



**CITY OF FLOWERY BRANCH
SPECIAL CALLED WORK/VOTING SESSION
Wednesday, February 21, 2007,
9:30 a.m.**



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

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

INVOCATION:

Pastor Scott Wilson from Zion Hill Baptist Church gave the invocation.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA:

[01-17-07 Voting Session Meeting Minutes](#)

There was a motion made to approve the Consent Agenda as presented.

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

UNFINISHED BUSINESS:

[Discussion – Contract Home Development Resources Inc./C.H.I.P](#)

Manager Andrew advised that the program allows municipalities to apply for funding up to \$300,000 for low income housing down payment assistance as well as funds for the renovation of older homes. The renovations would assist low income families with bringing their homes into compliance with current building codes.

The application requires a public hearing to be held to discuss the program. It was also noted that there is no requirement for Cities to match any of the loan amount.

There was some discussion regarding the responsibility of the homeowner and the loan/ grant repayment.

There was a motion made authorize the Mayor to execute the contract with Home Development Resources Inc., Issue a \$250 check to Home Development Resources Inc. for the contract price and to direct the application to include 80% of funding to be directed toward rehabilitation of current housing and 20% be directed toward down payment assistance.

MOTION: Mary Jones

SECOND: Jan Smith

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

NAYES: None

Motion carried.

NEW BUSINESS:

[Resolution 07-002 – New C.I.B. Sewer Rates](#)

City Manager Andrew reviewed the history of the C.I.B. rates.

Planner Riker reviewed the tap on fees and audits of water uses.

Attorney Bennett reviewed the fee schedule.

It was noted that the Halvorsen Development would not be using the amount of sewer capacity requested.

Councilman J. Herold requested that staff investigate or plan for reuse water at the Halvorsen Development

Attorney Bennett read resolution 07-002

There was a motion made to approve Resolution 07-002

MOTION: Allen Bryans

SECOND: Jim Herold

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

NAYES: None

Motion carried.

[Discussion - Avery Dennison Sewer Capacity & Annexation Request](#)

[Discussion – Starboard Marina Sewer Capacity & Annexation Request](#)

Mr. Bill Finnich, representing Moreland Altobelli, advised the Council that currently only 20% of the building is being occupied for development and resources. The land currently is on the EPD's brown field list due to a spill on the property. The requirements due to the spill require the property owner to shut down all septic systems and connect to a sewer system. All the old dirt and septic systems will be required to be removed.

City Manager Andrew advised the Council that Avery Dennison is requesting sewer capacity in the amount of 14, 000 gallons. This amount would be spread out as follows; 2008 – 4,400 gal, 2009 – 5,500gal and 14,000 gal at build out. Further it has been noted that there is approximately 35,000 gal. of capacity that Halvorsen had anticipated using and that they actually will not be using.

Further, Manager Andrew advised that Starboard Marina is requesting annexation and sewer capacity in the amount of 5,000 – 5,500 gals. contingent on annexation.

It was noted that Starboard current leases the property from the Corps of Engineers and they would need to be the applicant on the annexation application.

There was a consensus of the council to direct staff to continue to research the sewer capacity availability and the annexation requests of both Avery Dennison and Starboard Marina.

[Appointment of William Northquest to the Flowery Branch Development Authority](#)

Mayor Hirling advised the Council that Mr. Patel has resigned his position on the Flowery Branch Development Authority and that she nominated the appointment of Mr. William Northquest.

There was a motion made to appoint Mr. William Northquest to the Flowery Branch Development Authority.

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

[Appointment to Gainesville/Hall County Metropolitan Planning Organization \(MPO\)](#)

City Manager Andrew advised that the City currently has two representatives on the Citizens Committee of the Metropolitan Planning Organization, Mr. Ron Petrie and Mr. Mack Jones. Mr. Jones's term has expired and an appointment needed to be made to replace Mr. Jones

There was a motion made to appoint Mr. Alan Wayne to the Metropolitan Planning Organization.

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

[Approval - Professional Services Contract with Pond & Company](#)

City Planner Riker reviewed the proposed contract.

There was a motion to approve the contract with Pond & Company and to authorize the execution of said document.

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

[Approval – Intergovernmental Agreement with Hall County Public Works](#)

Planner Riker reviewed the Intergovernmental Agreement proposal. The agreement would consist of the long term maintenance of the traffic signals at the Halvorsen Development. Hall County has already approved the agreement.

There was a motion made to approve the Intergovernmental Agreement with the Hall County Public Works Department and to authorize the execution of said document.

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

[Discussion Adoption of New Building Codes and Implementation Procedures.](#)

Planner Riker advised that the following Ordinances are ordinances that the Department of Community Affairs has recommended for adoption. Planner Riker reviewed each ordinance and advised that the second read would be held at the March City Council Meeting.

[1st Reading Ordinance 352 – Adoption of Georgia State Minimum Standard Building Code](#)

Attorney Bennett read Ordinance 352.

There was a motion made to approve the first reading of Ordinance 352.

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

[1st Reading Ordinance 353 – Creation of Administrative Procedures for Implementation of the Standard Building Code](#)

Attorney Bennett read Ordinance 353.

There was a motion made to approve the first reading of Ordinance 353.

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

1st Reading Ordinance No. 354 – Adoption of ordinance requiring reviews and approvals and identifying “Agents of Review.”

Attorney Bennett read Ordinance 354.

There was a motion made to approve the first reading of Ordinance 354.

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

1st Reading Ordinance No. 355 – Adoption of ordinance establishing fees and rates for all planning and development related purposes

Attorney Bennett read Ordinance 355.

There was a motion made to approve the first reading of Ordinance 355.

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

CITY MANAGER’S REPORT:

Update – Blue Cross Blue Shield Insurance

City Manager Andrew reviewed the April 1st renewal of the City’s current Blue Cross/Blue Shield Insurance Coverage and advised that the rates will be increasing by 12%. Manager Andrew suggested improving the quality of insurance and lowering the deductibles for family and individuals which would increase the insurance amount that is the responsibility of the City by 24%.

Manager Andrew further advised that it is understood that depending on the budget numbers employee raises may be affected.

There was a consensus of the City Council to direct the City Manager to move forward with the 24% increase in insurance costs and to have the current year’s budget reflect the increase effective April 1st, 2007.

Update Tax Allocation Districts

City Manager Andrew updated the Council on the TAD.

Manager Andrew advised that the City would need to hold a special election for the referendum of the TAD. This should be held in June or July of 2007. The election can be held at City Hall and is estimated to cost around \$600.00.

City Manager Bill Andrew informed the Council that the Halvorsen Development is requesting a date from the Council for the official groundbreaking of the development.

There was a consensus of the Council to suggest the date of the Halvorsen groundbreaking as April 23, 2007

ATTORNEY REPORT:

No report

EXECUTIVE SESSION

Due to emergency circumstances a motion was made to go into Executive Session at 11:18 am. for pending litigation and Land Acquisition.

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

RECONVENE OPEN VOTING SESSION:

There was a motion made to exit Executive Session and reconvene Open Session at 1:00 pm.

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

CLERK REPORT

[Country Craft Bankruptcy/Write off Report](#)

Clerk McCain informed the Council that in 2005 Country Craft Furniture had filed for Chapter 7 Bankruptcy. Since this date the Bankruptcy Court has determined that Country Craft had no assets to pay off any of their debts and has closed the case. The following are amounts have been ordered as uncollectible;

2004 Real Property Taxes	\$ 171.75
2005 Real Property Taxes	\$ 697.76
2006 Personal Property Taxes	\$ 238.09
2006 Real Property Taxes	\$ 577.87
2006 Real Property Taxes	\$ 70.89
2005 Utility Bill	\$ 103.86
Total Amount	\$1,860.22

There was a consensus of the City Council to write off the above amounts.

Keep Hall Beautiful Spring Clean Up – March 31st, 2007

Clerk McCain advised that she had been in contact with Marsha Fletcher from Keep Hall Beautiful. Clerk McCain advised that the program will be kicked off from the Flowery Branch Depot. Ms. Fletcher has indicated that Keep Hall Beautiful will be enduring the costs for the removal of any trash/garbage that is picked up as well as ordering the garbage bags and gloves from the Department of Community Affairs. Clerk McCain advised that she would be working with Ms. Fletcher on recruiting volunteers.

In the past the City has provided donuts and juice for the participants and Clerk McCain requested that the City again offer the refreshments.

Areas for concentration are:

Quad Oaks and the Creek behind the First Baptist Church of Flowery Branch.
985 Ramps
City Park and shore line.

Clerk McCain advised that she would also check with the Public Works Director for other areas in need of attention.

Updates:

Municode – Codification

Clerk McCain along with City Attorney Bennett advised the Council that the first meeting had taken place with the Municipal Code Corporation regarding the Codification of the City Ordinance. It was discovered that there are many Ordinances that need revamping.

Clerk McCain and Attorney Bennett will be meeting weekly to review and update the codification. It is anticipated that completion and final approval will be in early 2008.

Records Retention/Depot Storage Area

Clerk McCain advised that she had met with Amelia Winstead with the Secretary of States Division of Archives for a site visit on February 16, 2007 regarding the records retention issues from past staff.

Ms. Winstead advised that she would do another site visit on March 16 at which time she would go through each of the boxes stacked to the ceiling at the depot and assist with the destruction and proper documentation and re-boxing of the documents that are required to be kept. Further Ms. Winstead is providing this service free of charge.

Further Ms. Winstead advised that she would assist the Clerk with applying for a grant to purchase suggested shelving for archive storage. The City would be required to match any funds received by 25%. It was further noted that only 20% of the match would need to be cash and the remaining 80% could be labor costs.

Georgia Certified Clerks Program/Certification

Clerk McCain advised the Council that in 2006 when she was appointed as Clerk the Council required that the Clerks position be certified within two (2) years of appointment. Clerk McCain advised that upon reviewing the certification schedule anticipated certification date is September of 2007.

PLANNING AND ZONING

No report

COUNCIL REPORT:

There was a motion made to direct the City Attorney to address a letter to former Mayor Bryan Puckette and request a documented list and receipts for a check that was issued to Mr. Puckette at the end of December 2005.

MOTION: Allen Bryans
SECOND: None
Motion failed due to lack of second.

ADJOURNMENT:

There was a motion made to adjourn the meeting at 1:35 p.m.

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