



CITY OF FLOWERY BRANCH
Council Meeting – Work Session
Meeting Minutes
February 20, 2008
9:30 am



CALL WORK SESSION TO ORDER:

Mayor Hirling called the meeting to order at 9:30 a.m.

IN ATTENDANCE:

Mayor Diane Hirling and Council Members Allen Bryans, Pat Zalewski, Mary Jones, and Craig Lutz. Also in attendance were City Manager Bill Andrew, Deputy City Clerk Lou Camiscioni, City Planner James Riker, and City Attorney Ron Bennett.

ABSENT:

Councilman Chris Fetterman

PUBLIC COMMENTS:

There were no Public Comments.

Councilman Bryans requested that the minutes be removed from the Consent Agenda.

Councilman Bryans further requested an Executive Session for the purpose of pending litigation.

There was a consensus of the Council to remove the meeting minutes from the Consent Agenda and to conduct an Executive Session for pending litigation.

NEW BUSINESS:

[Discussion Minutes - February 6, 2008 & February 14, 2008.](#)

This item was tabled to later in the meeting after the Executive Session.

[Discussion John Morris/Building Inspector Contract](#)

Planner Riker requested from Council that the current contract the City has with Mr. John Morris, Building Inspector, be continued with no changes to compensation.

There were no questions or comments by the Council.

This item will be placed on the Voting Session Consent Agenda for further consideration.

Ordinance 348-6 – Zoning Code Amendment

Planner Riker asked if any member of Council had any questions on this item and there were none.

This item will be placed on the Voting Session Agenda for a first reading and further consideration.

Development Authority Position

City Manager Andrew presented to the Council a letter received from a citizen residing in Sterling on the Lake who would like to be considered in the vacant position created by Mr. Dousman resigning. The position would run from now until August when the position would become available again, and run for four (4) years.

Attorney Bennett stated that to appoint one of the two interested candidates it would only take a whole vote by Council. Also that in August there would be four (4) vacancies that would need to be filled.

Councilman Lutz requested that prior to August 2008, Council request additional information from any interested party thus providing more information about them, even a resume'.

It was agreed by the majority of council members to appoint one of the two candidates today rather than postpone it due to the fact the time remaining for this term would be over in August 2008.

This item will be placed on the Voting Session Agenda for further consideration.

DEPARTMENT HEAD REPORTS:

City Manager Report:

City Manager Andrew informed Council that he and Planner Riker had attended a DOT forum along with the Hall County Chamber of Commerce on 2/19/08. City Manager Andrew also mentioned that Hall County would be receiving most of the funding but there were no monies designated for the Spout Springs Road project.

Mayor Hirling inquired if Hall County has already offered funding for Spout Springs Road.

City Manager Andrew stated that had happened, but not identified by Hall County at this point.

City Manager Andrew reviewed with the Council the plans involving Hall County to rectify the capacity issue with the lift station on Martin Road. The County will reimburse the City for all expenses incurred in this project. City Manager Andrew requested approval for an invoice he authorized with Hanson Heidelberg Cement Group which will cover the cost of an additional wet well to be installed. This additional wet well is required due to the fact the initial lift station in service pumps at 300 gallons per minute but is being fed by a lift station pumping 1,300 gallons per minute. As a result of the current system, the City runs the risk of the small lift station overflowing where-as the City could be fined.

City Manager Andrew further advised that there will be a study implemented and the costs shared with the County in determining a new system for the future.

The other item discussed by City Manager Andrew was an invoice from BMH Communications to complete the work inside of 5512 / 5514 Main Street. This work would consist of installing the telephones, switches, circuit boards, and update the software on the City's current PBX system in managing the communication and network traffic from Main Street to 5512 / 5514 Main Street.

City Planner Report:

No report.

City Clerk Report:

Deputy City Clerk Camiscioni informed the Council that a schedule was included in the Council books indicating the date and time that each Council member would be meeting with the facilitator regarding the retreat.

Council Report:

No report.

ADJOURNMENT OF WORK SESSION INTO VOTING SESSION:

Mayor Hirling presented the Council with a motion to end the work session and go into the Voting Session at 10:05 a.m.

Motion: Pat Zalewski
Second: Allen Bryans
Ayes: Mary Jones, Craig Lutz, Pat Zalewski, Allen Bryans
Nays: None
Motion Carried

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Voting Session

CONSENT AGENDA:

Mayor Hirling stated at the opening of the voting session there would be three (3) items that need to be addressed; two (2) invoices, Hanson Heidelberg Cement Group Invoice for additional wet well for the lift station and the BMH Communications invoice for work inside of 5512 / 5514 Main Street and also Mr. Morris's contract continuation. Mayor Hirling asked for a motion from council.

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

Motion: Craig Lutz
Second: Allen Bryans
Ayes: Mary Jones, Pat Zalewski, Craig Lutz, Allen Bryans
Nays: None
Motion Carried

UNFINISHED BUSINESS:

1st Reading Ordinance 348-6

The text portion for the 1st reading of Ordinance 348-6 was read by Attorney Bennett.

No discussion from council.

Motion requested by Mayor Hirling on an approval of the 1st reading of Ordinance 348-6.

There was a motion made to approve the first reading of Ordinance 348-6.

Motion: Craig Lutz
Second: Allen Bryans
Ayes: Craig Lutz, Allen Bryans, Mary Jones, Pat Zalewski
Nays: None
Motion Carried

Planner Riker stated that the second reading would take place at the next scheduled council meeting scheduled for March 5, 2008.

Appointment to the Development Authority

Mayor Hirling addressed the Council and restated that the position they would be filling would be for Mr. Dousman who resigned. Council Member Lutz stated his opinion that the two letters he has seen do not detail much information on the two individuals who expressed an interest in the Development Authority. Council Member Lutz requested that a document similar to a resume' might be a better tool in appointing someone to this position. Council Member Zalewski agreed that perhaps in August when this term expires and for future appointments that could be a tool Council could use, but due to the short time of the current position, Council should vote today and choose one of the two individuals. Council Member Lutz reminded the Council that one Council Member was absent that put forward one of the two individuals. Mayor Hirling canvassed the Council if they would like to postpone the appointment or go forward and it was agreed by the majority to go forward with the appointment. Mayor Hirling then put forth the motion to entertain Mr. Jim Herold to be appointed to the Council.

Motion: Mary Jones
Second: Allen Bryans
Ayes: Mary Jones, Allen Bryans, Pat Zalewski
Nays: Craig Lutz
Motion Carried

EXECUTIVE SESSION:

Mayor Hirling asked for a motion to exit the Voting Session and enter into Executive after a short break at 10:22 am.

There was a motion made to exit the Voting Session and enter Executive Session at 10:22 am.

Motion: Pat Zalewski
Second: Craig Lutz
Ayes: Pat Zalewski, Craig Lutz, Mary Jones, Allen Bryans
Nays: None
Motion Carried

RECONVENE VOTING SESSION:

Mayor Hirling asked for a motion to exit Executive Session and enter back into the Voting Session at 10:38 a.m.

There was motion made to exit the Executive Session and enter the Voting Session.

Motion: Pat Zalewski
Second: Craig Lutz
Ayes: Pat Zalewski, Craig Lutz, Mary Jones, Allen Bryans
Nays: None
Motion Carried

[Approval of February 6, 2008 Meeting Minutes and February 14, 2008 Pubic Hearing Meeting Minutes](#)

Mayor Hirling asked for a motion to approve the minutes of 2/6/2008

There was motion made to approve the February 6, 2008 Meeting Minutes as presented.

Motion: Craig Lutz
Second: none
Motion Died

There was a motion made to approve the minutes of 2/14/08 Public Hearing

Motion: Craig Lutz
Second: Allen Bryans
Ayes: Craig Lutz, Allen Bryans, Mary Jones, Pat Zalewski
Nayes: None
Motion Carried

The minutes for the meeting of 2/6/08 will be put on the agenda for the March 5, 2008

Council Member Allen Bryans asked about the City going with Action Minutes rather than Summary Minutes. Action Minutes are recommended by Attorney's as well as the GMA; least amount of liability to the City as well.

City Attorney Bennett mentioned that with Action Minutes the City Clerk would just report Ayes and Nayes.

Council Member Lutz then asked what if a person states "for the record," what happens then.

City Attorney Bennett stated he would have to look into that.

City Manager Andrew stated that there are three (3) types of minutes taken; Verbatim, Summary, and Action Only. Summary Minutes could be an indication of judgments made by someone other than the individual who made a comment, could be the interruption of the City Clerk for example. Action Minutes record along with Ayes and Nayes, motions as well as votes. This item was discussed at a seminar he attended and a representative of the Carl Vinson Institute reviewed these items.

Mayor Hirling asked if the City's Charter or Roberts Rules would be used in determining what type of minutes need to be taken.

City Manager Andrew stated that approved minutes reflect what actually happened at a meeting; not tapes or anything else.

City Attorney Bennett will research the topic as to what can be extracted or changed as well, and bring his findings to the March 5, 2008 council meeting.

ADJOURNMENT:

After having no further business to discuss, Mayor Hirling asked for a motion to adjourn the meeting.

There was a motion to adjourn the meeting.

Motion: Allen Bryans

Second: Craig Lutz

Ayes: Allen Bryans, Craig Lutz, Pat Zalewski, Mary Jones

Nays: None

Motion Carried

Mayor Diane Hirling

Date

Assistant City Clerk Lou Camiscioni