



**CITY OF FLOWERY BRANCH
COUNCIL MEETING
Wednesday, April 05, 2006 – 9:30 a.m.**



WORK SESSION MINUTES

OPEN MEETING: Mayor Hirling opened the meeting at 9:30 a.m.

IN ATTENDANCE: Mayor Hirling, Council Members Jim Herold, Jan Smith, Pat Zalewski, Allen Bryans, and Mary Jones. Also in attendance were City Clerk Melissa McCain, City Planner James Riker, City Attorney Ron Bennett, and City Manager Bill Andrew.

CITIZENS COMMENTS:

Chris Hartnett-7940 Benchmark Drive, Flowery Branch, GA 30542

Mr. Chris Hartnett expressed the following concerns:

1. Campaign promises were made to rollback taxes and they have yet to be rolled back.
2. He does not like the idea of the City of Flowery Branch purchasing the sewer system from Newland Communities.
3. He is unhappy with being forced to utilize city refuse removal and would rather remove his trash to the compactor site at his own cost.
4. Meeting times are unreasonable and should be held at night when citizens can attend.

Angela Hayes-7936 Benchmark Drive, Flowery Branch, GA. 30542

Ms. Hayes expressed the following concerns:

1. Concerns with the cost and choice of City refuse removal.

The Mayor addressed the concerns by stating that the taxes can not be considered until the budget process has begun. The 2005 taxes have been set and can not be changed once set.

The Mayor advised that the trash service ordinance has been in effect since 1987 and that the ordinance affects the entire city and not just the Sterling on the Lake subdivision. The purchase of the cans is a requirement of Red Oak Sanitation and not the City of Flowery Branch.

The Mayor advised that the City has not discussed purchasing the sewer system from Newland Communities. Hall County has mentioned the possible purchasing of the sewer system from Newland.

Mayor Hirling advised that in the past meetings have been scheduled in the evening hours with little or no public appearances; for convenience of staff, that works a 40+ hour work week and then attends meetings in addition to the 40+ hours the meeting times were changed to 9:30 a.m. Continuing Mayor Hirling advised that if in the future a need becomes apparent to change the meeting times the Council will discuss that when the time comes.

WORK SESSION ITEMS:

1. *Activation of Flowery Branch Development Authority*

After discussion regarding the City of Flowery Branch Development Authority there was a consensus to utilize the Gainesville/Hall County Development Authority until such time as the City of Flowery Branch can develop the City of Flowery Branch Development Authority.

2. *Discuss Elected Officials Retreat*

After discussing retreat details City Manager Andrew was directed to research the cost and availability of a facility and a location to hold the retreat. Further, the consensus of the Council was to conduct the retreat April 28, 2006.

3. *Discussion on new rates for water/sewer capacity fees and future commitments.*

- Discussion Regarding Request from Halvorsen Development Corporation to Reserve Sewer Capacity for Stonebridge Crossing

City Manager Andrew reviewed flow calculations for the Halvorsen Development, FB I and FBII.

There was a consensus of the council to direct staff to research other cities and the procedures used for reserving capacity for developments.

4. *Discussion nuisance abatement at 5201 and 5207 Mulberry Street.*

City Planner Riker reviewed the nuisance abatement at 5201 and 5207 Mulberry Street. There was a consensus of the council to direct staff to;

- Update Nuisance Ordinance
- Move forward with the process to abate the properties at 5201 & 5207 Mulberry Street
- Research costs for a contract to check for hazardous materials and the removal of such materials.

5. *Discuss complaints from Sterling on the Lake regarding refuse removal*

There were 3 Sterling residents at the meeting that expressed concerns regarding having a choice of trash removal and the fact that they felt the fees were imposed only after Sterling was in the process of being built. According to the Council the Ordinance has been in effect since 1987 and affects the entire City not just Sterling. The Council was sympathetic with the residents but felt that if the ordinance was changed it would affect the entire City and some residents would choose not to have any service. This would cause the garbage to pile up. The other concern from the Council was that if citizens on any one street choose different garbage services there would be garbage at the curb everyday of the week and garbage trucks disturbing citizens in the early hours with their loud trucks on a daily basis as different haulers have different pick-up days.

There was a consensus of the council to enforce the current refuse removal ordinance as is written.

CITY MANAGER REPORT:

1. *Discuss negotiations for options on well sites*

City Manager Andrew suggested that the council consider Don Stevens, RS Diversified Services, Land Broker at \$1,000.00 for each property.

After discussions there was a consensus to continue researching well sites and to use Mr. Don Stevens with RS Diversified Services as land broker.

ATTORNEY REPORT:

Attorney Bennett advised that the City Limits Charter Amendment has been approved as of March 28, 2006. An official certificate has been mailed to the City Hall.

PLANNING, ZONING AND ANNEXATION ISSUES:

1. *TE Grant and the burial of utilities*

City Planner Riker reviewed a hand out of the price for the burial of the power lines (Georgia Power), cable lines (Charter Communications) and phone lines (Bellsouth) along Main Street.

2. *Comprehensive Plan approval*

3.

City Planner Riker presented the council with a copy of the draft Comprehensive Plan

4. *Zoning Code Update*

5.

City Planner Riker presented the council with a copy of the draft Zoning Code Update.

There was a consensus to hold a public work session regarding the Zoning Code on April 20, 2006 or April 21, 2006 at 10:00 am. Staff directed Planner Riker to confirm the date with the consultant.

There was a consensus to hold a work session regarding the Compressive Plan and the public hearing on May 11, 2006 at 3:00 pm. and 6:00 pm.

MAYORS REPORT:

Mayor Hirling reminded the council that the spring festival was going to be held on April 15, 2006 from 10:00 am – 5:00 pm.

ADJOURNMENT INTO EXECUTIVE SESSION:

There was a motion made to adjourn the open meeting into Executive Session for

- Potential Litigation

MOTION: Jim Herold
SECOND: Pat Zalewski
AYES: Allen Bryans, Pat Zalewski, Mary Jones, Jan Smith and Jim Herold.
NAYES: None
Meeting adjourned into Executive Session at 12:25 p.m.

There was a motion made to adjourn Executive Session and reconvene Open Session at 12:31 p.m.

MOTION: Jim Herold
SECOND: Pat Zalewski
AYES: Allen Bryans, Pat Zalewski, Mary Jones, Jan Smith and Jim Herold
NAYES: None

Executive Session adjourned at 12:31 p.m.

ADJOURNMENT

There was a motion made to adjourn the open meeting at 12:33 p.m.

MOTION: Mary Jones
SECOND: Pat Zalewski
AYES: Allen Bryans, Pat Zalewski, Mary Jones, Jan Smith and Jim Herold
NAYES: None

Meeting adjourned at 12:33 p.m.

City Clerk - Melissa McCain

Date

Mayor Diane Hirling