



CITY OF FLOWERY BRANCH
VOTING SESSION
Meeting Minutes
October 3, 2007, 9:30 am



OPEN MEETING:

Mayor Hirling opened the meeting at 9:34 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 Richard Carothers.

ABSENT:

Councilwoman Jan Smith

****Note – Allen Bryans arrived at the meeting late****

PUBLIC COMMENTS:

Mohammed B. Hossain – 5840 Spot Springs Road - (770) 967-3828

Mr. Hossain approached the Council and expressed concerns regarding the median that had been installed in front of his business located at 5840 Spout Springs Road.

Mr. Hossain continued by stating that the median has caused his business to be reduced by 50%. Mr. Hossain further produced a 23 page petition requesting that the median be altered to allow for left turn traffic or removed altogether.

Further, Mr. Hossain advised that there was a heart attack victim at his store and it took 911 45 minutes to get to his store. When Mr. Hossain asked why it took 45 minutes the drive of the emergency vehicle advised that access was limited to his business and they had to travel to Thurmond Tanner Road and turn around.

****Note – Said petition is submitted with the minutes for this date. ****

Chris Moore – 4677 Holland Dam Road - (770) 965-7157

Mr. Moore shared the same concerns as Mr. Hossain and further went on to say that the Publix parking lot is a private parking lot and should not be used as a cut through road to gain access to business and homes along Holland Dam Road.

Mr. Moore advised that he had over 600 members that travel to his facility and he also submitted a signed petition to either remove or modify the median.

**** Note – Said petition is submitted with the minutes for this date. ****

Public comments con't

Hitesh Patel - 4523 Warwick Glen Place – Owner of property 4677 Holland Dam – 770-271-0058

Mr. Patel expressed the same concerns as Mr. Hossain and Mr. Moore.

Mr. Patel further went on to express concerns regarding his property values decreasing due to the lack of accessibility. He felt it was unfair to install the median without consulting the affected businesses and property owners.

Mr. Patel requested the City to reconsider the configuration and allow for left turn access to the general area.

Mayor Hirling requested that Planner Riker address the concerns.

Planner Riker informed the Council and the public that there were public meetings held to discuss the widening project on Spout Springs. This information was not only published in the paper (Gainesville Times) but the Code Enforcement Officer hand delivered a letter of notification to every resident and business owner that would be affect by the limited access.

Mr. Riker further stated that the traffic engineers for the Federal Highway Department, Department of Transportation, Hall County and the City Engineer felt there was a safety issue if an un-signalized left turn was allowed with the ramp exit in close proximity.

Councilman Jim Herold inquired if the City was able to reconfigure the median to allow for left turns.

Planner Riker advised that with the condition on signal being installed at the Publix's shopping center requires that a median be installed. Further Planner Riker advised that the State requested a median from Hog Mountain to 985 and the City negotiated to cut the median distance to the Publix with the installation of traffic light.

Councilman Herold reiterated that the State would not allow the median to be changed or removed and that the City did not have control over the median.

Councilman Herold further suggested that the City Manager research the reasoning behind the time it took the Fire Department to arrive at Mr. Hossain's Business in an emergency situation. Manager Andrew will research the issue.

Planner Riker further advised that it is estimated that there will be an additional 1200 car trips to the area once Stonebridge Village is in operation with approximately 600 of those vehicles driving past Mr. Hossain's business which in-turn will increase business for all businesses in the area.

UNFINISHED BUSINESS:

2nd Reading Ordinance 348-4 - Request to amend Article 9 "Residential Zoning Districts" as it relates to Table 9.2 "Dimensional Requirements for Nonresidential Zoning Districts." On behalf of Lakeside Hospitality LLC

Planner Riker reviewed the request.

Attorney Carothers read Ordinance 348-4

There was a motion made to approve Ordinance 348-4 as read.

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

2nd Reading Ordinance 370 – Annexation of Avery Dennison Property located at 4350 Avery Drive.

Planner Riker reviewed the request.

Attorney Carothers read Ordinance 370

There was a motion made to approve Ordinance 370 as read.

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

2nd Reading Ordinance 371 – Rezoning of the Avery Dennison Property located at 4350 Avery Drive

Planner Riker reviewed the request.

Attorney Carothers read Ordinance 371

There was a motion made to approve Ordinance 371 as read.

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

NEW BUSINESS:

Resolution 07-022 - Final Plat Sterling on the Lake Pod T

At the applicants request this item has been removed from the agenda.

Resolution 07-023 - Final Plat Sterling on the Lake POD U

At the applicants request this item has been removed from the agenda.

Approval September 13 Public Hearing Meeting Minutes

There was a motion made to approve September 13, 2007 Public Hearing Meeting Minutes as presented.

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

Approval September 19, 2007 Voting Session Meeting Minutes

There was a motion made to approve September 19, 2007 Voting Session Meeting Minutes as presented.

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

Approval September 19, 2007 Public Hearing Meeting Minutes

There was a motion made to approve September 1, 2007 Public Hearing Meeting Minutes as presented.

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

CITY MANAGER REPORT:

Discuss Red Oak Sanitation Contract

City Manager Andrew reviewed the proposed new contract with Red Oak Sanitation.

Manager Andrew advised that within the new contract every resident will be provided a 96 gallon, brown rolling trash container to use at no extra cost to the consumer. The cost will be borne on the City in the amount of \$1.92 per customer per month.

The current contract service fee is \$8.50 a customer and the new proposed rate would be \$10.42 a customer.

Further, Manager Andrew stated that the City has recorded excess revenue for trash services estimated at \$57,500. The \$1.92 would cut that excess revenue to \$32,092 – a difference of \$25,408. For a total estimated cost of \$165,408 a year for the entire City.

If approved this rate would be locked in for a period of three (3) years beginning November 1st, 2007.

There was a motion made to approve the contract with Red Oak Sanitation and allow the Mayor and City Manger to execute and necessary documents as well as adjust the budget accounts (540-4520-10-611000 to 540-4520-30-522110) accordingly, to balance the fund.

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

CLERK REPORT:

No report

ATTORNEY REPORT:

None

PLANNING AND ZONING REPORT:

Planner Riker reviewed the upcoming public hearing agenda set for October 25, 2007 at 6:00 pm and noted the October 11th, 2007 public hearing had been cancelled.

COUNCIL REPORT:

Candidate Forum scheduled at Sterling on the Lake on October 11, 2007 at 6:30 pm.

ADJOURNMENT INTO EXECUTIVE SESSION:

There was a motion made to adjourn into Executive Session for pending litigation at 10:35 a.m.

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

ADJOURN EXECUTIVE SESSION AND RECONVENE OPEN SESSION

There was a motion made to adjourn the Executive Session at 10:55 a.m. and reconvene open session.

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

ADJOURNMENT:

There was a motion made to adjourn the Special Called Work/Voting Session at 10:56 a.m.

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