



**CITY OF FLOWERY BRANCH**  
**Council Meeting Minutes**  
**Work Session**  
**Thursday September 9, 2010**  
**Immediately following Public Hearing**



**CALL TO ORDER:**

Interim Mayor Miller called the meeting to order at 6:30 p.m.

**PUBLIC COMMENT:**

No public comments

**UNFINISHED BUSINESS:**

*Discussion – 1<sup>st</sup> Reading Ordinance 441 – Sign Code for Flowerly Branch Historic District*

Planner Riker stated that this was just discussed at the Public Hearing and that he had nothing further to add.

No comments

*Discussion 2<sup>nd</sup> Reading Ordinance 439 – Annexation of 6.41 acres also known as 6477 McEver Road*

Planner Riker stated that he had no additional information since the first reading of this ordinance.

There were no comments

*Discussion 2<sup>nd</sup> Reading Ordinance 440 – Rezoning of 6.41 acres also known as 6477 McEver Road*

Planner Riker stated that he had no additional information since the first reading of this ordinance.

There were no comments

## **NEW BUSINESS:**

### *Discussion – 1<sup>st</sup> Reading Ordinance 442 – Establishing Tampering and Reconnection fees for Utilities*

Clerk McCain advised that the Water and Sewer Ordinance did not contemplate tampering with meters or equipment once water has been disconnected for non-payment. This amendment will allow for a fee to be set by Resolution for said tampering.

### *Discussion August 26, 2010 Public Hearing Meeting Minutes*

There were no comments or changes

### *Discussion August 26, 2010 Council Meeting Minutes*

There were no comments or changes

### *Discussion – Brew Pub, Beer & Wine License Toasted and Tapped*

Clerk McCain reviewed the application – all was in order for council approval.

There were no questions or comments

## **DEPARTMENT REPORTS:**

### **City Manager**

City Manager Andrew advised that he had a lease signed by a counseling service for the location at 5511 Main Street.

Further Manager Andrew stated that this item would need to be voted on to approve the lease as prepared.

### **Clerk Report**

Clerk McCain advised that there was a small business owner concerned about the amount of garage sales the City allows and that this business owner requested that the city's allowance of garage sales be lowered from five to three.

Continuing, Clerk McCain advised that the garage sale ordinance only allows for a garage sale of items at that residence and that outside items are not allowed to be brought in to have the garage sale. This business owner feels that this person has 5 garage sales every summer and that she sees items being brought in and that affects her business.

There was a consensus of the council to reduce the number of garage sales from five to three.

**Planner Report**

Planner Riker reviewed the Downtown Transportation Plan.

**ATTORNEY REPORT:**

No report

**COUNCIL REPORT:**

Mayor Miller reminded the council of the upcoming Car Show and Chili Cook-Off and the Sterling Stampede.

**ADJOURNMENT:**

The Work Session was adjourned at 6:56 pm.

*Intentionally left blank*



**CITY OF FLOWERY BRANCH**  
**Council Meeting Minutes**  
**Voting Session**  
**Thursday September 9, 2010**  
**Immediately following Work Session**



**CALL TO ORDER:**

Interim Mayor Miller called the Voting Session was called to order at 6:56 pm.

**CONSENT AGENDA:**

- August 26, 2010 Public Hearing Meeting Minutes
- August 26, 2010 Council Meeting Minutes
- Brew Pub, Beer & Wine License Toasted and Tapped

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

MOTION: Chris Fetterman  
SECOND: Tara Richards  
Unanimous

**UNFINISHED BUSINESS:**

*1<sup>st</sup> Reading Ordinance 441 – Sign Code for Flowery Branch Historic District*

Attorney Bennett read Ordinance 441

There was a motion made to approve the first reading of Ordinance 441

MOTION: Kris Yardley  
SECOND: Tara Richards  
Unanimous

*2<sup>nd</sup> Reading Ordinance 439 – Annexation of 6.41 acres also known as 6477 McEver Road*

Attorney Bennett read Ordinance 439

There was a motion made to approve the second reading of Ordinance 439

MOTION: Tara Richards  
SECOND: Chris Fetterman  
Unanimous

[2<sup>nd</sup> Reading Ordinance 440 – Rezoning of 6.41 acres also known as 6477 McEver Road](#)

Attorney Bennett read Ordinance 440

There was a motion made to approve the second reading of Ordinance 440

MOTION: Kris Yardley  
SECOND: Chris Fetterman  
Unanimous

[1<sup>st</sup> Reading Ordinance 442 – Establishing Tampering and Reconnection fees for Utilities](#)

Attorney Bennett read Ordinance 442

There was a motion made to approve the first reading of Ordinance 442

MOTION: Tara Richards  
SECOND: Chris Fetterman  
Unanimous

[Lease Agreement 5511 Main Street](#)

There was a motion made to approve the lease agreement as presented.

MOTION: Chris Fetterman  
SECOND: Kris Yardley

Discussion:

Councilman Yardley expressed concerns with having a drug and alcohol treatment counseling center located right next door to a community theater that will have children running around the area.

Further, Councilman Yardley stated that if the city wanted to bring families to the downtown area he was not sure having this type of service located in the center of downtown would be appropriate.

Manager Andrew advised that there would also be other counseling involved and that is was not strictly a drug and alcohol council center.

Councilman Fetterman suggested the possibility of limiting hours so as not to interfere with family functions.

Councilwoman Richards suggested that a meeting be set up with the lease to discuss the concerns raised by the council and attempt to work on a compromise.

Councilman Fetterman withdrew his motion.

There was a motion made to postpone the lease agreement until September 23, 2010.

MOTION: Chris Fetterman

SECOND: Kris Yardley  
Unanimous

**EXECUTIVE SESSION:**

There was a motion made to go into Executive Session at 7:12 pm for:

- Personnel

MOTION: Chris Fetterman  
SECOND: Tara Richards  
Unanimous

**RECONVENE OPEN SESSION:**

There was a motion made to exit Executive Session and reconvene Open Session at 7:27 pm.

MOTION: Chris Fetterman  
SECOND: Tara Richards  
Unanimous

There was a motion made to authorize the Mayor to sign a separation agreement with a Wastewater Treatment Plant Employee.

MOTION: Chris Fetterman  
SECOND: Tara Richards  
Unanimous

There was a motion to appoint Craig J Pake as the City's Municipal Court Public Defender for the City of Flowery Branch.

MOTION: Chris Fetterman  
SECOND: Kris Yardley  
Unanimous

There was a motion made to appoint The Csyder and Collins firm as the Municipal Court Solicitor for the City of Flowery Branch.

MOTION: Kris Yardley  
SECOND: Tara Richards  
Unanimous

**ADJOURNMENT:**

There was a motion made to adjourn the meeting at 7:31 pm.

MOTION: Chris Fetterman  
SECOND: Kris Yardley  
Unanimous