



**City of Flowery Branch
City Council Meeting
Thursday, January 16, 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 6:02 p.m.

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

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matthew Hamby, Planning and Community Development Director Chris McCrary, Director of Fun Renee Carden, Police Chief Chris Hulsey, and City Attorney Ted Baggett.

Absent: Council Member Chris Mundy

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

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

MOTION: Joe Anglin

SECOND: Joseph Mezzanotte

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

NAYS: None

Motion carried

AWARDS & RECOGNITIONS:

Hugh Gaines, Scouts BSA Troop 228, presented a Eagle Scout Project to the City of Flowery Branch. Hugh built two flag retirement boxes so citizens can drop off their flags that are to be retired and a scout will later pick the flags up to retire them properly. One box will remain at City Hall and the other box will remain at the Welcome Center on Main Street.



Pictured left to right:
Council Member William
McDaniel, Mayor Edward
Asbridge, Council
Member Joseph
Mezzanotte, Scout Hugh
Gaines, Council Member
Joe Anglin, and Council
Member Oliver McClellan

Council Member Chris Mundy arrived at the meeting at 6:15 p.m.

PUBLIC HEARING:

Consider Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility

Consider Approval of Ordinance 726 for a Public Hearing and First Reading of Rezoning and Conditional Use Permit at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

Director McCrary presented Ordinance 725 and Ordinance 726 for an annexation, rezoning, and Conditional Use Permit at 4272 Thurmon Tanner Road for the operation of a pickleball recreation facility. The applicant is seeking the annexation from unincorporated Hall County to the City of Flowery Branch. The applicant is proposing rezoning the tract from Hall County Light Industrial (I-I) to Flowery Branch Light Industrial (M-1) in order to develop and operate a private pickleball recreation facility with a Conditional Use Permit.

Staff recommend approval of the proposed annexation of parcel 08073 000012 along with approval of the rezoning request to rezone the subject property from Hall County I-I to Flowery Branch M-1. Additionally, staff recommends concurrent approval of the CUP for the operation of an indoor/outdoor commercial recreational facility with the following conditions:

1. Applicant shall implement 10' landscape strips along property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs subject to approval by The Planning & Community Development Director

2. Adequate parking spaces shall be provided to support use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the facility must adhere to Flowery Branch regulations.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreation areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.

Council held a discussion with Director McCrary.

There being no one to speak in favor or against the request, Mayor Asbridge closed the public hearing at 6:16 p.m.

Consider Approval of Ordinance 729 for a Public Hearing and First Reading of a Variance Request at 5201 Mulberry Street.

Director McCrary presented Ordinance 729 for a variance request at 5201 Mulberry Street. The applicant is seeking to build a new residential single-family home at 5201 Mulberry Street. The subject parcel is zoned TND (Traditional Neighborhood Development) and is subject to the development standards and dimensional standards of Article 7. The applicant provided a house location plan indicating the placement of a wider home floor plan that does not provide for an automobile garage in the rear yard. The applicant is seeking a variance to allow a front facing garage in TND zoning.

Staff recommends the approval of the proposed variance application for allowing a front entry garage in the TND zoning category with the following conditions:

1. The building permit application shall include a house location plan and be substantially similar to the plan provided with the variance application.
2. The applicant shall provide a Residential Drainage Plan including proposed grading to demonstrate no disturbance in the flood hazard area.
3. The applicant shall provide four-sided building elevations demonstrating compliance with the City of Flowery Branch's architectural standards.
4. The variance is for the location of the garage entrance only. The approval of the variance does not provide additional approvals of any local, state or federal regulations.

Council held a discussion with Director McCrary.

There being no one to speak in favor or against the request, Mayor Asbridge closed the public hearing at 6:21 p.m.

Out of an abundance of caution, the Public Hearing for Ordinance 726 was opened for public comments for the rezoning at 4272 Thurmon Tanner Road. There being no one to speak in favor or against the request, Mayor Asbridge closed the public hearing at 6:22 p.m.

UNFINISHED BUSINESS - WORK SESSION:

Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.

Director McCrary presented Ordinance 724 for a variance request at 4627 Atlanta Highway. The applicant is seeking to develop four office/warehouse buildings totaling 41,450 sq.ft., including associated parking and utilities, on a property limited in depth due to a state water creek adjacent to Atlanta Highway. To accommodate the necessary depth for warehousing and tractor trailer truck movement, the applicant is requesting encroachments into the City's 75-foot impervious setback and 50-foot undisturbed stream buffer, which are necessary to meet industry standards for the proposed buildings.

Staff recommends the approval of the proposed variance application for the encroachment into the required impervious setback and the City's undisturbed stream buffer per Code Section 26.7 with the following conditions:

1. The Land Disturbance Permit shall be substantially similar to the plan provided with the variance application, including the limits of the encroachment into the impervious setback and the City's stream buffer.
2. The area of preservation shall be substantially similar to the area in size and location shown on the site plan provided with the variance application.
3. In the areas where disturbance occurs within the 50' undisturbed buffer, the applicant shall provide a replanting plan using a native mixture of species of trees and shrubs. The plan shall be sealed by a Georgia registered Landscape Architect. The final plan shall be approved by the Community Development Director.
4. Prior to the issuance of the Certificate of Occupancy, the owner shall provide the City an as-built survey of the development including the encroachment areas and preservation area.
 - a) The area of encroachment into the impervious setback shall not exceed 1,045 SF.
 - b) The area of encroachment into the 50-foot undisturbed stream buffer shall not exceed 3,715 SF.
 - c) The area of undisturbed preservation shall be no less than 7,323 SF.

NEW BUSINESS -WORK SESSION:

Presentation of Mixed-Use Project at 4560 Hog Mountain Road

Kirkland Carden from The Residential Group, 3109 Abbotts Oak Way, Duluth, GA 30097, presented a mixed-use project at 4560 Hog Mountain Road. The proposed development is a 275-unit multifamily luxury apartment community with commercial outparcels. There will be a full range of amenities aimed at enhancing resident satisfaction and retention.

Discussion of FY2025 2nd Quarter Capital Update.

Director Hamby presented a Capital Projects Update through December 31, 2024. The City of Flowery Branch established a 5-year Capital Plan which is approved annually during the budget

process. Each year this plan is updated to reflect current and future capital needs. The summary sheets below shows the budget and expenditures to date.

CAPITAL PROJECT MASTER SUMMARY					
Tax Allocation District Capital Fund					
Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
40200	Tenant Improvements - Main St Building	445,000	198,313	-	248,888
					-
	Total Project Budgets	445,000	198,313	-	248,888
Water/Sewer Capital Fund					
Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
50130	Atlanta Hwy Water Line	980,000	87,537	-	892,464
50270	Wastewater Expansion Construction	48,014,834	5,730,949	-	42,283,885
50290	Wastewater Pump Station Modification	200,000	-	24,588	175,412
50300	Tank Connectivity Project	1,772,010	1,159,447	-	612,563
50310	Lights Ferry Water Line	400,000	-	-	400,000
50320	Well 4 & 5 Implementation/Rehab	2,428,768	445,000	-	1,983,768
50350	SCADA System Improvements	100,000	-	-	100,000
50380	New 250,000 Gallon Elevated Tank Construction	2,956,893	2,295,470	-	661,423
50380	Interim Wastewater Plant Improvements	922,488	910,829	-	11,859
50400	Modify Well House for Wells No. 1 and No. 3	200,000	81,650	-	118,350
50420	Gainesville Sewer Line	2,077,075	2,055,948	-	21,126
50440	Replacement Generator	127,990	90,167	-	37,823
50450	Wastewater Expansion Early Works	969,475	1,072,552	-	(103,077)
50480	Blower Rental	43,931	37,180	-	6,751
50480	4 Door Crew Truck (2)	115,000	97,480	-	17,520
50470	Elevated Water Tank Lights	100,000	-	-	100,000
50490	Lead Service Line Project	120,000	117,253	-	2,747
	Total Project Budgets	61,528,463	14,181,261	24,588	47,319,867
SPLOST Capital Fund					
Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
30120	Annual Road Paving and Sidewalks Program	5,072,106	2,495,120	-	2,576,986
30130	Police Vehicles/Equipment	643,818	539,508	4,232	100,078
30180	Old Town Stormwater Improvements - Phase 2	550,000	-	-	550,000
30200	Wastewater Plant Entrance	550,000	-	-	550,000
30230	Highlands to Islands Trail	550,000	4,932	-	545,068
30240	Parks Property and Improvements	415,000	-	-	415,000
30250	Public Works Property	-	-	-	-
30260	McEver & Gaines Ferry Rd Traffic Improvements	2,060,000	385,971	-	1,674,029
30280	Mulberry Connector	100,000	-	-	100,000
30270	Roberts Drive Site Improvements	750,000	-	-	750,000
	Total Project Budgets	9,940,924	3,425,531	4,232	6,511,161

Local Resources Capital Fund					
Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
20220	IT Equipment Upgrades Annual Program	297,210	301,512	-	(4,302)
20230	Website & Branding Upgrades	90,000	89,299	-	701
20250	Tourism Golf Cart	25,000	16,372	-	8,628
20270	Downtown Development Phase II	618,305	329,015	-	289,290
20280	City Building Security	120,000	19,337	-	100,663
20330	Land Acquisition	243,805	-	-	243,805
20340	Sidewalk Program	200,000	116,675	-	83,325
20360	Landscaping Design and Implementation	200,000	24,452	-	175,548
20370	Hammock Park	30,000	-	-	30,000
20380	Caboose Renovation	60,000	-	-	60,000
20290	Gateway Sign	450,000	19,676	-	430,324
20400	Public Bathroom	400,000	-	-	400,000
20420	Stormwater Program	259,957	6,280	-	253,677
20430	Tourism Building Renovation	50,000	-	-	50,000
20440	Tourism/Event Signs	100,000	-	-	100,000
20450	Amphitheater Stage Cover	200,000	-	-	200,000
20460	Track Loader	145,000	125,149	-	19,851
					-
					-
					-
Total Project Budgets		3,344,277	922,619	-	2,127,342

Consider the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.

Police Chief Hulsey presented a consideration for the addition of one certified police officer position and associated equipment for the Police Department and to authorize a budget amendment for the associated expenditures. The City of Flowery Branch Police Department has entered into an agreement with the Hall County Sheriff's Office to assign an officer to their Multi-Agency Special Investigations Unit (SIU). This officer will require a full-time position to be assigned to the Special Investigations Unit and will deplete the current police staff by one certified police officer.

Council held a discussion with Chief Hulsey.

DEPARTMENT REPORTS:

City Manager Report:

City Manager Parrish gave a highlighted review of the City of Flowery Branch in 2024. This report included statistics, completed certifications, and celebrations for each department in the City.

Department of Fun Report:

Director Carden noted upcoming events.

Finance Department Report:

Director Hamby noted upcoming events for the finance department.

Attorney Report:

Attorney Baggett reminded Council about the deadline for House Bill 581, If Council decides to opt out, a resolution must be passed by March 1, 2025. There are advertising, public hearing, and press release requirements to comply with House Bill 581. Attorney Baggett advised the timeline is urgent.

Council held a discussion with Attorney Baggett, Director Hamby, and City Manager Parrish regarding House Bill 581.

There was a motion made for Council to move forward with the opt out and the process procedures to investigate more about House Bill 581.

MOTION: Oliver McClellan

SECOND: None

AYES: None

NAYS: None

Motion Dies

Council Report:

Council Member Mundy thanked the public works department for their hard work during the snow events recently.

Council Member Mezzanotte stated City Manager's report and city update was a wonderful report and it reflects very highly on what is happening in Flowery Branch.

Mayor Asbridge stated the City has outstanding staff and he appreciates the staff very much.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 7:20 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 7:20 p.m.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- Consider January 2, 2025 City Council Meeting Minutes
- Consider January 4, 2025 Special Called City Council Meeting Minutes

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

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:

Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.

There was a motion made to approve the second reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.

MOTION: Joseph Mezzanotte

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Consider the Second Reading of Ordinance 728 for Publishing 2025 General Election Qualifying Fees

There was a motion made to approve the second reading of Ordinance 728 for publishing 2025 General Election Qualifying Fees.

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 the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.

There was a motion made to approve the addition of one certified police officer position and associated equipment for the police department and authorize a budget amendment for the associated expenditures.

MOTION: Chris Mundy

SECOND: Joseph Mezzanotte

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

NAYS: None

Motion carried

Consider Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility

There was a motion made to approve Ordinance 725.

MOTION: Oliver McClellan

SECOND: Chris Mundy

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

NAYS: None

Motion carried

Consider Approval of Ordinance 726 for a Public Hearing and First Reading of Rezoning and Conditional Use Permit at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

There was a motion made to approve Ordinance 726.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Consider Approval of Ordinance 729 for a Public Hearing and First Reading of a Variance Request at 5201 Mulberry Street.

There was a motion made to approve Ordinance 729.

MOTION: Oliver McClellan

SECOND: William McDaniel

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 7:27 p.m.

MOTION: Chris Mundy

SECOND: Oliver McClellan

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 8:31 p.m.

MOTION: Oliver McClellan

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 the meeting at 8:31 p.m.

MOTION: Joe Anglin

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk