



**CITY OF FLOWERY BRANCH**  
**Council Meeting Minutes**  
**Work Session**  
**Wednesday July 16, 2008**  
**9:30 A.M.**



**OPEN WORK SESSION:**

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 Chris Fetterman. Also in attendance were Assistant City Clerk Lou Camiscioni, City Planner James Riker and City Attorney Richard Carothers.

**ABSENT:**

Councilman Craig Lutz

**PLEDGE OF ALLEGIANCE:**

Mayor Hirling led the Pledge of Allegiance.

**PUBLIC COMMENTS:**

There were no public comments.

**UNFINISHED BUSINESS:**

There was no unfinished business

**NEW BUSINESS:**

***Discussion – 1<sup>st</sup> reading of Ordinance 376 – Creation of Local Historic District Boundaries***

Planner Riker summarized the Ordinance.

There were no questions or comments.

There was a consensus to place the 1<sup>st</sup> reading of Ordinance 376 on the Voting Session Agenda for further consideration.

*Discussion – 1<sup>st</sup> reading of Ordinance 348-8 – Text Amendment to the Zoning Ordinance*

Planner Riker summarized the Ordinance.

There were no questions or comments.

There was a consensus to place the 1<sup>st</sup> reading of Ordinance 348-8 on the Voting Session Agenda for further consideration.

**DEPARTMENT REPORTS:**

*Planning & Zoning*

No report

*City Manager Report*

City Manager Andrew reviewed the August Meeting Schedule and requested that the August 6, 2008 Regular Council Meeting be cancelled as there will not be a quorum.

Further Manager Andrew advised that the Public Hearing date would also need to be adjusted.

There was a consensus of the City Council to cancel the August 6, 2008 Regular Council Meeting and to reschedule the August 14, 2008 Public Hearing to August 28, 2008. The next scheduled Regular Council Meeting will be held on August 20, 2008.

Manager Andrew further advised that there were two resignations from the Flowery Branch Development Authority, Mr. Jonathon Wayne and Mr. Mike Pitts. Mr. Bill Northquest is acting chairman until replacements are appointed.

The newest member to the Development Authority, Mr. Harold Kirkhoff will be attending training.

Manager Andrew reminded the Council that the next Joint Local Government Meeting is scheduled for Monday July 28, 2008 at the depot in Lula.

*Council Report*

No report.

**ADJOURNMENT WORK SESSION:**

Mayor Hirling adjourned the work session at 9:45 a.m.



**CITY OF FLOWERY BRANCH**  
**Council Meeting Minutes**  
**Voting Session**  
**Wednesday July 16, 2008**  
**Immediately following Work Session**



**OPEN VOTING SESSION:**

Mayor Hirling opened the Voting Session at 9:45 a.m.

**UNFINISHED BUSINESS:**

**1<sup>st</sup> reading of Ordinance 376 – Creation of Local Historic District Boundaries**

Attorney Carothers read Ordinance 376.

There was a motion made to approve Ordinance 376 as read.

MOTION: Pat Zalewski

SECOND: Mary Jones

**Discussion: Councilman Fetterman read the following statement;**

I think most actions by a legislative body, such as the creation of ordinances, resolutions, codes, bills and acts, which become law, which people must follow, start of with the best intentions and through time become translated and twisted to fit the needs of government.

The National Historic Preservation Act of 1966 states;

“... the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people”.

And the Georgia Historic Preservation Act of 1980 states;

“The General Assembly finds that the historical, cultural, and aesthetic heritage of this state is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the people.”

As I read the entire National Historic Preservation Act and the Georgia Historic Preservation Act, I read about the preservation of historic property with “few remaining examples of past architectural style”, or “The preservation of this irreplaceable heritage is in the public interest”.

*(Fetterman Statement Continued)*

But nowhere could I find where it stated where a government should create a historic district, allow people to tear down the buildings, and have something built back that has a historic feel. All I found was how we are supposed to “preserve” historic property. Yet in Chapter 8, Historic Preservation in the Flowery Branch Comprehensive Plan states, “Flowery Branch should prepare a comprehensive master plan for the redevelopment of Old Town that includes the existing historic resources in downtown as a foundation of the planning process”. I never read the word redevelopment in either the National Historic Preservation Act or the Georgia Historic Preservation Act.

We already have an extensive zoning code, Ordinance 378, which has already had a number of amendments, which shows our ability to work with citizens, businesses, and developers to build aesthetically beautiful buildings. Look at the Stonebridge Village, and the new homes at 5506 and 5510 Chestnut Street, as well as the remodeling at 5502 Chestnut Street. All these were built or remodeled in the past year under the guidance of our zoning code and planning department and they are not in any kind of historic district and they all are aesthetically beautiful.

Flowery Branch already has the Flowery Branch Commercial Historic District, which was added in 1985 and consists of 20 acres and 12 building on Main Street and Railroad Avenue with a registration number 85001932. Looking at these buildings one could say - yes, they look and feel historic and need to be preserved.

Ordinance 376 is a clear case of government gone wild. The National Historic Preservation and Georgia Historic Preservation Acts started with good intentions and, through the years, have become property rights issues.

And as every other community in this great nation, they all have a great history, but not everything is historic.

### **VOTE CON'T**

AYES: Mary Jones, Pat Zalewski and Allen Bryans

NAYES: Chris Fetterman

Motion carried

### **1<sup>st</sup> Reading of Ordinance 348-8 – Text Amendment to the Zoning Ordinance**

Attorney Carothers read Ordinance 348-8.

There was a motion made to approve Ordinance 348-8.

MOTION: Mary Jones

SECOND: Pat Zalewski

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

NAYES: None

Motion carried

**EXECUTIVE SESSION:**

There was a motion made to exit open session and enter executive session at 9:55 a.m.

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

**RECONVENE OPEN SESSION:**

There was a motion made to reconvene open session and exit the executive session at 10:02 a.m.

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

**ADJOURNMENT:**

There was a motion made to adjourn the July 16, 2008 Council Meeting at 10:03 a.m.

MOTION: Mary Jones  
SECOND: Pat Zalewski  
AYES: Pat Zalewski, Chris Fetterman, Allen Bryans and Mary Jones.  
NAYES: none  
Meeting adjourned.