



**CITY OF FLOWERY BRANCH**  
**Council Meeting – Work Session**  
**Meeting Minutes**  
**March 5, 2008, 9:30 am**



**CALL WORK SESSION TO ORDER:**

Mayor Hirling called the meeting to order at 9:31 am

**IN ATTENDANCE:**

Mayor Diane Hirling and Council Members Allen Bryans, Pat Zalewski, Mary Jones, Craig Lutz and Chris Fetterman. Also in attendance were City Manager Bill Andrew, City Clerk Melissa McCain, City Planner James Riker, and City Attorney Richard Carothers and Attorney Ron Bennett.

**PUBLIC COMMENTS:**

**Ed Lezaj – 5612 Newberry Point Drive, Flowery Branch, Ga. 30542**

Mr. Lezaj approached the Council and advised that he was in favor of the Council changing the current morning meetings to evening meetings. Mr. Lezaj advised that holding the meetings in the morning prevented Flowery Branch citizens from attending the meetings unless they were retired.

Mr. Lezaj further advised that he felt the Council should not consider changing the minute recording style to action-only as that would only stifle the publics' comments. The minutes should accurately reflect the meeting and if the meeting has public comments they should be reordered.

Mr. Lezaj continued by stating that he had no objection to the meeting style but expressed concerns with items on the Work Session portion of the agenda being placed on the same day Voting Session Agenda giving the public little time to digest and address the issue

**NEW BUSINESS:**

**[Discussion Minutes - February 6, 2008, February 20, 2008 & February 25, 2008.](#)**

Councilman Bryans requested that any statements made or read by Council that are to be included in the minutes should require the speaker to announce that the statement made is only their opinion.

Attorney Bennett reviewed Roberts Rules regarding discussions and voting procedures.

After some discussion Councilman Bryans requested that the February 6, 2008 Council Meeting Minutes be removed from the Consent Agenda and placed on the Voting Session, Unfinished Business Agenda for further consideration.

The February 20, 2008 Council Meeting Minutes and the February 25, 2008 Emergency Council Meeting Minutes were placed on the March 5, 2008 Voting Session Consent Agenda for further consideration.

[Discussion Bob Loveland – Financial Consultant Contract](#)

City Manager Andrew reviewed Mr. Loveland's background and memorandum of understanding.

This item was placed on the March 5, 2008 Voting Session Consent Agenda for further consideration.

[Discussion - Ordinance 348-6 – Zoning Code Amendment \(2<sup>nd</sup> reading\)](#)

Planner Riker advised that this item had been presented at the Public Hearing in February as well as being discussed at the February 20<sup>th</sup> Council Meeting at which time a first reading and vote occurred.

There were no comments or discussion.

This item was placed on the Voting Session, Unfinished Business Agenda for a second reading and further consideration.

[Discussion - Ordinance 374 – Solicitation \(1<sup>st</sup> Reading\)](#)

Councilman Lutz advised that he been working with the City Attorney to produce Ordinance 374 regarding solicitation.

Councilman Lutz advised that this Ordinance would regulate commercial business as well as set policy on the hours of authorized solicitations.

Councilman Lutz further advised that he had researched different areas and hopefully the Ordinance before the Council will protect the publics' peace and privacy.

Attorney Bennett reviewed the Ordinance. It was noted that this Ordinance would regulate door to door sales with charitable and religious organizations being exempt.

Attorney Bennett continued by stating that the process would be for a solicitor to apply at City Hall and pay any fees that will be set by resolution once the ordinance is approved. The application will then go to the Chief of Police for a criminal history. If approved the license would be good for one (1) year with the ability to be revoked or suspended if there are violations to the ordinance.

Residents may post no solicitation signs on their doors or at the end of their driveways and the solicitor must respect their privacy and not disturb that resident.

This item was placed on the Voting Session, Unfinished Business Agenda for further consideration.

[Discussion - Ordinance 303-D –Setting Meeting style, days and times \(2<sup>nd</sup> reading\)](#)

City Clerk McCain reviewed the ordinance.

Councilman Lutz advised that holding meetings during the day does not allow for public attendance and that the Ordinance only codifies the meeting times in the morning.

Councilman Lutz advised that he felt morning meetings are not what the public desires.

Councilman Fetterman advised that the Council is seated to service the citizens of Flowery Branch and that morning meetings were not a service to the citizens and has heard no opposition to night meetings.

With no further discussion this item was placed on the Voting Session, Unfinished Business Agenda for further consideration.

**DEPARTMENT REPORTS:**

[City Manager Report](#)

City Manager Andrew reviewed his schedule, meetings and current projects.

Manager Andrew noted that the budget process had begun and that a draft budget was proposed to be presented to the Council and be available to the public May 7, 2008.

[City Clerks Report](#)

Clerk McCain reviewed the registration for the Savannah convention and advised due to technical difficulties on the part of GMA the registration has been moved to March 17<sup>th</sup> at 9:00 a.m.

[Council Reports](#)

There were no Council reports.

**ADJOURNMENT WORK SESSION:**

The Mayor moved into the Voting Session at 10:07 a.m.



**CITY OF FLOWERY BRANCH**  
**Council Meeting – Voting Session**  
**Meeting Minutes**  
**March 5, 2008**



**VOTING SESSION 10:07 A.M.**

**CONSENT AGENDA:**

1. Approval February 20, 2008 Meeting Minutes
2. Approval of February 25, 2008 Emergency Meeting Minutes
3. Approval of contract with Bob Loveland, Financial Consultant

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

MOTION: Pat Zalewski

SECOND: Mary Jones

AYES: Mary Jones, Allen Bryans, Pat Zalewski, Craig Lutz and Chris Fetterman

NAYES: None

Motion carried

**UNFINISHED BUSINESS:**

**[Approval of February 6, 2008 Meeting Minutes](#)**

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

MOTION: Craig Lutz

SECOND: Chris Fetterman

Discussion:

Councilman Bryans advised that until the minutes indicated that the statements made were the speakers' opinion he would vote against approval.

Councilman Lutz stated that he felt any statement made by any Council member was considered their opinion and that it did not necessarily have to be stated prior to each statement.

There was a motion made to withdraw the motion to approve the February 6, 2008 meeting minutes.

MOTION: Craig Lutz  
SECOND: Chris Fetterman  
AYES: Chris Fetterman, Pat Zalewski, Mary Jones and Allen Bryans.  
NAYES: Craig Lutz  
Motion carried – prior motion withdrawn.

There was a motion made to postpone the approval of the February 6, 2008 meeting minutes until March 19, 2008 Council Meeting

MOTION: Chris Fetterman  
SECOND: Allen Bryans  
AYES: Allen Bryans, Pat Zalewski, Mary Jones and Chris Fetterman  
NAYES: Craig Lutz  
Motion carried

[2nd Reading Ordinance 348-6 - Zoning Code Amendment](#)

Attorney Bennett read Ordinance 348-6.

There was a motion made to approve the second reading of Ordinance 348-6 – Zoning Code Amendment.

MOTION: Craig Lutz  
SECOND: Pat Zalewski  
AYES: Allen Bryans, Pat Zalewski, Mary Jones, Chris Fetterman and Craig Lutz.  
NAYES: None  
Motion carried

[1st Reading Ordinance 374](#)

Attorney Bennett read Ordinance 374.

There was a motion made to approve the first reading of Ordinance 374 – Solicitation.

MOTION: Craig Lutz  
SECOND: Chris Fetterman  
AYES: Allen Bryans, Pat Zalewski, Mary Jones, Chris Fetterman and Craig Lutz.  
NAYES: None  
Motion carried

2<sup>nd</sup> Reading Ordinance 303-D

Attorney Bennett read Ordinance 303D

There was a motion made to approve the second reading of Ordinance 303-D – Meeting Style, Days and times.

MOTION: Allen Bryans

SECOND: Pat Zalewski

Discussion:

Councilman Lutz advised that he felt the citizens' desire was not to have meetings in the morning hours.

AYES: Allen Bryans, Pat Zalewski and Mary Jones,

NAYES: Chris Fetterman and Craig Lutz.

Motion carried

**ADJOURNMENT:**

There was a motion to adjourn the March 5, 2008 Council Meeting at 10:21 a.m.

MOTION: Pat Zalewski

SECOND: Allen Bryans

AYES: Pat Zalewski, Allen Bryans, Mary Jones, Chris Fetterman and Craig Lutz.

NAYES: None

Motion carried

---

Mayor Diane Hirling

---

Date

---

City Clerk Melissa McCain