



**City of Flowery Branch
City Council Meeting Minutes
Thursday, April 21, 2022, 6:00 P.M.
City of Flowery Branch City Hall
5410 W. Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

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

Present: Mayor Asbridge and Council Members Oliver McClellan, William McDaniel, Joseph Mezzanotte, and Chris Mundy. Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Alisha Gamble, Planning Director Rich Atkinson, Police Chief Chris Hulsey, Public Works Director Bill Whidden and City Attorney Ron Bennett.

Absent: Council Member Joe Anglin

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the pledge of allegiance.

PUBLIC HEARING:

Consideration of Ordinance 662 - A rezoning request submitted by Mr. Chris Herrington.

City Planner Atkinson presented a rezoning request submitted by Mr. Chris Herrington to rezone 5321 Gainesville Street, a .36+/- acre of land also known as tax parcel identification number 08112 013005 from residential, detached single-family, low-density district (R-1) to residential, detached single-family, moderate-density district (R-2) with the intent to combine this parcel with 5315 Gainesville Street (applicants' primary residence) to construct an attached structure (garage/office).



There were no questions from Mayor or Council.

Schedule:

First Vote - May 5, 2022

Second Vote - May 19, 2022

PUBLIC COMMENTS:

In Favor: None

Against: None

Mayor Asbridge closed this public hearing at 6:05 p.m.

Public Hearing for the Rezoning application submitted by NNP-Looper Lake, LLC. to rezone tax parcel 15047 000885 from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions.

City Planner Atkinson presented a public hearing for the rezoning application submitted by NNP-Looper Lake, LLC to rezone tax parcel 15047 000885 from Planned Unit Development (PUD) to Planned Unit Development (PUD) with modified conditions. Currently, the entire parcel (12 +/- acres) is zoned PUD and is designated as for sale commercial/retail property. Applicant is requesting 8 +/- acres be removed from the commercial/retail development classification allowing for the construction of approximately 65 townhomes.





Council Member Joseph Mezzanotte asked if all the townhomes will fit on the land and within where the black silt fence is and Mr. Whittaker stated all the townhomes are within the property boundaries and will fit where the black silt fence is located.

Council Member Joseph Mezzanotte inquired about right turn lanes in and out of the townhomes and Mr. Whittaker stated that would be determined during the final design phase.

Council Member Joseph Mezzanotte asked if there is enough land for expanding lanes on Capitola and Mr. Whittaker stated he would have his engineer make a model layout of the turning lanes.

Council Member Joseph Mezzanotte asked about the alleys and if they would be City owned streets or private owned streets. Mr. Whittaker stated that Alley 1 will be a City owned street and Alley 2 will be a private owned street.

Council Member Joseph Mezzanotte asked if the driveways are long enough to park cars outside of the garage and Mr. Whittaker stated yes.

Council Member Joseph Mezzanotte asked if there will be a detention pond on the property and Mr. Whittaker stated there will be a detention pond and it will be substantial in size.

Council Member Joseph Mezzanotte asked if the land going down Spout Springs will be sodded grass or natural grass and Mr. Whittaker stated there would be sodded grass on all frontage from edge of property to edge of property on Spout Springs and Capitola Roads.

Council Member Joseph Mezzanotte asked for the timeline on this project if there is an approval from Council and Mr. Whittaker replied seven to ten months.

Council Member Joseph Mezzanotte asked if the sidewalk that runs along Spout Springs will be a legal golf cart path into the development and Mr. Whittaker stated this is a County Road.

Mayor Asbridge inquired if the detention pond will be seen from the road and Mr. Whittaker stated there is already a pond in place, but it will depend on the engineering component as to how it is positioned. Mayor Asbridge advised buffering to hide the pond if it will be seen from the road.

Council Member Oliver McClellan recused himself from this discussion and any further discussions or votes for tax parcel 15047 000885.

Council Member Chris Mundy inquired about a 23 feet requirement for driveway lengths. City Planner Atkinson advised that rule does not apply to rear entry garages. Mr. Whittaker stated all the townhomes are rear entry except Lots 11 through 22.

PUBLIC COMMENTS:

In Favor: None

Against:

Frank Debold, 6843 Bent Twig Way, Flowery Branch, GA 30542
Aubrey Duke, 7016 Treehouse Way, Flowery Branch, GA 30542
Bob Hayes, 6905 Hopscotch Court, Flowery Branch, GA 30542
Chris Fetterman, 7859 Benchmark Drive, Flowery Branch, GA 30542
Leana Tunila, 7263 Red Maple, Flowery Branch, GA 30542

Schedule:

First Vote - May 19, 2022

Second Vote – June 16, 2022

Work Sessions if needed – May 5th or June 2nd

Mayor Asbridge closed this public hearing at 6:35 p.m.

NEW BUSINESS -WORK SESSION:

Consideration of Lease for 5318 Railroad Avenue to Chattahoochee Child Psychology Services, LLC

City Attorney Bennett presented a lease agreement for 5318 Railroad Avenue from Chattahoochee Child Psychology Services, LLC. The owner of the psychology business will occupy the space on May 1, 2022, and the lease will run for one year with an automatic renewal on the second year. The base rent for the first year is \$1,800.00 per month and a 3% escalation for the second year for a monthly rent of \$1,854.00.

DEPARTMENT REPORTS:

City Manager:

Mr. Rich Edinger provided an update on the Mitchell Street Project. He stated the Georgia Power poles have been installed and the utilities are being moved from the old poles to the new poles. The contractor has not performed any work since March 2021. Mr. Edinger received a letter about one week ago from the contractor asking for additional time to complete the work. Mr. Edinger stated that his response was no.

Council Member Chris Mundy inquired about the contractor not being on site and Mr. Edinger stated that the contractor could be doing work on site such as installing storm drains and curb and gutter. The block for the wall was ordered on February 1, 2022, but we do not know if the block has been delivered to the contractor. Council Member Mundy asked if there was a timeline and Mr. Edinger stated there is no way to estimate a timeline. The contract ran out on April 7, 2022, and they are accruing liquidated damages of \$100.00 per day. Mr. Edinger believes this is why the contractor asked for a time extension.

Mayor Asbridge asked for the name of the contractor and Mr. Edinger stated the company is Summit Construction & Development, LLC. Mayor Asbridge asked if we should call the company and ask if they are going to complete the work. Mr. Edinger stated that they have a performance bond, and the bond company will be on the hook if the contractor does not perform the work.

City Clerk Report:

City Clerk Cooper invited all the citizens to the Boy Scout Troup 228 Spring Festival on Saturday, April 23 from 10:00 a.m. until 4:00 p.m.

ADJOURNMENT WORK SESSION:

Mayor Asbridge closed the work session at 6:48 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 6:48 p.m.

PUBLIC COMMENTS:

Charles Mull, 5918 Mitchell Street, Flowery Branch, GA 30542

Mr. Mull is concerned about the storm pipes stacked up and he stated it is impeding visibility from the lake to Mitchell Street.

CONSENT AGENDA:

- Consider Mayor Asbridge March 2022 Pier Diem Pay
- Consider April 7, 2022 Council Meeting Minutes

There was a motion made to approve the Consent Agenda.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consideration of Second Reading of Ordinance 663: Amendment to the Alcoholic Beverage Ordinance to License and Regulate Microbreweries.

City Attorney Bennett read the caption to Ordinance 663.

There was a motion made to approve Ordinance 663.

MOTION: Chris Mundy

SECOND: William McDaniel

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

NAYS: None

Motion carried

NEW BUSINESS - VOTING SESSION:

Consideration of First Reading of Amending Alcoholic Beverage License Ordinance 504A to Ordinance 504B

Mr. Bennett read the caption to Ordinance 504B.

There was a motion made to approve the first reading of Alcoholic Beverage License Ordinance 504B.

MOTION: William McDaniel

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Consideration of Ordinance 660 - A request from Lights Ferry Partners, LLC. and Diego Fracasso to Rezone 5908 Lights Ferry Road, a 1.92+/- acre of land also known as Tax Parcel Identification Number 08112 027019 from Residential, Detached Single-Family, Low-Density District (R-1) to Traditional Neighborhood Development District (TND).

Mr. Bennett read the caption to Ordinance 660.

There was a motion made to approve the first reading of Ordinance 660.

MOTION: Chris Mundy

SECOND: William McDaniel

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

NAYS: None

Motion carried

Council Member Chris Mundy asked about the detention pond and wanted to advise possibly putting the detention pond underground. The developer has plans for the detention pond and passed out plans for the detention pond.

Consideration of Lease for 5318 Railroad Avenue to Chattahoochee Child Psychology Services, LLC

There was a motion made to approve a two-year lease for 5318 Railroad Avenue to Chattahoochee Child Psychology Services, LLC.

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session at 6:59 p.m. for matters related to the acquisition and/or disposition of real estate and for matters related to certain personnel issues.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

There was a motion made to exit executive session and reconvene open session at 7:35 p.m.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 7:38 p.m.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Ed Asbridge, Mayor

Date

Shelia Cooper, City Clerk