



**City of Flowery Branch
City Council Meeting
Thursday, September 2, 2021, 6:00 PM
City of Flowery Branch City Hall
5410 W. Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Mike Miller called the meeting to order at 6:04 pm.

Present: Present Mayor Miller and Council Members Joe Anglin, Amy Farah, Leslie Jarchow and Chris Mundy.

Also present were Vickie Short, Interim City Manager, Shelia Cooper, Assistant City Clerk, Ron Bennett, City Attorney, Rich Atkinson, Planning Director, Alisha Gamble, Finance Director, Bill Whidden, Public Works Director.

PLEDGE OF ALLEGIANCE:

Mayor Miller led the Pledge of Allegiance.

UNFINISHED BUSINESS - WORK SESSION:

Consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.

Mr. Atkinson presented a request submitted by Fall Leaf Residential, LLC to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.

- Annex and rezone from HB (Highway Business) and ARIII (Agricultural Residential) to R-3 (Residential Multi-Family)
- Construct a 152-townhome development
- Public hearing was held on August 5, 2021
- First read September 2, 2021
- Second read September 16, 2021

Mr. Anglin questioned the trees and landscaping at the entrance of the community. The representative for Fall Leaf answered that they have eliminated all the homes that back up to McEver Road. The existing tree cover and the buffer area along McEver will be enhanced and they plan to add street trees along the right of way. The buffer area or southern property line will be undisturbed.

Mr. Anglin questioned if the garages will be for two cars and asked if there would be overflow parking. The representative answered that 82 of the units will be front entry and 70 units are rear entry and all are for two vehicles. There will be additional parking located in the amenities area.

Mr. Mundy questioned if there would be turning lanes into the property and the representative answered there would be one dedicated turn lane and that they would adhere to the Department of Transportation requirements.

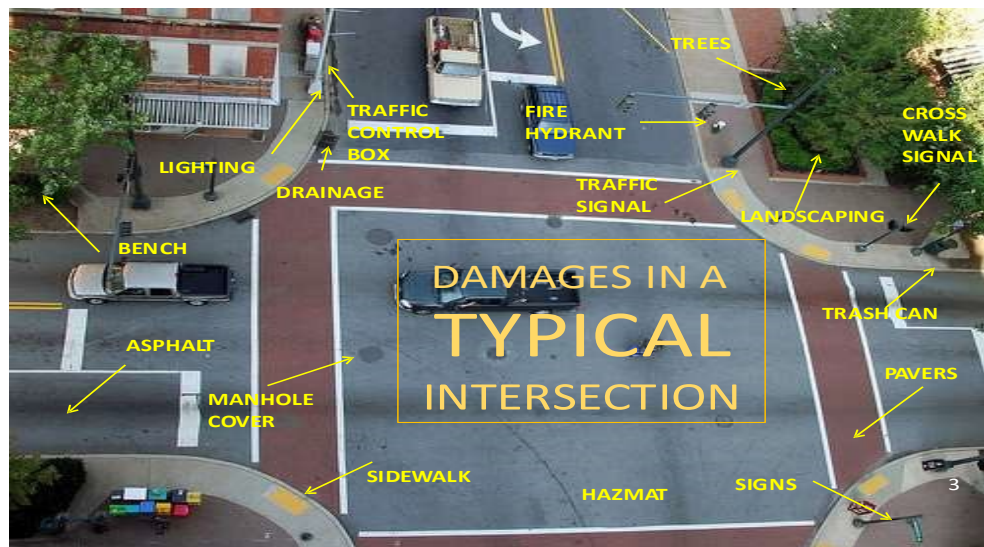
Consider a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood District (TND) to Central Business District (CBD). (This item's details will not be available until the evening of the meeting).

Mr. Atkinson stated the applicant has requested to withdraw the application to rezone three parcels of land from Traditional Neighborhood District to Central Business District.

NEW BUSINESS -WORK SESSION:

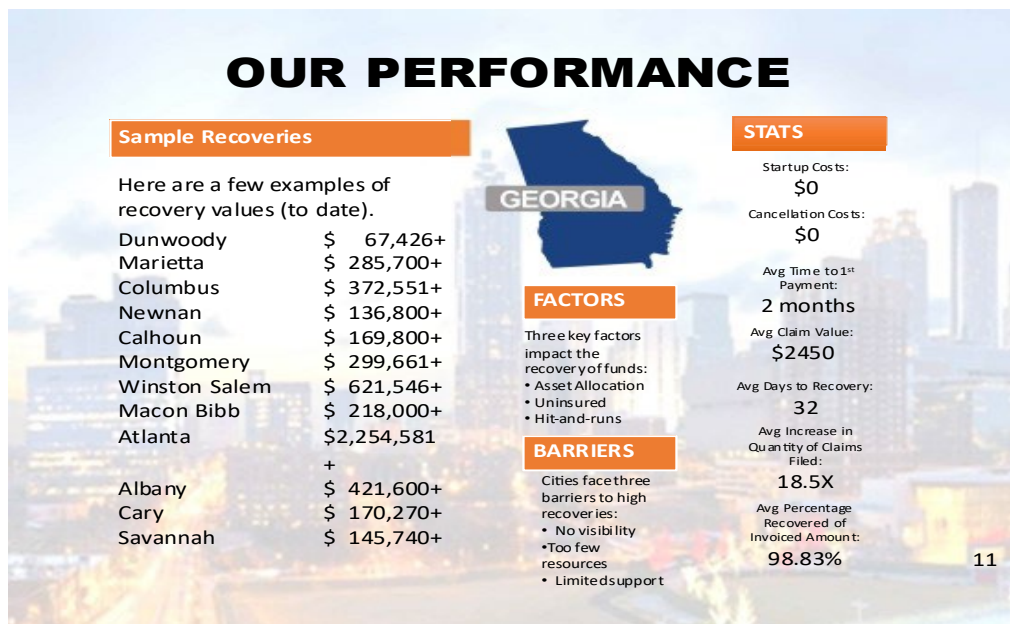
Consider contract with Peachtree Recovery Services, Inc.

Mrs. Gamble introduced Mr. Todd Rhoad from Peachtree Recovery Services, Inc. who presented a contract consideration with Peachtree Recovery Services. Mr. Rhoad explained that about 98% of traffic accidents are caused by third parties. Third parties are not covered under the city's insurance policy. State Law, O.C.G.A. § 32-6-1, requires that anyone who encroaches upon or injures public property shall be responsible for the cost of the cleanup and repairs. Internal claims processes usually only see about 2% of the total accidents, which are mostly fleet and first party claims (i.e., covered by city's insurance policy). PRS provides a service that reviews 100% of all accidents to ensure no damages and costs are missed.



What does Peachtree Recovery Services, Inc. do?

- Reviews 100% of traffic accident reports to identify all potential damages, including all accidents within the statute of limitations
- Assesses the cost of the damages
- Files claims with driver's insurance carrier and/or responsible driver
- Recovers funds from insurance carriers and/or responsible driver
- Remits funds to city on monthly basis
- Retains fee ONLY when claims are paid
- Files monthly report with city
- Pursue claims 24/7



There were no questions regarding Peachtree Recovery Services.

Consider Resolution 21-013: Tenant Improvements/Leasing Commissions Adjustment to the Budget for FY2022 as Previously Adopted on June 17, 2021.

Mrs. Gamble presented Resolution 21-013: Tenant Improvements/Leasing Commissions Adjustment to the Budget for FY2022 as Previously Adopted on June 17, 2021. City Council approved and executed a leasing agreement with Oakhurst Realty Partners, LLC on October 12, 2020, to manage leasing opportunities for city-owned rental properties in Flowery Branch. The new Main Street building is now complete, and potential tenants are now interested in rental agreements for these properties. The Residential Group (TRG) allocated \$154,000 for tenant improvements. The current market calls for \$50 per square foot for tenant improvements. At a total of 5855 square feet, \$445,000 is the total for tenant improvements. The City will need to budget the difference of \$291,000 (\$445,000 - \$154,000). This budget request is to allocate the difference in tenant improvements of \$291,000 and allocate \$105,000 for leasing commissions per the executed leasing agreement from October 12, 2020.

There were no questions regarding Resolution 21-013.

Consider Resolution 21-015 - 4th Quarter Amendment to the Budget for FY2021 as Previously Adopted on June 25, 2020.

Mrs. Gamble presented Resolution 21-015 – 4th Quarter Amendment to the Budget for FY2021 as Previously Adopted on June 25, 2020.

There were no questions regarding Resolution 21-015.

ADJOURNMENT WORK SESSION:

Mayor Mike Miller adjourned the work session at 6:29 pm.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Mike Miller called the voting session to order at 6:29 pm.

PUBLIC COMMENTS:

John Rafferty, 5413 Falling Branch Court, Flowery Branch, GA 30542

Mr. Rafferty is opposed to the 39-acre parcel on Thurmond Tanner to Phil Niekro rezone due to congestion and pollution.

Amanda Taylor, 5106 Park Haven Drive, Flowery Branch, GA 30542

Ms. Taylor is opposed to the rezoning of the gas station on McEver Road.

Ray Stanjevich, 5627 Church Street, Flowery Branch, GA 30542

Mr. Stanjevich is opposed to the rezoning on Church Street for the three parcels land and is glad that the applicant has withdrawn the application. He is not against the townhomes, but he is concerned with the density.

Kelly McLincha, 5628 Church Street, Flowery Branch, GA 30542

Mr. McLincha is opposed to the rezoning on Church Street for the three parcels of land.

Margaret McLincha, 5628 Church Street, Flowery Branch, GA 30542

Mrs. McLincha is opposed to the rezoning.

Zach Greves, 6538 Vista View Court, Flowery Branch, GA 30542

Mr. Greves is opposed to rezoning on Thurmond Tanner. He would like to see the master plan for the City

Jared Raines, 5617 Elmwood Lane, Flowery Branch, GA 30542

Mr. Raines is opposed to rezoning on Thurmond Tanner.

Caleb Hiddleson, 5617 Elmwood Lane, Flowery Branch, GA 30542

Mr. Hiddleson is opposed to rezoning on Thurmond Tanner.

Mark Weber, 6114 Stella Light Drive, Flowery Branch, GA 30542

Mr. Weber is asking for the Council to maintain the community.

Michael Willis, 6219 Spring Lake Drive, Flowery Branch, GA 30542

Mr. Willis has a question regarding the townhome project on McEver Road.

CONSENT AGENDA:

Consider August 5, 2021, Meeting Minutes

Consider August 19, 2021, Meeting Minutes

There was a motion made to approve the consent agenda.

MOTION: Leslie Jarchow

SECOND: Amy Farah

AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider a request submitted by Fall Leaf Residential, LLC. to annex and rezone 6495 and 6509 McEver Road with the intent to develop and construct a townhome community.

Mr. Bennett read the caption for Ordinances 647, 648, 649 and 650.

There was a motion made to approve Ordinance 647 to annex 6495 McEver Road with the intent to develop and construct a townhome community.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

There was a motion made to approve Ordinance 648 to rezone 6495 McEver Road with the intent to develop and construct a townhome community.

MOTION: Joe Anglin
SECOND: Chris Mundy
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

Mr. Anglin requested the applicant to inquire about a left-hand turn lane.

There was a motion made to approve Ordinance 649 to annex 6509 McEver Road with the intent to develop and construct a townhome community.

MOTION: Chris Mundy
SECOND: Amy Farah
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

There was a motion made to approve Ordinance 650 to rezone 6509 McEver Road with the intent to develop and construct a townhome community.

MOTION: Chris Mundy
SECOND: Joe Anglin
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

Mr. Anglin requested to have a condition added to have the Homeowners Association put a cap on rentals of no more than 10% of the total homes in the subdivision. Mr. Atkinson stated that he understood the agreement would be between the applicant and the HOA and then it would come to the City to be reviewed by City Staff. Council would like to have a condition placed on the development for a 10% cap on rental units in the subdivision. The applicant agreed to the condition but would like to have some flexibility with hardship cases.

Consider a withdrawal for a Rezoning Request submitted by South Hall, LLC. to rezone three parcels of land from Traditional Neighborhood District (TND) to Central Business District (CBD).

There was a motion made to accept the withdrawal for a rezoning request submitted by South Hall, LLC to rezone three parcels of land from Traditional Neighborhood District (TND) to Central Business District (CBD).

MOTION: Amy Farah
SECOND: Joe Anglin
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

NEW BUSINESS - VOTING SESSION:

Consider contract with Peachtree Recovery Services, Inc.

There was a motion made to consider a contract with Peachtree Recovery Services, Inc.

MOTION: Chris Mundy
SECOND: Leslie Jarchow
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

Consider Resolution 21-013: Tenant Improvements/Leasing Commissions Adjustment to the Budget for FY2022 as Previously Adopted on June 17, 2021.

Mr. Bennett read the caption.

There was a motion to approve Resolution 21-013: Tenant Improvements/Leasing Commissions Adjustment to the Budget for FY2022 as Previously Adopted on June 17, 2021.

MOTION: Amy Farah
SECOND: Leslie Jarchow
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

Consider Resolution 21-015 - 4th Quarter Amendment to the Budget for FY2021 as Previously Adopted on June 25, 2020.

Mr. Bennett read the caption.

There was a motion to consider Resolution 21-015 – 4th Quarter Amendment to the Budget for FY2021 as Previously Adopted on June 25, 2020.

MOTION: Joe Anglin
SECOND: Leslie Jarchow
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION:

There was a motion made to enter executive session for matters related to the acquisition/disposition of real estate and for matters related to the pending or potential litigation at 7:10 pm.

MOTION: Amy Farah
SECOND: Joe Anglin
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

There was a motion made to reconvene open session at 7:57 pm.

MOTION: Amy Farah
SECOND: Chris Mundy
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried

ADJOURNMENT:

There was a motion made to adjourn at 7:57 pm.

MOTION: Amy Farah
SECOND: Chris Mundy
AYES: Joe Anglin, Amy Farah, Leslie Jarchow, Chris Mundy
NAYS: None
Motion carried