



**CITY OF FLOWERY BRANCH  
COUNCIL MEETING  
Wednesday, June 21, 2006 – 9:30 a.m.**



**VOTING SESSION MINUTES**

**OPEN MEETING:** Mayor Hirling opened the meeting at 9:32 a.m.

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

**INVOCATION:**

Pastor Scott Crook, Blackshear Place Baptist Church gave the invocation.

**PUBLIC COMMENTS:**

**Mr. Jeff Williams**

Mr. Williams approached the Council and advised that he was running for the 49<sup>th</sup> Senate District Seat and was looking for support from the residents of Flowery Branch.

Mr. Williams further advised that concerns, if elected, he wanted to address is the growing population in the area and how it relates to schools, streets and hospitals. Infrastructure was a major point Mr. Williams address and the funding of adding and improving infrastructure.

There were no other public comments.

**CONSENT AGENDA:**

- 05-17-06 Voting Session Meeting Minutes
- 06-07-06 Special Called Work/Voting Session Meeting Minutes
- 06-09-06 Open Meeting/Retreat Meeting Minutes
- 06-14-06 Special Called Work/Voting Session Meeting Minutes

Mayor Hirling removed the 06-14-06 Special Called Work/Voting Session Meeting Minutes and placed them under unfinished business for a separate vote.

There was a motion made to approve the 05-17-06 Voting Session Meeting Minutes, 06-07-06 Special Called Work/Voting Session Meeting Minutes and the 06-09-06 Open Meeting/Retreat Meeting Minutes.

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

### **UNFINISHED BUSINESS:**

#### **Meeting Minutes**

- 06-14-06 Special Called Work/Voting Session Meeting Minutes
- 06-08-06 Public Hearing Meeting Minutes

There was a motion made to approve the 06-14-06 Special Called Work/Voting Session Meeting Minutes.

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

There was a motion made to approve the 06-08-06 Public Hearing Meeting Minutes.

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

#### **Ordinance 313A – Fee Schedule Set by Resolution**

City Attorney Ron Bennett read Ordinance 313A.

There was a motion made to approve the first reading of Ordinance 313A allowing for the fee schedule to be set and changed by approval of a resolution.

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

### [Discussion - Resolution 06-121-Inspection Fee Schedule](#)

Assistant Tonya Soria reviewed both options proposed for the increase of fees for water/sewer line inspections.

In summary Ms. Soria advised that Option A fees would be \$75.00 per trip plus \$50.00 hour. This fee would be billed to the developer after the work was complete. Issues in the past with this method of billing is the time spent to produce the bill, mail the bill and attempt to collect the fees if the bill was unpaid.

Option B fees include a \$14.00 plan review fee plus \$1.25 per linear foot. Option B is the preferred option as the fees would be collected for the inspection at time of permitting and not after the work is complete saving staff time and money.

Ms. Soria advised that after discussions with Director Dean they were confident that the fees proposed would be sufficient to cover any re-inspection fees that may occur.

There was a consensus of the Council to propose a resolution that would address the fees as discussed in Option B.

It was noted that this item was for discussion only and that actual the vote would occur on July 5, 2006 after Ordinance 313A was approved.

There were concerns expressed regarding the fees charged for Mobile Homes. Planner Riker advised that a resolution to update the fees charged for Mobile Home permits could be presented to the council at the July 5, 2006 Special Called Work/Voting Session.

### [Ordinance 330 – Halverson Property Annexation – 1<sup>st</sup> Reading](#)

Planner Riker made a brief review of the request.

[Ricky Roberts](#)-4666 Hog Mountain Road, Flowery Branch, Ga. 30542

Mr. Roberts expressed concerns regarding any buffers that would be required and the status of the service road to his property.

Planner Riker advised that there are certain code requirements for buffering two non-compatible uses from each other and that the service road issue will be monitored but that at this time the portion Mr. Roberts is referring to remains out of Flowery Branch jurisdiction.

It was noted that the review contained elevations that included the names of specific developers on the buildings and at this time there is no final contracts on businesses that will be located within the Halverson development.

Attorney Bennett read Ordinance 330, Halverson Property Annexation.

There was a motion made to approve the first reading of Ordinance 330, Halverson Property Annexation.

MOTION: Allen Bryans

SECOND: Jan Smith

AYES: Mary Jones, Allen Bryans, Jan Smith, Pat Zalewski and Jim Herold.

NAYES: None

Motion carried.

Attorney Bennett read Ordinance 331, Halverson Property Rezoning.

There was a motion made to approve the first reading of Ordinance 331 with the following condition; "The overall master site plan (including landscaping and pedestrian amenities), conceptual building elevations, and architectural guidelines for out parcels as attached hereto as 'Exhibit D' shall not be materially modified without the administrative approval of the Zoning Administrator".

MOTION: Jim Herold

SECOND: Jan Smith

AYES: Mary Jones, Allen Bryans, Jan Smith, Pat Zalewski and Jim Herold.

NAYES: None

Motion carried.

[Resolution 06-122 – Approval 06/07 FY Budget](#)

City Manager Andrew reviewed the proposed changes to the budget that incorporated Council recommendations.

Attorney Bennett read Resolution 06-122, Fiscal Year 2007 Annual Budget.

Councilwoman Smith requested that the proposed removal of the \$25,000 for community and planning abatement projects be replaced and included in the 2007 budget.

There was a motion made to approve the 2007 budget with the final adjustments as reviewed and to include the previously removed \$25,000 for code enforcement and tax abatement.

MOTION: Jan Smith

SECOND: Jim Herold

AYES: Mary Jones, Allen Bryans, Jan Smith, Pat Zalewski and Jim Herold.

NAYES: None

Motion carried.

Councilman Bryans suggested that staff meet with the Hall County Tax Commissioner and review the fees received from Hall County regarding motor vehicle and mobile home taxes for accuracy.

City Manager Andrew advised that a meeting has been scheduled for June 27, 2006 with Scott Martin from Hall County and further information gathered from that meeting will be brought before the Council.

**NEW BUSINESS:**

**Discussion – Contract for Sanitation Services - Red Oak Sanitation**

Mayor Hirling advised that the Red Oak Sanitation refuse removal contract was up for renewal July 1<sup>st</sup>, 2006 and that there were some concerns regarding the service Red Oak was providing.

Councilman Herold advised that Red Oak was the only company that submitted a bid to the city for services that agreed to use a single axle truck. The larger trucks damage the older smaller roads in the City.

City Manager Andrew advised that the Public Works Superintendent and himself were going to canvas the City on July 11, 2006 and make note of any problems they found regarding trash pick-up.

Councilwoman Jones requested a meeting with the owner of red Oak Sanitation after the results of the canvas were completed.

There was a consensus of the Council to remain contracting with Red Oak Sanitation.

**2003/2004 Unpaid Tax Report**

City Clerk McCain supplied and reviewed all outstanding tax amounts due the City of Flowery Branch.

There was a consensus of the City Council to write-off the following amounts:

<b>Company</b>	<b>Year</b>	<b>Bill #</b>	<b>Amount</b>
Blimpie	2003	91451	\$53.44
Mattress Zone	2003	96712	\$24.30
BST Place	2004	80558	\$13.80
Country's Best Yogurt	2004	82185	\$13.80
Dollar Wise	2004	82672	\$ 8.61
Lake Arts LLC	2004	85553	\$11.77
National Machine Tool	2004	86855	\$33.97

Total 2003/2004 tax-write off in the amount of \$159.69

There was a consensus of the Council to place liens on the following properties as of July 14, 2006 after a final notice has been hand delivered by a Flowery Branch Police Officer and if the payment remains outstanding.

<b>Owner</b>	<b>Year</b>	<b>Bill#</b>	<b>Amount</b>
Pugh James, Shirley	2003	47111	\$57.30
Pugh James, Shirley	2004	48088	\$50.85
Pugh James, Shirley	2005	48585	\$74.13
Ashley Tracy	2004	36639	\$117.61
Garry Bratcher	2004	51434	\$102.03

There was a consensus of the City Council to hold the Country Craft Delinquent Taxes until the settlement of the Bankruptcy Case.

### **CITY MANAGER REPORT**

No report

### **ATTORNEY REPORT**

Attorney Bennett reported that he has been in contact with the Carl Vinson Institute and is in the process of scheduling a July meeting to begin work on setting up voting districts for the City.

### **PLANNING, ZONING, AND ANNEXATION ISSUES**

Planner Riker advised that there are three applications pending for future consideration.

Rezoning of the Conner property  
Annexation/Rezoning of the LaFarge property  
Annexation/Rezoning of Halverson property

The following is a proposed schedule for discussion on these items:

Conner property:

July 13 Public Hearing-6:00 pm  
July 19<sup>th</sup> 1<sup>st</sup> reading at Council meeting

LaFarge property

Public Hearing July 26, 2006-7:00 pm

Halverson property

July 13 Public Hearing

### **COUNCIL CONCERNS:**

None

### **ADJORNMENT INTO EXECUTIVE SESSION:**

There was a motion made to adjourn the June 21st, 2006 Voting Session Meeting into Executive Session at 11:25 a.m.

MOTION: Jim Herold  
SECOND: Pat Zalewski  
AYES: Allen Bryans, Jan Smith, Pat Zalewski, Jim Herold and Mary Jones.  
NAYES: None  
Meeting Adjourned into Executive Session at 11:17 a.m.

**ADJOURN EXECUTIVE SESSION/RECONVENE OPEN SESSION:**

There was a motion made to exit Executive Session and enter Open Session at 11:59 am.

MOTION: Jim Herold  
SECOND: Pat Zalewski  
AYES: Mary Jones, Pat Zalewski, Jan Smith, Allen Bryans and Jim Herold  
NAYES: None  
Open session reconvened at 11:59 am.

**ADJOURN MEETING:**

There was a motion made to adjourn the Voting Session at 12:00pm.

MOTION: Jim Herold  
SECOND: Jan Smith  
AYES: Pat Zalewski, Allen Bryans, Jim Herold, Mary Jones and Allen Bryans.  
NAYES: None  
Meeting adjourned at 12:00 pm.