



**CITY OF FLOWERY BRANCH**  
**Voting Session Meeting Minutes**  
**Wednesday May 16, 2007**



**CALL TO ORDER:**

Mayor Hirling opened the meeting at 9:47 am.

**UNFINISHED BUSINESS:**

[2<sup>ND</sup> Reading – Ordinance 170C – Amendment to the Alcohol Beverage Sale for Consumption by the Drink.](#)

Attorney Bennett read Ordinance 170C

There was a motion made to approve Ordinance 170C as read.

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

[2nd Reading – Ordinance 54E – Amendment to the Malt Beverages and Wine Sale for Consumption by the Drink.](#)

Attorney Bennett read Ordinance 54E

There was a motion made to approve Ordinance 54E with the correction and removal of a typo (repeated words) on page two.

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

[Discussion/Approval Beer/Wine License Turnstile Deli – 4400 Falcon Parkway](#)

City Clerk McCain informed the Council that Turnstile Deli owner, John Haynes, has applied for a beer and wine consumption on the premises license at the Falcon's Complex, 4400 Falcon Parkway.

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Mr. Haynes does possess an executed contract providing for sole control over the area the beer/wine will be served including control over the kitchen and dining area. The amendment to Ordinance 54 covers this instance and allows for the issuance of a beer and wine license on the premises.

Mr. Haynes has completed all the required applications including the submittal of a survey and confirmation of the publishing of a public notice in the Gainesville Times. I have received no correspondence from the public good or bad, regarding the application. Mr. Haynes Criminal Background Check through The Flowery Branch Police Department and GCIC has come back clear – no record. There are no outstanding taxes owed and Mr. Haynes has applied for a Flowery Branch Business License.

There was a motion made to approve the beer/wine license for John Haynes in the name of Turnstile Deli.

MOTION: Pat Zalewski

SECOND: Allen Bryans

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

NAYES: None

Motion carried.

### **NEW BUSINESS:**

#### **[Approval - May 2, 2007 Special Called Work/Voting Session Meeting Minutes](#)**

There was a motion made to approve the May 2, 2007 Special Called Work/Voting Session Meeting Minutes as presented.

MOTION: Jim Herold

SECOND: Pat Zalewski

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

NAYES: None

ABSTAIN: Jan Smith

Motion carried

#### **[1<sup>st</sup> Reading Ordinance 360 – Nuisance Ordinance -](#)**

Planner Riker requested this item be removed until a later date for further consideration.

### **CITY MANAGER REPORT:**

#### **[Audit Recommendation](#)**

City Manager Andrew advised that the City had received three (3) bids for the City's 2008, 2009, 2010 fiscal year audits.

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A committee consisting of Mayor Hirling, Bob Loveland - Financial Consultant, Manager Andrew, City Clerk McCain and Assistant City Clerk Camiscioni reviewed the qualifications of each submittal. Once a review of qualifications was complete the committee then reviewed the fees.

It is the recommendation of the Audit Committee to hire Walker and Associates from Gainesville, Ga. for a three year term.

There was a motion made to accept the recommendation of the Audit Committee and authorize the City to enter into a contract with Walker and Associates for auditing services subject to review by the City Attorney.

MOTION: Mary Jones

SECOND: Jan Smith

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

NAYES: None

Motion carried

#### [Drinking Water laboratory Services Contract](#)

City Manager Andrew informed the Council that in the past the contracts for the state testing of the City's drinking water were approved by Wastewater Director Jimmy Dean.

The new procedure will be to bring all contracts before the City Council for approval.

The contract consists of the mandatory testing of the drinking water provided by the City and is for a period of three (3) years.

Attorney Bennett reviewed the language of the contract.

There was a motion made to enter into a contract with the EPD and authorize the Mayor to sign and execute the contract.

#### **CITY CLERK REPORT:**

No report

#### **ATTORNEY REPORT:**

No report

#### **PLANNING, ZONING REPORT:**

#### [Update – Upcoming Public Hearing](#)

Planner Riker reviewed the items for the May 24, 2007 Public Hearing to be held at 6:00 pm.

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Planner Riker informed the Council that the bid packages have been available for the TE Grant – Streetscape Project on Main Street. To date 3 packages have been picked up. The due date for bid proposals is June 1, 2007 at 2:00 pm.

Planner Riker further informed the Council that a resolution would be presented to the Council at a future meeting for the approval to apply for a TE Grant that would encompass Phase II

Planner Riker advised the Council that the Kohl's project had began construct and that a foundation may be poured as early as this week.

### **COUNCIL REPORT:**

Councilwoman Smith requested that the agendas for the Work and Voting Session be placed on the City's website for public viewing.

Clerk McCain will begin posting the agendas on the website.

### **EXECUTIVE SESSION:**

There was a motion made to exit open session and enter into Executive Session at 10:24 am for Land Acquisition and Pending Litigation.

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

### **RECONVENE OPEN SESSION:**

There was a motion made to exit Executive Session and enter Open Session at 11:25 am

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

### **ADJOURNMENT:**

There was a motion made to adjourn the May 16, 2007 Voting Session at 11:26 am.

MOTION: Mary Jones  
SECOND: Jim Herold

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

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Mayor Diane Hirling

Date

City Clerk Melissa McCain

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