



CITY OF FLOWERY BRANCH
COUNCIL MEETING
Wednesday August 2, 2006 – 9:30 a.m.



SPECIAL CALLED WORK/VOTING SESSION
MEETING MINUTES

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

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

ABSENT: Councilwoman Jan Smith

CITIZENS COMMENTS:

Ricky Rodgers- 4666 Hog Mountain Road, Flowery Branch Ga.

Mr. Roberts approached the Council and advised that he had spoken with Scott Puckett and Robert Ferguson at Hall County and they advised that the County had abandon the portion of Porter Road which currently supports access to Mr. Roberts property.

Further Mr. Roberts wanted to reiterate that he is not opposed to the Halverson Development but that he needs access to keep his business in operation.

UNFINISHED BUSINESS:

Discussion of Appointments- Flowery Branch Development Authority

Attorney Carothers reviewed the process of appointments to the Flowery Branch Development Authority.

Clerk McCain provided ballots to each Council Member for appointments

**Note - Mr. Douwsma has currently served two 2 years on the authority since his appointment. Because he has a four (4) year term he will remain on the Commission for another two (2) years. The other members were disqualified for not living within the City of Flowery Branch jurisdiction.*

** Note – Clerk McCain spoke with Councilwomen Jan Smith and Mrs. Smith advised that she would withdraw from the Commission to allow Councilman Bryans to serve on the Commission.*

The ballot included the following applicants:

| | |
|----------------|---------------------------------|
| Doward Douwsma | Irwin Gandy |
| Dave Louder | Ritesh Patel |
| Mike Pitts | Isaac (Ike) Swofford |
| Jonathan Wayne | Council Member Allen Bryans Sr. |

** Note – Wanda Couch applied for appointment but was not considered due to her living outside of the City limits.*

Clerk McCain tallied the ballots with the following votes recorded:

| | |
|-----------------------------|-----------------|
| Doward Douwsma | Four (4) votes |
| Irwin Gandy | Four (4) votes |
| Dave Louder | One (1) vote |
| Ritesh Patel | Four (4) votes |
| Mike Pitts | Four (4) votes |
| Isaac (Ike) Swofford | Four (4) votes |
| Jonathan Wayne | Three (3) votes |
| Councilman Allen Bryans Sr. | Four (4) votes |

There was a motion made to appoint the following applicants to the Flowery Branch Development Authority.

Doward Douwsma
Irwin Gandy
Ritesh Patel
Mike Pitts
Isaac (Ike) Swofford
Jonathan Wayne
Councilman Allen Bryans Sr.

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

There was a motion made to appoint the following terms to the newly elected Commission:

| | |
|-----------------------------|----------------|
| Doward Douwsma | Two (2) years |
| Irwin Gandy | Two (2) years |
| Ritesh Patel | Two (2) years |
| Mike Pitts | Four (4) years |
| Isaac (Ike) Swofford | Four (4) years |
| Jonathan Wayne | Two (2) years |
| Councilman Allen Bryans Sr. | Four (4) years |

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

** Clerk McCain to issue letters to all applicants.*

Ordinance 308D – Amend Zoning Ordinance Article III Definitions Relating to Taxi Cabs.

After some discussion Attorney Carothers read Ordinance 308D to Amend the Zoning Ordinance Article III Definitions Relating to Taxi Cabs.

There was a motion to approve the first reading of Ordinance 308D.

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

NEW BUSINESS:

Amendment 310A – Extending time deadline for rehabilitation 5109 Atlanta Hwy

City Planner Riker advised that Ordinance 310 was approved by Council in 2004 regarding the rezoning of the property located at 5109 Atlanta Highway. One of the conditions of the Ordinance was to require the applicant to rehabilitate the main structure on the property within two (2) years of the approval.

Subsequent to the adoption of the ordinance a lawsuit was filed relating to the rezoning. Although the lawsuit was later dismissed, the uncertainty of the litigation led to the delay in commencement of the rehabilitation. Although a substantial portion of the required rehabilitation is complete the owner is requesting a three (3) month time extension.

Attorney Carothers read Ordinance 310A, Amending Ordinance 310.

There was a motion to approve the first read of Ordinance 310A

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

Intergovernmental Agreement with Hall County – GIS System and Building Permitting Services

City Planner Riker advised the Council that as part of the FY 2007 budget the Community Development Department requested \$25,000.00 for utilization of the Hall County GIS and building permitting system. Utilization of this system will allow the City to better track and maintain building permits and development records. The agreement will also allow the City to utilize the County's GIS mapping service for maintenance and creation of zoning maps and data.

There was a motion made to approve the Intergovernmental Agreement as present for GIS and permitting services and to authorize the Mayor to sign and execute the necessary documents.

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

Resolution – 06-127 Final Plat Map Application – Waterstone Crossing

City Planner Riker informed the Council that Ordinance 198A clarified conditions relating to driveway widths and off-street parking. These items have been addressed and the subdivision is ready for Council consideration.

There was a motion made to approve Resolution 06-127 – Final Plat Map Application- Waterstone Crossing- 204 units on 22.27+/- acres and to include the city attorney approved note clarifying that the roads will remain private.

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

CITY MANAGER REPORT:

Manager Andrew advised the Council that the interviews for the WWTP improvements have begun and recommendations are anticipated to be before Council by August 16 and an award date of August 18.

Manager Andrew further advised that the EPD has approved the Well site and will be out to approve the drilling area on Friday August 4th.

Regarding the Henderson Property well, Manager Andrew advised that EPD has approved the City capping the well.

Manager Andrew advised that he is in the process of scheduling a meeting with himself, John Washington and Dave Merritt regarding the Lights Ferry Road Pump Station upgrade. Apparently Mr. Merritt has advised that he is not required to pay for the upgrade but a letter from Mr. Merritt stating that they will pay for the upgrade is on file.

ATTORNEY REPORT:

No report.

PLANNING, ZONING REPORT

Upcoming Projects:

City Planner Riker advised that August 10 at 6:00 pm is the next public hearing. Included in the public hearing are the following items:

- LaFarge Annexation
- Comprehensive Plan
- Ordinance 310A - 5109 Atlanta Highway -Time extension
- Ordinance 308D-Taxi Cab

Update RR Lease

City Planner Riker advised that the lease has been approved but that there are a few discrepancies. Norfolk has indicated on the lease the location as Railroad from Knight to Chattahoochee and the City is requesting Chattahoochee to Snelling. Also being reviewed is the type of landscaping the City will be allowed to use for beautification. The lease amount per year has been agreed upon at \$2,400. Planner Riker noted that this amount is less than what was budgeted and the extra funds can be applied to the beautification.

COUNCIL TIME:

Councilwoman Jones advised that the Historical Preservation Commission has held its first meeting and the dates for all other meetings are scheduled for the First Monday of every month at 2:30 pm. at the City Planning Building. (Subject to change)

EXECUTIVE SESSION:

There was a motion made to adjourn into Executive Session at 10:20 am. for pending litigation.

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

RECONVENE OPEN SESSION:

There was a motion made to reconvene the Special Called Work/Voting Session at 10:40 am.

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

ADJOURNMENT:

There was a motion made to adjourn the Special Called Work/Voting Session at 10:40 am

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

City Clerk - Melissa McCain

Date

Mayor Diane Hirling