



**City of Flowery Branch
City Council Meeting
Thursday, January 5, 2022, 6:00 PM
City of Flowery Branch City Hall
5410 W. Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Asbridge called the council meeting to order at 6:01 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, Planning Director Rich Atkinson, Public Works Director Bill Whidden, Community Relations Director Renee Carden, Finance Director Matthew Hamby and City Attorney Ron Bennett.

Absent: Police Chief Chris Hulsey

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

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

MOTION: Joe Anglin

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

PUBLIC HEARING:

A public hearing to consider variance requests submitted by Mr. Jason Jackson for relief from the zoning ordinance requirements set forth in Table 6.2 for 6027 and 6031 Morrow Drive.

Planning Director Atkinson presented a variance request submitted by Mr. Jason Jackson for relief from the zoning ordinance requirements set forth in Table 6.2 for 6027 and 6031 Morrow Drive. The applicant reviewed options on how to best develop these parcels while meeting the intent of the Flowery Branch Zoning Ordinance. There is an original plat that appears to still be valid that designates the lots as legal non-conforming. This means they are legal but do not meet the current zoning designation (R-2 in this case) thus rendering them unbuildable under current

zoning. In other words, the lots are legally platted, but they cannot be altered - making new home construction impossible. Ultimately, the applicant decided to pursue building on the legal lots as recorded. To meet the R-2 designation, and the original plat, applicant must request three variances. The variances are from the requirements set forth in Article 6, Table 6.2, of the City's zoning ordinance. Mr. Jackson requests to combine the two lots and build one single family home.

Council held a discussion regarding the variance request.

In Favor:

Tony Carter on behalf of his granddaughter, Aleah Goss, who lives next door to this property. His question is whether this will be a one story or two-story dwelling, Planning Director Atkinson does not have confirmation on this question. Mr. Carter requested if this is approved by Council, this be a one-story, single-family dwelling.

Against: None

Mayor Asbridge closed the Public Hearing at 6:10 p.m.

Consider a variance request submitted by VM&R, LLC. allowing gasoline pumps to be located in front of the primary structure.

Planning Director Atkinson presented a variance request submitted by VM&R, LLC. which would allow gasoline pumps to be in front of the primary structure.

Council held a discussion regarding the variance request.

In Favor:

Tom Bower, President, Clipper Petroleum

Against: None

Mayor Asbridge closed the public hearing at 6:19 p.m.

UNFINISHED BUSINESS - WORK SESSION:

Consider the Second Read of Ordinance 672, a request submitted by BLT Martin Road, LLC for a Conditional Use Permit (CUP) to construct a self-storage facility at 4153 Falcon Parkway.

Planning Director Atkinson presented Ordinance 672, a request submitted by BLT Martin Road, LLC for a Conditional Use Permit to construct a self-storage facility at 4153 Falcon Parkway.

Council held a discussion with the applicant, Shawn Gleason, 1776 Peachtree Road, Atlanta, GA 30309. Council requested conditions on the façade that faces Falcon Parkway and Martin Road shall be clad with no less than two-thirds brick that shall be approved by City staff. The

preliminary landscape plan submitted by the applicant within this agenda be included in the conditions and grass installed shall be a sod variety all the way to the curbs.

NEW BUSINESS -WORK SESSION:

Sanitary Sewer Intergovernmental Agreement between the City of Gainesville, Georgia and the City of Flowery Branch, Georgia

City Manager Parrish presented a sanitary sewer Intergovernmental Agreement with the City of Gainesville, Georgia to accept up to 400,000 gallons per day of wastewater. This is an interim measure to allow the City of Flowery Branch to continue issuing sewer taps in our City. The City of Gainesville will meet on January 17, 2023, to approve this Intergovernmental Agreement.

Council held a discussion regarding the construction of the line and the budget.

Approval of City of Flowery Branch Personnel Handbook

City Manager Parrish presented a discussion regarding the updated City of Flowery Branch Personnel Handbook.

Task Order #2 with ESG Engineering, Inc. for the Modification, Expansion and Additional Wastewater Reclamation Facility Design and Issuance of Construction Manager at Risk (CMAR) Request for Qualifications (RFQ).

City Manager Parrish presented Task Order #2 for the modification, expansion and additional Wastewater Reclamation Facility Design and issuance of Construction Manager at Risk (CMAR) request for qualifications (RFQ). A 2.2MGD plant was designed and it was bid out in May 2022. Part of this engagement was obtaining a 2.2MGD permit from EPD which the city now has. Unfortunately, the bids came in at more than double the existing budget (\$20M) for the plant and ranged from \$52M - \$57M. City staff went through a value engineering effort using ESG, Engineering, Inc. to try to get the costs closer to the budgeted amount but found that it was not possible without major modifications to the design of the plant.

During the value engineering effort, the concept of construction manager at risk (CMAR) was explored. Also explored was the idea that the current plant is operating at almost 1MGD and has a useful life for years in the future especially with some rehabilitation and modification.

This task order with ESG Engineering, Inc. is for the design of this rehabilitation and modifications of our existing plant as well as a new 1.5MGD plant allowing the city to utilize up to 2.2MGD permitted by EPD. ESG Engineering, Inc. will also develop the RFQ for CMAR allowing the construction manager to be involved in the design process/decision making from the beginning which will ensure budget control, potentially alleviate long lead time issues on equipment, provide a maximum not-to-exceed price earlier in process, and allow construction of the new facility to be built into the contractor's backlog well in advance of the classical Design-Bid-Build process. Construction administration/oversight and observation services were

contemplated by the engineer and will be agreed to at a later time prior to commencement of construction

Consulting Agreement with Jimmy Dean for Wastewater Consulting Services

City Manager Parrish presented a Consulting Agreement with Jimmy Dean for Wastewater Consulting Services. Jimmy Dean has retired at the end of 2022 and has agreed to work an average of two days per week as there is so much going on with the city's water system and at the wastewater treatment plant.

Resolution 23-001 Appointment of Assistant City Clerk

City Manager Parrish presented Resolution 23-001. The City Clerk, Shelia Cooper, has been cross training Mrs. Nancy Rodriguez on the duties of City Clerk. It is in the best interest of the City of Flowery Branch to have an appointed Assistant City Clerk.

DEPARTMENT REPORTS:

Community Relations Director Report:

Community Relations Director reminded all citizens that the Farmer's Market will be the second and fourth Thursday of every month until the end of April. She gave updates on the Downtown Merchants. She reminded citizens that starting Monday, January 9, there will be road work on Railroad and Main Street.

Finance Director Report:

Finance Director Hamby reported on the Citizens' Financial Report also known as Popular Annual Financial Report (PAFR).

Council Report:

Council Member Mundy likes the PAFR and advised citizens to download the City app which will show the status of all the City projects.

Mayor Report:

Mayor Asbridge announced that the City will start having a City tour every month for invited citizens. There will be a small presentation and tour of downtown. He would like to provide a discussion and transparency within the City and share our services and accomplishments.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 6:44 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 6:44 p.m.

PUBLIC COMMENTS: No public comments

CONSENT AGENDA:

- Consider December 1, 2022 City Council Meeting Minutes
- Consider December 15, 2022 City Council Meeting Minutes
- Consider Mayor Asbridge Per Diem for December 2022

There was a motion made to approve the consent agenda.

MOTION: Chris Mundy

SECOND: William McDaniel

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

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Purchase and Closing Documents for the Finalization of Purchasing the Land on Atlanta Highway that has Two Wells on it for the City's Water Supply.

There was a motion made to approve the closing of the real property and wells at 4735, 4741, 4745 and 4755 Atlanta Highway from the State of Georgia authorizing the mayor, city manager, city clerk and city attorney to sign all necessary documents to consummate the transaction.

MOTION: Oliver McClellan

SECOND: Chris Mundy

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

NAYS: None

Motion carried

Council Member Anglin thanked City Manager Parrish for all her hard work and labor in getting the City to this transaction.

Consider the second read of ordinance 674, a request for a Conditional Use Permit (CUP) submitted by Coro Realty to build and operate a Self-Storage Facility at 6401 McEver Road.

City Attorney Bennett read the caption for Ordinance 674.

There was a motion made to approve Ordinance 674.

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

Consider the Second Read of Ordinance 672, a request submitted by BLT Martin Road, LLC for a Conditional Use Permit (CUP) to construct a self-storage facility at 4153 Falcon Parkway.

City Attorney Bennett read the caption for Ordinance 672.

There was a motion made to approve Ordinance 672 with the following conditions:

1. Decorative fencing with staggered brick pillars be installed on the Falcon Parkway and Martin Road side of the property and be approved by City staff.
2. Falcon Parkway facing facade and Martin Road facing facade portion of the building be clad with no less than two-thirds brick that shall be approved by City staff.
3. The preliminary landscape plan submitted by the applicant within this agenda be included in the conditions and grass installed shall be a sod variety.

The above conditions are in addition to those proposed by City staff.

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

NEW BUSINESS - VOTING SESSION:

Sanitary Sewer Intergovernmental Agreement between the City of Gainesville, Georgia and the City of Flowery Branch, Georgia.

There was a motion made to approve the sanitary sewer Intergovernmental Agreement with the City of Gainesville and the City of Flowery Branch.

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

Council Member Mezzanotte thanked City Manager Parrish on all her hard work negotiating and cooperating with Hall County and the City of Gainesville on this Agreement. Council Member Mundy agreed with Council Member Mezzanotte.

Approval of City of Flowery Branch Personnel Handbook

There was a motion made to approve the City of Flowery Branch Personnel Handbook as presented.

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

Task Order #2 with ESG Engineering, Inc. for the Modification, Expansion and Additional Wastewater Reclamation Facility Design and Issuance of Construction Manager at Risk (CMAR) Request for Qualifications (RFQ).

There was a motion made to approve Task Order #2 with ESG Engineering, Inc. for the modification, expansion and additional Wastewater Reclamation Facility design and issuance of Construction Manager at Risk (CMAR) request for qualifications (RFQ).

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

Consider the First Read of Ordinances 675, a request from VM&R, LLC to rezone two parcels of land from Agricultural (A) to Highway Business (HB).

City Attorney Bennett read the caption for Ordinance 675.

There was a motion made to approve Ordinance 675.

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

Consider the First Read of Ordinances 676, a request from VM&R, LLC to rezone two parcels of land from Agricultural (A) to Highway Business (HB).

City Attorney Bennett read the caption for Ordinance 676.

There was a motion made to approve Ordinance 676.

MOTION: Joseph Mezzanotte

SECOND: Joe Anglin

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

NAYS: None

Motion carried

Consider Ordinance 684, a variance request submitted by VM&R, LLC. allowing gasoline pumps to be located in front of the primary structure.

There was a motion made to approve Ordinance 684.

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

Consider Ordinance 685, a variance request submitted by VM&R, LLC. allowing gasoline pumps to be located in front of the primary structure.

There was a motion made to approve Ordinance 685.

MOTION: Chris Mundy

SECOND: Joe Anglin

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

NAYS: None

Motion carried

Consulting Agreement with Jimmy Dean for Wastewater Consulting Services

There was a motion made to approve a consulting agreement with Mr. Jimmy Dean for Wastewater Consulting Services.

Council Member Anglin stated the importance of this consulting agreement for Mr. Dean's knowledge of the Wastewater Treatment Facility.

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

Resolution 23-001 Appointment of Assistant City Clerk

There was a motion made to approve Resolution 23-001 appointing Nancy Rodriguez as Assistant City Clerk.

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

EXECUTIVE SESSION:

There was a motion made to enter executive session for matters related to pending or potential litigation and for matters related to the acquisition/disposition of real estate at 7:36 p.m.

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

There was a motion made to exit executive session at 8:06 p.m.

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

ADJOURNMENT:

There was a motion made to adjourn at 8:06 p.m.

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

Edward Asbridge, Mayor

Date

Shelia Cooper, City Clerk