



**City of Flowery Branch
City Council Meeting
Thursday, February 20, 2025, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Asbridge called the meeting to order at 6:00 p.m.

Present: Mayor Asbridge and Council Members Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matthew Hamby, Planning and Community Development Director Chris McCrary, Human Resources Director Krystle Hightower, Public Work & Utilities Director Bill Whidden, and City Attorney Ted Baggett.

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

There was a motion to approve the agenda as presented.

MOTION: Chris Mundy

SECOND: William McDaniel

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

AWARDS & RECOGNITIONS: There were no awards or recognitions.

PUBLIC HEARING:

Public Hearing Regarding House Bill 581

City Manager Parrish presented a public hearing on House Bill 581 (HB581) by giving an overview of the bill. The Georgia Legislature approved HB581 during the 2024 session. The

legislation required a statewide referendum. Voters approved the measure in November 2024 election. This places a limit on the assessed value of homestead properties. HB581 enacts a statewide floating homestead exemption. Cities can decide to “opt out” of offering the exemption.

The referendum language that voters saw on the November 2024 voting ballot: *Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by general law for a state-wide homestead exemption that serves to limit increases in the assessed value of homesteads, but which any county, consolidated government, municipality, or local school system may opt out of upon the completion of certain procedures?*

Each city, as well as county, has an opt-out provision. This comes with advertising requirements and three public hearings must be conducted. If you don’t opt-out, you are automatically opted in. The opt-out must be completed and certified by the Georgia Secretary of State by March 1, 2025. This does not mean taxes automatically increase if opted out. Millage rates may still be rolled back or lowered as needed by Council. This does not have any effect on existing senior citizens’ school tax exemptions.

Statewide Floating Homestead Exemption imposes an annual limit on value increases on properties with a homestead exemption, but it must be occupied by the owner. The annual limit is set by the Georgia Department of Revenue and is tied to inflation. The taxable value of a home resets when the property is sold, or significant improvements are completed.

HB581 also provides a possible FLOST Tax (Floating Local Option Sales Tax) as a means of recouping the revenue lost by the value limitations. This would have to be approved by the voters. If either the county, or even one city within the county that levies a property tax does not have a floating homestead exemption (either the one created by this bill, or a pre-existing one), then the county and all cities within the county are disqualified from the FLOST tax. It is an all or none deal.

Flowery Branch’s initial cost would be approximately \$59,098 in year one. The numbers used for estimation were taken from the Governor Homestead Exemption in 2023. It would increase each year as market conditions change. In a decade, it could easily equal approximately one million dollars per year. Tax loss burdens would then shift to commercial properties including small businesses and rental properties. City Councils of the future may be placed in a precarious position each year to raise the millage rate to maintain service levels, much less increase service levels. Over time, home values will still become largely out of sync with actual values. Twenty years in the future a home value may have moved 3% (or less) per year meaning that longer-term homeowners may end up paying far less in property tax than a homeowner that just bought a home at market rate, creating an inequity when it comes to paying for services. Future borrowing for infrastructure may be more costly as each time a bond is issued a rating agency “grades” the government’s ability or likelihood to be able to appropriately levy a tax to ensure obligations are met. If artificial value caps are placed and raising millage rates are deemed more cumbersome, that will almost certainly factor into the grading, hence a potential slightly higher interest rate at issuance. Opting in is a decision that permanently cedes some taxing authority to the State rules.

The financial impact on the City of Flowery Branch from 2016 to 2024:

- The value of homesteaded properties increased on average by 10.14%.
- The value of non-homesteaded properties increased on average by 11.06%.
- The Consumer Price Index (CPI) from 2016-2024 averaged 3.41% growth.

Director Hamby presented detailed financial impacts of House Bill 581.

Individual Home Example Opting Out vs Opting In

Property Value at Assesed Value			
Tax Year	Total Value	Taxable Value	Property Tax Generated
2021	\$ 299,500.00	\$ 119,800.00	\$ 391.03
2022	\$ 347,800.00	\$ 139,120.00	\$ 454.09
2023	\$ 417,200.00	\$ 166,880.00	\$ 544.70
2024	\$ 450,200.00	\$ 180,080.00	\$ 587.78
Total			\$ 1,977.59
Median Home value in tax year 2024 (\$450,000)			

Property Value at Inflationary Growth			
Tax Year	Total Value	Taxable Value	Property Tax Generated
2021	\$ 299,500.00	\$ 119,800.00	\$ 391.03
2022	\$ 308,485.00	\$ 123,394.00	\$ 402.76
2023	\$ 317,739.55	\$ 127,095.82	\$ 414.84
2024	\$ 327,271.74	\$ 130,908.69	\$ 427.29
Total			\$ 1,635.91
Assumes a 3% growth in Inflation			

Individual Home Example Opting Out vs Opting In

Differences by Year	
2021	\$ -
2022	\$ 51.33
2023	\$ 129.86
2024	\$ 160.50
Total (2015 - 2024)	\$ 341.68
2206 (# of 2023 Homestead Exempt Properties)	\$ 753,746.89
Total # of Homestead Exempt Properties in Tax Year 2023: 2206	

WHERE DO MY TAXES GO?

YOUR TAX DOLLAR BREAKDOWN

A Quick-Look Summary of your Tax Dollar Breakdown by Governmental Entity for Tax Year 2023.



Council held a discussion throughout the public hearing with City Manager Parrish and Director Hamby.

In favor of Opting In and Against the Resolution, and to further clarify, also means to enact the statewide floating homestead exemption:

Dave Umberg, 7105 Boathouse Way, Flowery Branch, Georgia.

Mike Bloomingfield, 7425 Brookstone Circle

In Opposition of Opting In and in Favor of the Resolution, and to further clarify, also means to not enact the statewide floating homestead exemption: None

Mayor Asbridge closed the public hearing at 6:40 p.m.

Public Hearing and First Reading of Ordinance 731, Public Hearing and First Reading of Ordinance 733, Public Hearing and First Reading of Ordinance 732, Public Hearing and First Reading of Ordinance 734, Public Hearing and First Reading of Ordinance 735

Director McCrary presented Ordinance 731, 732, 733, 734, and 735 and advised during the 2024 Retreat, there was a discussion regarding several text amendments for consideration.

Ordinance 731 addresses the code requires a minimum of thirty days no longer than forty-five days to advertise a public hearing. Staff propose to lower the minimum days from thirty days to fifteen days. This aligns with Georgia law for public advertisement. Fifteen days gives staff time to review the public hearing applications to determine completeness of the submittal prior to the advertisement being sent to the newspaper. Each section of the code that required a minimum of thirty days has been changed to fifteen days.

Ordinance 733 introduces SF-TH (Single Family Townhome District) and RMU (Residential Multi-Unit) into Article 6. Each use is described in Sections 6.5 and 6.6. Table 6.1 is revised to show permitted and conditional uses, and 6.2 has been revised to show permitted and conditional uses, and 6.2 has been revised to include dimensional requirements for SF – TH and RMU. Design Requirements remain the same. For example, there are no more than 6 townhome units in a building. All architectural standards are in place and will be applied to all permits.

Ordinance 732 in regard to legacy zoning categories refer to classifications from older zoning ordinances that no longer align with current practices or standards. Former zoning categories, such as R-3 (Residential Multi-Family District) and PUD (Planned Unit Development), were removed from the code but remain on the zoning map. For legal purposes, they must be described in the code while they are shown on the map. These categories are inactive and cannot be used for new zoning cases.

Ordinances 734 provides for minor revisions to the permitted uses identified in Article 9, Table 9.1, to eliminate redundancies in non-residential zoning districts by removing prohibited residential uses. With the exception of the CBD (Central Business District), residential uses are not permitted by right in non-residential zoning categories. Correspondingly, the revisions to Table 9.2 remove residential dimensional requirements in nonresidential zoning districts, reaffirming that residential uses remain prohibited outside the CBD. Furthermore, this ordinance establishes the requirement of a Conditional Use Permit for the operation of large civic facilities—such as private clubs, churches, synagogues, and temples – where groups congregate within a single room or building, to ensure compliance with minimum code standards. Likewise, it introduces a Conditional Use Permit requirement for the operation of private schools in Highway Business zoning designations, thereby addressing traffic considerations and public safety concerns.

Table 9.2

Dimensional Requirements for Nonresidential Zoning Districts

ORDINANCE 734
TABLE 9.2

Dimensional Requirement (measurement unit)	O-P	INST	NS	HB	CBD	M-1	M-2
Maximum height (feet)	35	45	35	60	Note 1	75	75
Maximum height (number of stories)	3	3	3	5	Note 1	4	5
Maximum density (units per acre)	3 N/A	3 N/A	3 N/A	12 N/A	N/A	N/A	N/A
Minimum lot size for detached single family dwelling (square feet)	10,000 N/A	10,000 N/A	10,000 N/A	10,000 N/A	7,000	N/A	N/A
Minimum lot size for other uses (square feet)	10,000	None	None	None	None	None	None
Minimum lot width (feet)	75	75	90	None	None	100	100
Minimum heated floor area per dwelling unit (square feet)	1,200 N/A	1,200 N/A	1,200 N/A	700 N/A	700	700	700
Maximum heated floor area for other uses (square feet)	None	None	2,500 per tenant space	None	None	None	None
Minimum front yard setback (feet)	25	40	25	None	None	25	25
Minimum side setback, interior lot line (feet)	10	40	10	10	None	15	15
Minimum side setback, corner lot (feet)	15	40	15	15	None	25	25
Minimum side setback, interior lot line (width in feet) for institutional zones abutting other institutional zones	N/A	10	N/A	N/A	N/A	N/A	N/A
Minimum landscape strip required along side property lines for institutional zones abutting other institutional zones (width in feet)	N/A	5	N/A	N/A	N/A	N/A	N/A
Minimum rear setback (feet)	20	40	20	25	None	25	25
Minimum setback abutting an R-1, R-2, R-3, TND, or PUD district (feet)	25	50	40	30	None	60	60
Minimum width of natural buffer abutting an R-1, R-2, R-3, TND, or PUD district (feet)	15	40	30	30	None	50	50
Minimum landscape strip required along rights-of-way for any nonresidential or multi-family use (width in feet)	10	25	10	10 (None If built to	None	30	30



Ordinance 735 seeks to amend the definition of density in the code of ordinances by adding Net Density. Net Density is determined by subtracting from the gross area the following conditions:

- 50% of any land identified as wetland
- 50% of any land identified as waters of the state including buffer zones
- 50% of any land identified as a flood hazard boundary
- 50% of any land within an electricity transmission easement or ROW
- 50% of any land within a gas transmission easement or ROW

This ordinance seeks to amend the dimensional requirements in Chart 8.2 as well as the dimensional requirements in Table 6.2 and 7.2 to reflect the proposed addition of the density definition.

Council held a discussion with Director McCrary during the presentation of these text amendments prior to the public hearings.

Public Hearing of Ordinance 731 for Text Amendment to Article 33, Section 33.5; Article 34 Sections 34.12, 34.13; Article 37, Sections 37.10, 37.11 and Article 38, Section 38.8;

There being none in favor or in opposition of Ordinance 731 for Text Amendment to Article 33, Section 33.5; Article 34 Sections 34.12, 34.13; Article 37, Section 37.10 and 37.11 and Article 38, Section 38.8, Mayor Asbridge closed the public hearing at 7:03 p.m.

Public Hearing of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1 and Table 6.2 within Article 6.

In Favor: None

In Opposition:

Marc Weber, 6114 Stella Light Drive, Flowery Branch, Georgia.

Mayor Asbridge closed the public hearing for Ordinance 733 for a Text Amendment to add Section 6.5 and Section 6.6; Text Amendment to revise Table 6.1 and Table 6.2 within Article 6 at 7:09 p.m.

Public Hearing of Ordinance 732 to Amend Article 6 to Add Legacy Zoning Districts

There being none in favor or in opposition of Ordinance 732 to amend Article 6 to add Legacy Zoning Districts, Mayor Asbridge closed the public hearing at 7:10 p.m.

Public Hearing of Ordinance 734 to Amend Article 9, Table 9.1, Table 9.2

There being none in favor or opposition of Ordinance 734 to amend Article 9, Table 9.1 and Table 9.2, Mayor Asbridge closed the public hearing at 7:11 p.m.

Public Hearing of Ordinance 735 to Add Definition of Net Density Article 2 and Amend Sections Where Density is Applicable

There being none in favor or opposition of Ordinance 735 to add definition of Net Density Article 2 and amend Sections where density is applicable, Mayor Asbridge closed the public hearing at 7:12 p.m.

NEW BUSINESS -WORK SESSION:

Consider Professional Engineering Services for P.D. Fleet Maintenance Building for Site Work Design (Phase 1)

City Manager Parrish presented a proposal to contract with ESG Engineering Services for professional engineering services for the design and construction administration of civil site development improvements (Phase 1) at 5459 East Main Street, which will be the site of future building improvements (Phase 2) for the Police Department Fleet Maintenance Building and storage facilities.

Council held a discussion with City Manager Parrish and Andrew Swicegood of ESG Engineering.

Consider Resolution No. 25-001 Opting Out of House Bill 581

There was not a presentation of Resolution 25-001 Opting Out of House Bill 581 due to having the final public hearing on House Bill 581 earlier in this meeting.

Consider Professional Engineering Services for Road Paving Improvements Project

City Manager Parrish presented a proposal for professional engineering services for the design and construction administration of a local roadway paving improvements construction project and a sidewalk/drainage improvements construction project.

Council held a discussion with City Manager Parrish.

DEPARTMENT REPORTS:

Council Report:

Council Member McDaniel thanked City employees for the awesome job they are doing, and he also thanked the residents for coming to tonight's meeting.

Council Member Anglin thanked City Staff and stated there was a lot of hard work that went into the presentations on House Bill 581.

Mayor Asbridge advised he will be retiring from his position as mayor at the end of his current term which ends on December 31, 2025.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 7:24 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 7:24 p.m.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- Consider February 6, 2025 City Council Meeting Minutes
- Consider February 13, 2025 Special Called City Council Meeting Minutes
- Consider February 18, 2025 Special Called City Council Meeting Minutes
- Consider December 2024 & January 2025 Per Diem for Council Member McClellan
- Consider January 2025 Per Diem for Mayor Asbridge

There was a motion made to approve the consent agenda as presented.

MOTION: Chris Mundy

SECOND: Joseph Mezzanotte

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider a Task Order Agreement with ESG Engineering, Inc. for Professional Design and Management Services for Phase I of the Pedestrian Trail.

There was a motion made to approve the Construction Management contract with ESG Engineering, Inc. for an amount not to exceed \$190,000 without written authorization from the City.

MOTION: Oliver McClellan

SECOND: William McDaniel

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

NEW BUSINESS - VOTING SESSION:

Consider Professional Engineering Services for P.D. Fleet Maintenance Building for Site Work Design (Phase 1)

There was a motion made to approve a contract with ESG Engineering for professional engineering services for the design and construction administration of the P.D. Fleet Maintenance Building – Site Work Design (Phase 1) project.

MOTION: Joe Anglin

SECOND: Joseph Mezzanotte

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Consider Professional Engineering Services for Road Paving Improvements Project

There was a motion made to approve a contract with ESG Engineering for professional engineering services for the design and construction administration of a local roadway paving improvements construction project and a sidewalk/drainage improvements construction project.

MOTION: Oliver McClellan

SECOND: Joseph Mezzanotte

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Consider Resolution No. 25-001 Opting Out of House Bill 581

City Clerk Cooper read the caption for Resolution 25-001.

There was a motion made to deny Resolution No. 25-001.

MOTION: Joe Anglin

SECOND: Joseph Mezzanotte

There was a discussion and clarification from Attorney Baggett on this item and he advised by voting AYES means not to opt out of the House Bill 581 and therefore not to be in favor of Resolution 25-001.

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Consider a Real Estate Agreement with Lake Lanier Self Storage, LLC.

There was a motion made to authorize the purchase agreement with Lake Lanier Storage, LLC, and the purchase of real property for \$34,729.50.

MOTION: Oliver McClellan

SECOND: Chris Mundy

Council held a discussion with City Manager Parrish and Andrew Swicegood, ESG Engineering, Inc. regarding a timeline for the completion of the roundabout.

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Public Hearing and First Reading of Ordinance 731 for Text Amendment to Article 33, Section 33.5; Article 34 Sections 34.12, 34.13; Article 37, Sections 37.10, 37.11 and Article 38, Section 38.8

City Clerk Cooper read the caption for Ordinance 731.

There was a motion made to approve the first reading of Ordinance 731 with staff recommended text amendments.

MOTION: Chris Mundy

SECOND: William McDaniel

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Public Hearing and First Reading of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1 and Table 6.2 within Article 6

City Clerk Cooper read the caption for Ordinance 733.

There was a motion made to approve the first reading of Ordinance 733.

MOTION: William McDaniel

SECOND: Oliver McCellan

Council held a discussion with Director McCrary.

Council Member McDaniel withdrew the original motion to approve the first reading of Ordinance 733.

There was a motion made to approve Ordinance 733 with the amendments of in the RMU the density be cut to ten units per acre and in the townhomes front loading must be a minimum of 26 ft and rear loading a minimum 24 ft.

MOTION: Joe Anglin

SECOND: Chris Mundy

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Public Hearing and First Reading of Ordinance 732 to Amend Article 6 to Add Legacy Zoning Districts

City Clerk Cooper read the caption for Ordinance 732.

There was a motion made to approve the first reading of Ordinance 732 to amend Article 6 to add Legacy Zoning Districts.

MOTION: Joseph Mezzanotte

SECOND: Chris Mundy

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Public Hearing and First Reading of Ordinance 734 to Amend Article 9, table 9.1, Table 9.2

City Clerk Cooper read the caption for Ordinance 734.

There was a motion made to approve the first reading of Ordinance 734.

MOTION: Oliver McClellan

SECOND: William McDaniel

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Public Hearing and First Reading of Ordinance 735 to Add Definition of Net Density Article 2 and Amend Sections Where Density is Applicable

City Clerk Cooper read the caption for Ordinance 735.

There was a motion made to approve the first reading of Ordinance 735.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter an executive session for matters related to the acquisition/disposition of real estate, for matters related to certain personnel issues, and for matters related to pending or potential litigation at 7:48 p.m.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

There was a motion made to exit the executive session at 9:24 p.m.

MOTION: Joe Anglin
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn the meeting at 9:24 p.m.

MOTION: Oliver McClellan
SECOND: Joe Anglin
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried