#)

Planner Riker informed the council this item has been reviewed at a Public Hearing that was held on August 13 and also a brief overview was given at the August 5<sup>th</sup> meeting.

Councilman Lutz inquired if staff would have requested the change if it weren't for this one homeowner.

Planner Riker stated it probably would not have been requested.

Councilwoman Zalewski stated that most structures in the front yards would need to be brought before the council for a variance so the council could consider them on a case by case basis.

**NEW BUSINESS:**

[Discussion August 5, 2009 meeting minutes.](#)

Clerk McCain advised there were a couple clerical changes but nothing substantial.

[Discussion – Georgia Department of Transportation Mowing Agreement](#)

Manager Andrew reviewed a map of the right-of-ways that the city is requesting to mow because the State has cut mowing right- of-ways from their budget.

Further Manager Andrew advised that there was a grant available that they would like to pursue for up to \$50,000 of unmatched funds for gateway landscaping. The official application will be available in October.

There was a consensus to pursue the grant.

**DEPARTMENT REPORTS**

[City Planner](#)

Code Enforcement case in Newberry Point was before the court and a fine imposed of \$150.00 and six months probation.

### City Manager Report

Manager Andrew advised the Council there would be a Hometown Connection Meeting with Representatives Mills, Dennis Pitts from the Lt. Governor's Office and Senator. The meeting is scheduled for October 7 from 11:30 – 1:00 pm – Lunch will be served. Councilwoman Jones suggested that Carl Rodgers be invited to the meeting.

### City Clerk Report

Clerk McCain advised that qualifying packets are ready for pick up and that qualifying dates were September 2<sup>nd</sup> – September 4<sup>th</sup> from 8:00 am to 4:30 pm.

### Council Report

Mayor Hirling advised that there was a scheduled clean up this weekend at the depot at 9 am.

Further Mayor Hirling advised that Lake Lanier Islands was hosting the CVB Tourism Conference August 31-September 2<sup>nd</sup>.

### **ADJOURNMENT WORK SESSION:**

Mayor Hirling adjourned the Work Session at 10:19 am.

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**CITY OF FLOWERY BRANCH**  
**Council Meeting Agenda**  
**Voting Session**  
**Wednesday August 19, 2009**  
**Immediately following Work Session**



**OPEN VOTING SESSION:**

Mayor Hirling opened the Voting Session at 10:19 am.

**CONSENT AGENDA:**

- Consider August 5, 2009 Meeting Minutes
- Consider Georgia Department of Transportation Mowing Agreement

There was a motion made to approve the Consent Agenda.

MOTION: Craig Lutz  
SECOND: Pat Zalewski  
AYES: Mary Jones, Allen Bryans, Pat Zalewski, Craig Lutz and Chris Fetterman.  
NAYES: None  
Motion carried

**UNFINISHED BUSINESS:**

***2nd Reading – Ordinance 424 - Alcoholic Beverage Ordinance***

Attorney Bennett read Ordinance 424

There was a motion made to approve Ordinance 424 with the corrections made during the work session.

MOTION: Allen Bryans  
SECOND: Pat Zalewski  
AYES: Mary Jones, Allen Bryans and Pat Zalewski.  
NAYES: Craig Lutz  
Motion carried

[Resolution 09-011 – Alcoholic Beverage Fee Schedule](#)

Attorney Bennett read Resolution 09-011.

There was a motion made to approve Resolution 09-011

MOTION: Pat Zalewski  
SECOND: Allen Bryans  
AYES: Mary Jones, Allen Bryans, Craig Lutz and Pat Zalewski.  
NAYES: None  
Motion carried

[1<sup>st</sup> Reading – Ordinance 348-9-Amendment to Zoning Code to Modify Article 11.](#)

Attorney Bennett read Ordinance 348-9.

There was a motion made to approve Ordinance 348-9 as read.

MOTION: Allen Bryans  
SECOND: Mary Jones

Discussion:

Councilman Lutz expressed some concerns and stated that he was having a hard time telling people what they could or couldn't do on their property but also that the city had to be careful with the aesthetic of the areas also.

Councilwoman Zalewski advised that the council still had control as most residents would need to apply for a variance and the council could approve or deny those requests.

AYES: Pat Zalewski, Allen Bryans, Craig Lutz and Mary Jones.  
NAYES: None  
Motion carried

**EXECUTIVE SESSION:**

There was a motion made to enter Executive Session for Pending/Potential Litigation and land acquisition at 10:26 am.

MOTION: Pat Zalewski  
SECOND: Craig Lutz  
AYES: Mary Jones, Craig Lutz, Allen Bryans and Pat Zalewski  
NAYES: None  
Motion carried

**RECONVENE OPEN SESSION:**

There was a motion made to reconvene open session at 10:43 am.

MOTION: Pat Zalewski  
SECOND: Craig Lutz  
AYES: Mary Jones, Craig Lutz, Pat Zalewski and Allen Bryans  
NAYES: None  
Motion carried

**ADJOURNMENT:**

There was a motion made to adjourn the meeting at 10:50 am

MOTION: Mary Jones  
SECOND: Allen Bryans  
AYES: Mary Jones, Allen Bryans, Pat Zalewski and Craig Lutz  
NAYES: None  
Motion carried