



**CITY OF FLOWERY BRANCH**  
**VOTING SESSION**  
**Meeting Minutes**  
**July 18, 2007, 9:30 am**



**OPEN MEETING:**

Mayor Hirling opened the meeting at 9:33 am.

**IN ATTENDANCE:**

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

**ABSENT:**

Councilwoman Jan Smith

**INVOCATION:**

Councilman Jim Herold gave the invocation.

**CONSENT AGENDA:**

- [05-24-07 Public Hearing Meeting Minutes](#)
- [06-20-07 Voting Session Meeting Minutes](#)

There was a motion made to approve the consent agenda as presented.

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

**UNFINISHED BUSINESS:**

No unfinished business.

**NEW BUSINESS:**

07-12-07 Public Hearing Meeting Minutes

There was a motion made to approve the 07-12-07 Public Hearing Meeting Minutes as presented.

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

07-12-07 Special Called Voting Session Meeting Minutes

There was a motion made to approve the 07-12-07 Special Called Voting Session Meeting Minutes as presented.

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

1st Reading Ordinance 239C & 240C – Amend the conceptual site plan and original conditions of approval for the master planned community generally known as Sterling on the Lake.

Attorney Bennett read Ordinance 239C and 240C; to amend the conceptual site plan and original conditions of approval for the master planned community generally known as Sterling on the Lake.

There was a motion made to approve the first reading of Ordinance 239 and 240 C; to amend the conceptual site plan and original conditions of approval for the master planned community generally known as Sterling on the Lake.

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

It was noted that the second reading would occur at the August 15, 2007 City Council Voting Session

*\*Note – Public Hearing was held July 12, 2007.\**

1<sup>st</sup> Reading Ordinance 363 – Annexation of 3.14 acres located at the Flowery Branch Wastewater Treatment Plant, 5572 Atlanta Highway.

City Planner Riker reviewed the request.

Attorney Bennett read Ordinance 363

There was a motion made to approve the first reading of Ordinance 363; annexation of 3.14 acres located at the Flowery Branch Wastewater Treatment Plant, 5572 Atlanta Highway.

MOTION: Allen Bryans

SECOND: Jim Herold

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

NAYES: None

Motion carried

It was noted that the second reading would occur at the August 15, 2007 City Council Voting Session

*\*Note – Public Hearing was held July 12, 2007.\**

1<sup>st</sup> Reading Ordinance 364 – Rezoning of 5572 Atlanta Highway from Vacation Cottage to Institutional

Attorney Bennett read Ordinance 364.

There was a motion made to approve the first reading of Ordinance 364; rezoning of 5572 Atlanta Highway from Vacation Cottage to Institutional.

MOTION: Allen Bryans

SECOND: Pat Zalewski

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

NAYES: None

Motion carried

It was noted that the second reading would occur at the August 15, 2007 City Council Voting Session

*\*Note – Public Hearing was held July 12, 2007.\**

1<sup>st</sup> Reading of Ordinance 348-3 – Amendment to Article 9 “Non-Residential Zoning Districts”,  
Table 9.2 “Dimensional Requirements for Non-Residential Zoning Districts”

City Planner Riker reviewed the request.

Attorney Bennett read Ordinance 348-3.

There was a motion made to approve the first reading of Ordinance 364; Amendment to Article 9 “Non-Residential Zoning Districts”, Table 9.2 “Dimensional Requirements for Non-Residential Zoning Districts”

MOTION: Pat Zalewski

SECOND: Allen Bryans

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

NAYES: None

Motion carried

It was noted that the second reading would occur at the August 15, 2007 City Council Voting Session.

*\*Note – Public Hearing was held July 12, 2007.\**

1<sup>st</sup> Reading Ordinance 365 – Speed Limit on Spout Springs Road

Planner Riker advised that staff recently received a request from Street Smarts, the roadway designer for Halvorsen Development Corporation, to re-designate the speed limit for a portion of Spout Springs Road from 45 MPH to 35 MPH. The request seeks to reclassify a .38 mile stretch of Spout Springs Road from I-985 to Hog Mountain Road.

Given the nature of the request, staff contacted the Georgia Department of Transportation, Hall County Transportation Department and the City Engineer to obtain their input. In response, staff received no objections to this request.

Attorney Bennett read Ordinance 365.

There was a motion made to approve the first reading of Ordinance 365; re-designating the speed limit on Spout Springs Road from 45 MPH to 35 MPH.

MOTION: Pat Zalewski

SECOND: Jim Herold

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

NAYES: None

Motion carried

It was noted that the second reading would occur at the August 15, 2007 City Council Voting Session.

*Consider Resolution 07-010 – Authorizing reservation of sewer capacity for Hortman & Dobbs Developers LLC.*

City Planner Riker reviewed all three requests for sewer reservation.

There was a motion made to approve Resolution 07-010; authorizing the sewer reservation for Hortmann & Dobbs Developers LLC.

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

Planer Riker advised that a letter would be issued to Hortman Dobbs Developers LLC. advising that they would have sixty (60) days to submit payment to the City of Flowery Branch for said reservation.

*Consider Resolution 07-011 – Authorizing reservations of sewer capacity for Yogesh Patel.*

There was a motion made to approve Resolution 07-011; authorizing the sewer reservation for Yogesh Patel.

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

Planer Riker advised that a letter would be issued to Mr. Patel advising that he has sixty (60) days to submit payment to the City of Flowery Branch for said reservation.

*Consider Resolution 07-012 – Authorizing reservation of sewer capacity for McEver Road LTD.*

There was a motion made to table this item to the August 15, 2007 voting session for further consideration.

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

## **CITY MANAGER REPORT:**

Bob Troxler, Infratec Consultants reviewed the Bowen Water System Analysis and a Lights Ferry Lift Station Analysis.

Technical Memorandums were presented to the Council and are attached to these minutes.

Mr. Troxler reviewed and provided infrastructure planning and cost estimates for alternatives to provide sewer collection to the Lights Ferry Drainage Basin for future known and unknown developments in the Lights Ferry basin.

Mr. Troxler further reviewed and provided infrastructure planning and cost estimates for alternatives to provide water supply to the Bowen Development and surrounding tracts.

There was a motion made to direct staff to pursue the replacement of the Lights Ferry Lift Station along with the construction of a new 6" ductile iron force main.

MOTION: Allen Bryans

SECOND: Jim Herold

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

NAYES: None

Motion carried

## **CLERK REPORT:**

[Consider approval of maintenance contract for planning IKON plan copy machine.](#)

Clerk McCain reviewed the IKON Maintenance Contract.

It was noted that the large plan copy machine was sold to the City from Jackson EMC as part of their excess equipment liquidation for \$50.00.

There was a motion made to approve the IKON contract for maintenance on the IKON copy machine and authorize the Mayor to execute said document.

MOTION: Allen Bryans

SECOND: Jim Herold

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

NAYES: None

Motion carried

[Consider Approval Diebold Elections Services contract](#)

Clerk McCain reviewed the contract and advised the Council that the City will be using the voting machines from the Hall County for the September 18, 2007 Special Election and the November 8, 2007 General Election. Both elections will utilize Diebold Machines.

Clerk McCain further advised that the purchasing policy allows for the City to use a single source provider because it is a specialized machine.

There was a motion made to approve the contract with Diebold Elections Systems and to authorize the Mayor to execute said document.

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

**ATTORNEY REPORT:**

No report

**PLANNING, ZONING REPORT:**

Selection of JHC Corporation as contractor for the Flowery Branch TE Grant Project

City Planner Riker advised that JHC Corporation was the bid submitted that complied with all the GDOT requirements which included the disadvantaged business enterprise requirements

There was a motion made to approve JHC Corporation as the contractor for the TE Grant pending the approval of GDOT and to authorize the City Manager to execute the necessary contract documents for commencement of the project.

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

**COUNCIL REPORT:**

Councilman Allen Bryans advised that there were some street lights out and that some of the sensors are picking up the traffic lights from normal traffic causing them to shut off.

Information will be passed unto the Police Department for further investigation.

**EXECUTIVE SESSION:**

There was a motion made to enter Executive Session at 11:18 am.

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

**RECONVENE OPEN SESSION:**

There was a motion made to exit Executive Session and reconvene the open voting session at 11:55 am

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

There was a motion made to approve the contract between the City of Flowery Branch and the City Clerk Melissa McCain as discussed.

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

**ADJOURNMENT:**

There was a motion made to adjourn the July 18, 2007 Voting Session Meeting at 11:56 am.

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