



**City of Flowery Branch
City Council Meeting
Thursday, January 19, 2023, 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, and Joseph Mezzanotte.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Planning Director Rich Atkinson, Public Works and Utilities Director Bill Whidden, Finance Director Matthew Hamby, Budget Manager Krystle Hightower and City Attorney Ron Bennett.

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 agenda.

MOTION: Joe Anglin

SECOND: William McDaniel

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

NAYS: None

Motion carried

There was a motion to amend the agenda to add Change Order #12 for the Farmers Market/Main Street Project to New Business Work Session and New Business Voting Session.

MOTION: Joseph Mezzanotte

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

NEW BUSINESS -WORK SESSION:

Change Order #12 for Farmers Market/Main Street Project

City Manager Parrish presented Change Order #12 for the Farmers Market/Main Street Project authorizing changes on Main Street to address drainage changes, ADA compliance, and seating; and to declare an emergency for this Change Order. The TRG building had not been constructed when redesigning of the Main Street Streetscape began, the flatwork in front of the TRG building was designed by CPL using proposed building plans. The building contractor deviated from those plans during the building construction and the finished floor elevations were different from the proposed and there are doors in different locations than originally proposed.

There is now not adequate fall away from the building to drain the flatwork to the street. There has been a redesign of the flatwork so that there is adequate drainage away from the building and the doors and ADA compliance has been achieved. Seating areas have also been added to achieve the walkability and atmosphere that has been desired for the downtown area. Preliminary numbers indicate the work will cost approximately \$76,545.53, but the new architectural renderings by HGOR are being priced out currently. In order to continue moving on the project, staff is requesting that:

- An emergency is declared due to the amount of time the project has been incomplete, and the tenant's expectations of the City concerning the frontage of their businesses.
- This Change Order is approved with an amount not to exceed \$76,545.53 adding an additional 30 days to the contract with TriScapes.

Drug Enforcement Administration (DEA) Task Force Agreement

Police Chief Hulsey presented a Drug Enforcement Administration Task Force Agreement. An agreement must be signed before the DEA will accept an officer from the Flowery Branch Police Department to participate in the DEA Task Force. This employee will remain an employee of the City of Flowery Branch and will receive all the training any officer of Flowery Branch Police Department would as well as any specialized training required by the DEA Task Force team (at the DEA's expense).

Council held a discussion regarding the Drug Enforcement Administration Task Force Agreement on the cost and benefits of this agreement.

Consider a Request to Build a New Single-Family Detached Residential Home at 5710 Gainesville Street. Zoned Central Business District (CBD), City Council approval is required for any new construction.

City Planner Atkinson presented a request to build a new single-family detached residential home at 5710 Gainesville Street. This is zoned Central Business District (CBD). This was originally a remodel but turned into a demolition. The applicant has already submitted a building permit and house elevations.

Consideration of Resolution 23-002 Second Quarter Budget Amendment FY2023

Budget Manager Krystle Hightower presented Resolution 23-002, Second Quarter Budget Amendment FY2023. A budget is balanced when the sum of estimated revenues and appropriated fund balance is equal to expenditure/expense appropriations of each applicable fund. Revenue estimates and governmental needs change throughout the year which require approval from Council for said budget amendments. Some of the changes to the General Fund include:

- Increase City Manager car allowance as the original FY2023 budget did not have the correct amount. Total adjustment is \$4,000.
- Increase Traffic Signal/AT&T as the monthly rates have increased due to outdated AT&T lines. Total adjustment is \$2,700. New lines are being installed and we will see a decrease in our monthly fees.
- Increase Culture and Recreation/Electricity as this was not accounted for in the FY2023 budget. This is the electricity for our Farmers Market Pavilion, Amphitheater, and other new outdoor lighting. Total adjustment is \$80,000.
- Increase Planning/Contract Services and Plan Review Expenses due to open positions within the department and using an outside agency for assistance. Total adjustment for each is \$40,000.
- Increase Tourism/Public Relations in the amount of \$500 to account for the ornaments purchased for resale.
- Increase Tourism/Concert Expenses to cover additional planned concerts and associated costs for FY2023. Total adjustment is \$15,350.

Council held a discussion regarding the budget specifically the \$80,000 electricity cost.

Consider a Professional Services Agreement with Bureau Veritas North America.

Planning Director Atkinson presented a Professional Services Agreement with Bureau Veritas North America. This agreement will provide independent professional services.

The scope of services to include:

- Architectural Plan Review
- Building Code Inspections
- Land Development Plan Review/Erosion Control Inspections/LIA Management for Land Disturbance Activities
- Code Enforcement/Property Maintenance Inspection

Council held a discussion on the cost associated with this agreement.

Consider a Contract Proposal from Thomas and Hutton to Provide Development and Building Plan Review for the City, as needed.

Planning Director Atkinson presented a contract proposal from Thomas and Hutton to provide development and building plan review as a backup for Bureau Veritas North America.

DEPARTMENT REPORTS:

Finance Director Report:

Finance Director Hamby reported that Nancy Rodriguez, Chere Rucker, and Krystle Hightower have completed Level 1 Governmental Accounting Certification through the Carl Vinson Institute. Elias Gobble will be starting Level 1 Governmental Accounting training. Director Hamby stated he wanted to brag on all his employees and that his department is continuously training. Krystle Hightower has received a scholarship for Level 2 training which will save the City money for that training.

Elias Gobble reported that the City received a \$5,000 grant from Keep Georgia Beautiful Foundation.

Council Report:

Council Member Mezzanotte gave kudos to Krystle Hightower on a job well done.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 6:30 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 6:30 p.m.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- Consider January 5, 2023 City Council Meeting Minutes

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

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider the Second Reading of Ordinance 675, a Request from VM&R, LLC to Rezone Two Parcels of Land from Agricultural (A) to Highway Business (HB)

Attorney Bennett read the caption for Ordinance 675.

There was a motion made to approve Ordinance 675.

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

Council held a discussion regarding the corner lot and the maintenance upkeep of the lot.

There was a motion to amend the motion to Ordinance 675 to require a professional landscape plan be provided for the lot that adjoins HF Reed and Falcon Parkway. The landscape plan must be approved by City staff and must be submitted in conjunction with the land disturbance permit.

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

Consider the Second Reading of Ordinance 676, a Request from VM&R, LLC to Rezone two parcels of land from Agricultural (A) to Highway Business (HB).

Attorney Bennett read the caption for Ordinance 676.

There was a motion made to approve Ordinance 676.

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

There was a motion to amend the motion to Ordinance 676 to require a professional landscape plan be provided for the lot that adjoins HF Reed and Falcon Parkway. The landscape plan must be approved by City staff and must be submitted in conjunction with the land disturbance permit.

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

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

Attorney Bennett read the caption for Ordinance 684.

There was a motion made to approve Ordinance 684.

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

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

Attorney Bennett read the caption for Ordinance 685.

There was a motion made to approve Ordinance 685.

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

Council held a discussion regarding the parcels.

Consider the Second Reading of Ordinance 688 - Publishing of 2023 General Election Qualifying Fees

Attorney Bennett read the caption for Ordinance 688.

There was a motion made to approve Ordinance 688 as presented.

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

NEW BUSINESS - VOTING SESSION:

Task Order #12, Farmers Market/Main Street Project

There was a motion made to declare an emergency based on staff's report and approve Change Order #12 for the Farmers Market/Main Street Project in an amount not to exceed \$76,545.53 and allowing the contractor an additional thirty days for the work to be completed.

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

Drug Enforcement Administration (DEA) Task Force Agreement

There was a motion made to accept the agreement provided by the Drug Enforcement Administration (DEA) Task Force.

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

Consider Variance Requests submitted by Jason Jackson: Ordinance 678 for 6005 Lights Ferry Road, Ordinance 679 for 6006 Lights Ferry Road, Ordinance 680 for 6010 Lights Ferry Road, Ordinance 681 for 6014 Lights Ferry Road, Ordinance 682 for 6016 Lights Ferry Road, and Ordinance 683 for 6018 Lights Ferry Road, Flowery Branch, GA.

Attorney Bennett read the caption for Ordinance 678, 6005 Lights Ferry Road.
Attorney Bennett read the caption for Ordinance 679, 6006 Lights Ferry Road.
Attorney Bennett read the caption for Ordinance 680, 6010 Lights Ferry Road.
Attorney Bennett read the caption for Ordinance 681, 6014 Lights Ferry Road.
Attorney Bennett read the caption for Ordinance 682, 6016 Lights Ferry Road.
Attorney Bennett read the caption for Ordinance 683, 6018 Lights Ferry Road.

There was a composite motion to approve Ordinance 678, Ordinance 679, Ordinance 680, Ordinance 681, Ordinance 682, and Ordinance 683.

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

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.

Attorney Bennett read the caption for Ordinance 686.

Attorney Bennett read the caption for Ordinance 687.

There was a motion to approve the variance requests for Ordinance 686 and Ordinance 687.

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

Consideration of Resolution 23-002 Second Quarter Budget Amendment FY2023

There was a motion made to approve Resolution 23-002, 2nd Quarter Amendment to the budget for FY2023 as previously adopted on June 23, 2022, as presented in attachments A and B.

MOTION: William McDaniel

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Consider a Professional Services Agreement with Bureau Veritas North America.

There was a motion made to approve a Professional Services Agreement with Bureau Veritas North America.

MOTION: Joseph Mezzanotte

SECOND: Oliver McClellan

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

NAYS: None

Motion carried

Consider a Contract Proposal from Thomas and Hutton to Provide Development and Building Plan Review for the City, as needed.

There was a motion made to approve a contract proposal from Thomas and Hutton to provide Development and Plan Review for the City, as needed.

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

Consider a Request to Build a New Single-Family Detached Residential Home at 5710 Gainesville Street. Zoned Central Business District (CBD), City Council approval is required for any new construction.

There was a motion made to approve a request to build a new single-family detached residential home at 5710 Gainesville Street.

MOTION: Joe Anglin
SECOND: William McDaniel
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte
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 7:10 p.m.

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

There was a motion made to exit executive session at 8:08 p.m.

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

ADJOURNMENT:

There was a motion made to adjourn at 8:08 p.m.

MOTION: Oliver McClellan

SECOND: William McDaniel

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

NAYS: None

Motion carried

Edward Asbridge, Mayor

Date

Shelia Cooper, City Clerk