



CITY OF FLOWERY BRANCH
COUNCIL MEETING
Wednesday, October 4, 2006,
9:30 a.m.



SPECIAL CALLED WORK/VOTING SESSION
MEETING MINUTES

OPEN MEETING: Mayor Hirling opened the meeting at 9:31 a.m.

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

Also in attendance was Jerry Weitz representing Jerry Weitz and Associates.

CITIZENS COMMENTS:

No comments

GUEST SPEAKER:

Tim Evans, Vice-President for Economic Development with the Greater Hall Chamber of Commerce.

Mr. Evans reviewed development in Hall County and presented the Council with a handout regarding the EDC annual report.

UNFINISHED BUSINESS:

[2nd Reading - Ordinance 100-E - Amendment to establish security deposits/administrative fees for water and sewer service by resolution](#)

Attorney Carothers read Ordinance 100E.

There was a motion made to approve Ordinance 100E as read.

MOTION: Allen Bryans

SECOND: Jim Herold

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

NAYES: None

Motion carried

[2nd Reading of Ordinance 53D amendment to establish security deposits/administrative fees for garbage service by resolution](#)

Attorney Carothers read Ordinance 53D.

There was a motion made to approve Ordinance 53D as read.

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

NEW BUSINESS:

[Resolution 06-133 - Increasing the utilities deposit for water and sewer services](#)

Attorney Carothers read Resolution 06-133.

There was a motion made to approve Resolution 06-133 as read.

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

[Resolution 06-134 - Increasing the utilities deposit for garbage, trash or refuse services](#)

Attorney Carothers read resolution 06-134.

There were some concerns expressed about the administration fee schedule.

City Clerk McCain advised that there is a \$30.00 administration fee for any service or combination of services set up and that the administration fee would not exceed \$30.00 in any instance unless changed by the Council at a later date.

There was a motion made to approve Resolution 06-134 as read.

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

[Resolution 06- 135 - Auction items and document execution./Contract/Agreement - Gov Deals Online Surplus Auction](#)

City Clerk McCain provided a list (attached) of items reported from the department heads as surplus property.

Clerk McCain also provided the Council with a copy of the GovDeals Auction Service contract.

Clerk McCain advised that Attorney Bennett has reviewed the document and has approved it with a few minor changes.

The fees would be 7 ½ percent of the sale amount of any item if the item sold for under \$100,000.

Once the contract is executed a posting would need to appear in the paper informing the public of the auction. Fifteen (15) days after the posting of the auction in the newspaper GovDeals will conduct a training program at which time the City Clerk or designee would be able to post and track items for auction.

Attorney Carothers read Resolution 06-135.

There was a motion made to approve resolution 06-135 and authorize the Mayor to sign and execute the contract document with GovDeals.

MOTION: Jim Herold

SECOND: Pat Zalewski

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

NAYES: None

Motion carried

There was discussion regarding the disposal of the surplus property if it failed to sell on the auction site.

Attorney Carothers advised that if any of the surplus items did not sell after the conclusion of the auction that the City was authorized to dispose of said property in a manner the City sees fit.

[Beer/Wine Application - Major's Gourmet Fish House LLC](#)

Mayor Hirling advised that this item has been removed at the request of Major's Gourmet Fish Houses attorney.

CITY MANAGER'S REPORT:

[Addendum to Hall County//Flowery Branch Intergovernmental Agreement of June 10, 2004](#)

City Manager Andrew reviewed each page of Intergovernmental Agreement.

Councilwoman Smith advised that currently Hall County has not completed requirements of them according to the current agreement.

Manager Andrew advised that the lines have not been run due to the City of Flowery branch was required to collect \$1.50 per thousand gallons used and that the amount collect from the \$1.50 was to be paid to Hall County for the construction of those lines. The money was never collected or sent to Hall County hence they did not construct the line.

There was a motion made to approve the Addendum to the Hall County/Flowery Branch Intergovernmental Agreement of June 10, 2004.

MOTION: Allen Bryans

SECOND: Mary Jones

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

NAYES: None

Motion carried

ATTORNEY REPORT:

No report

PLANNING AND ZONING

[Upcoming Projects](#)

City Planner Riker advised that there would be a public hearing on October 12, 2006 discussing the following items:

- Tidewater Cover Phase I and II – Sidewalk constructing in the undisturbed buffer area.
- Zoning and Subdivision Code

Planner Riker further advised that there was an amendment to the Sterling on the Lake POD Q on the agenda but that it had been removed at the request of the developer for further driveway configuration.

Planner Riker advised that Code Enforcement Officer (CEO) Donald Bowers had initiated a new process for informing residents that they are in violation of the nuisance ordinance.

Planner Riker continued by stating that CEO Bowers designed a door knocker to inform residents of a violation. This door knocker would be a friendlier way of informing the public of the violation and it would also give a date the violation would need to be corrected by. This process will also save the City money on producing a formal letter and the postage to send.

[Zoning Code and Land Regulation update – Presentation](#)

Planner Riker distributed a copy of the Draft Zoning Code and Land Regulation Update including the Draft Zoning Map.

Planner Riker made the following summaries.

Contents of Document:

- Definitions
- Zoning districts (uses)
- Dimensional regs.
- Specific use provisions
- Development guidelines
- Trees, landscaping
- Parking
- Steep slopes
- Signs
- Outdoor lighting
- Access, parking and loading
- Stream buffers
- Conservation subdivisions
- Floodplain management
- Design review
- Procedures, applications, amendments

Changes to Zoning Districts:

- Revise conventional residential districts
- Delete CB, Commercial Business
- Delete M-II, Heavy Industrial
- Maintain A, Agricultural
- Add TND, Traditional Neighborhood Dev.
- Add INST, Institutional

<u>Existing</u>	<u>Proposed</u>
R-I (20,000 sq. ft.)	R-1 (20,000 sq. ft.)
R-II (14,000 sq. ft.)	R-2 (15,000 sq. ft.)
R-III (10,000 sq. ft.)	R-3 (10,000 sq. ft and 12 units per acre)
R-IV (43,560 sq. ft.)	TND (7,620 sq. ft and 6 units per acre)

Water District Mandates:

- Conservation subdivisions (not yet adopted, included in zoning ordinance)
- Floodplain management (revised model included in zoning)
- Stream buffers (adopted ordinance incorporated into zoning)
- Stormwater mgmt. (subdivision ordinance)
- Others (litter control; illicit discharge): keep separate

Pertaining the Subdivision Ordinance, it would include:

- Definitions
- Preliminary plats
- Final plats
- Development permit
- Improvement requirements
- Design requirements for blocks and lots
- Design requirements for roads
- Private roads
- Stormwater management
- Utilities (e.g., water reuse)
- Enforcement, penalties and legal status provisions

Planner Riker advised that one of the most controversial areas is the section pertaining to recreational vehicle storage. The code would require that any recreational vehicle parked longer than 72 hours would need to be properly screened from view.

There was some discussion about not having the code for recreational vehicles in the Zoning Subdivision Code and to place it in the Nuisance Ordinance.

Councilwoman Smith stated, for the record, that she would not vote in favor of the document unless the recreational vehicle section was included.

There was a consensus to place the Zoning Code, Subdivision regulations on the November 1, 2006 Regular Council Work Session Meeting for further discussion.

COUNCIL REPORT:

Councilman Herold inquired on the status of the water tank construction.

Manager Andrew advised that the contractor has advised that it should be completed by mid December.

EXECUTIVE SESSION:

There was a motion made to enter Executive at 11:33 am for the following:

- Personnel issues
- Pending Litigation
- Land Acquisition

MOTION: Jim Herold

SECOND: Allen Bryans

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

NAYES: None

Motion carried

RECONVENE OPEN SESSION

There was a motion made to exit Executive Session and reconvene Open Session at 12:14pm

MOTION: Jim Herold

SECOND: Pat Zalewski

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

NAYES: None

Motion carried

ADJOURNMENT:

There was a motion made to adjourn the Special Called Work/Voting Session meeting at 12:15 pm.

MOTION: Jim Herold

SECOND: Pat Zalewski

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

NAYES: None

Meeting adjourned at 12:15 pm.

City Clerk - Melissa McCain

Date

Mayor Diane Hirling