

CITY OF HOSCHTON
CITY COUNCIL MINUTES
MAY 31, 2018
HISTORIC TRAIN DEPOT, 5:30 PM
4272 HWY 53, HOSCHTON, GA 30548



WORK SESSION

OATH OF OFFICE – HOPE WEEKS, COUNCIL MEMBER

Thomas Mitchell, City Attorney, performed the Oath of Office for Hope Weeks.

CALL TO ORDER

Mayor Kenerly called the meeting to order at 5:39 p.m.

1. Roll Call

Mayor Theresa Kenerly – Present Councilmember Jim Cleveland – Present Councilmember Mindi Kiewert – Absent Councilmember Susan Powers – Present Councilmember Hope Weeks – Present
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Also present:
City Administrator, April Plank
City Attorney, Thomas Mitchell
Wastewater Operator/Utilities Director, David Pollard
Events Coordinator, Jennifer Kidd Harrison
Media was present

OPENING PRAYER

Mayor Kenerly led the invocation.

PLEDGE OF ALLEGIANCE

Councilman Cleveland led the Pledge of Allegiance.

CITIZEN INPUT

Ms. Robbie Bettis spoke to mayor and council about bringing back the Hoschton Scarecrows, and how she has been working with the Hoschton Area Arts Council and other organizations on sponsoring the event. Ms. Bettis talked about 2008, and how at that time they had 5,441 scarecrows, and had talked to the Guinness Book of World Records; however, they stated the scarecrows needed to be in one location for the record to count. The World Record Academy did, however, recognize Hoschton as the record holder of scarecrows. The Hoschton Area Arts Council will pay the fee this year to get Guinness back to Hoschton, and will arrange for other organizations and the city to help sponsor. The dates of September 1-2, 2018 is when the scarecrows will be brought to the Braselton Historic Gymnasium, and will be there for two weeks for Guinness to come count them; September 17-18, 2018, participants can place them in their yards. Mayor Kenerly asked Ms. Bettis to designate an end date with a clean-up day scheduled. Councilwoman Weeks suggested a map of designated places for people to see the scarecrows to be

provided.

REPORTS

1. Mayor – Mayor Kenerly welcomed newest council member, Hope Weeks, to the Hoschton City Council.
2. EMI Engineering – Jerry Hood, City Engineer, was not present to provide a report.
3. Public Works/Wastewater – David Pollard provided a public works report.

AMEND AGENDA: Mayor Kenerly asked for a motion to amend the agenda, and add the Deer Creek culvert and road repair to the agenda. The culvert project has been deemed an emergency situation, and needs to be addressed as soon as possible. David Pollard, Wastewater Operator, described the repair requirements and provided council with a project cost of \$18,486.42 plus a 10% contingency for unforeseen expenses for a total amount of \$20,335.06. Councilman Cleveland stated he would like to work to be completed at night. David Pollard stated that Griffin Brothers will provide an open lane/driver accessibility, and will likely be completed during daytime hours for both safety and visibility purposes. The project/item will be placed on the Regular Meeting agenda.

Mover: Cleveland
Secunder: Powers
Ayes: Cleveland, Powers, Weeks
Nays: None

DISCUSSION ITEMS

1. **ALCOHOL RESOLUTION – 2018 JUNEBUG CONCERT ON THE GREEN:** To authorize the Mayor to sign an alcohol resolution for the purchase of alcohol by the drink at the Junebug Concert on the Green, Saturday, June 16, 2018. Alcoholic beverages are limited to a confined space between the hours of 7:00 p.m. to 9:30 p.m., and will be served by a valid Hoschton business that holds a valid Alcohol Business License. The festival will be secured by a police officer.

Mayor Kenerly described the resolutions, agenda items 1-3, to council, and included that any alcohol served will only be served by a Hoschton business that holds a valid alcohol business license.

2. **ALCOHOL RESOLUTION – 2018 FALL FESTIVAL:** To authorize the Mayor to sign an alcohol resolution for the purchase of alcohol by the drink at the Fall Festival Friday and Saturday, September 21-22, 2018 (not on Sunday, September 23rd). Alcoholic beverages are limited to a confined space. Friday, September 21st alcohol sales hours are 4:00 p.m. to 9:30 p.m., and on Saturday, September 22nd from 4:00 p.m. to 9:30 p.m. Alcohol will be served by Hoschton businesses that hold a valid Alcohol Business License. The festival will be secured by a police officer.
3. **RESOLUTION FOR STREET CLOSURES – 2018 FALL FESTIVAL:** To authorize the Mayor to sign a resolution permitting road closures during the parade as part of festival activities. Road closures are as follows: Highway 53 from West Jackson Primary School to Towne Center Parkway closed on Saturday, September 22nd for the parade between the hours of 10:00 a.m. to 11:00 a.m.; and City Square, Bell Avenue between Highway 53 and White Street, and White Street from Bell Avenue to West Broad Street to be closed for the duration of the festival beginning Friday, September 21st through Sunday, September 23rd.
4. **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY (GEFA) LOAN NUMBER DW2018002:** To authorize the Mayor to sign loan documents in the amount of \$428,000 for the costs of the rehabilitation of the White Street Well and Well House, and the construction of the Cabin Drive Well House. The City shall pay the Lender an origination fee for the loan in the amount of 1% of the maximum amount of the loan, and the loan's interest rate per annum is equal to 1.06%.

Mayor Kenerly went over the purpose of the GEFA loan, and suggested the item be placed on the Regular Meeting agenda as a separate voting item.

- 5. ODOR CONTROL SEWER VENT:** To purchase an odor control sewer vent for the Brook Glen lift station in the amount of \$8,676.00. This vent is a powerless, more quiet system. Additional expense to core a vent hole in the wet well will be added. The total amount of this project shall not exceed \$11,500 to include the sewer vent and coring.

Wastewater Operator, David Pollard, described the benefits of an odor control powerless sewer vent, and stated a powerless versus a traditional vent is a quieter system, and that all future lift stations will be required to install this type of powerless odor control vent as it's less of a disturbance to area residents, and also helps to control the odor release from a lift station.

- 6. ORDINANCE FOR MUNICIPAL COURT AND MUNICIPAL JUDGE:** To adopt a new Chapter 5 "Municipal Court" of the Hoschton Code of Ordinances to provide for judge appointment, fines, time and place, and for other purposes.

City Attorney, Thomas Mitchell, went over the proposed new municipal court ordinance, and noted the previous ordinance will be repealed and this proposed ordinance will take its place. Mr. Mitchell also discussed why the code enforcement board was not replaced in the updated ordinance, and that having a citizen populated code enforcement board could potentially hinder its effectiveness and duties of the board. Councilwoman Weeks agreed with the removal of the code enforcement board from the proposed new municipal court ordinance. The ordinance will be a separate voting item on the Regular Meeting agenda.

- 7. FINANCE SOFTWARE:** Staff is recommending the City purchase a new financial software system to include utility billing, finance and payroll. The staff recommends Edmunds & Associates MCSJ Express package in the amount of \$18,890 plus a 10% contingency for unforeseen integration costs for a total of \$20,749. The total includes the software, three years' financial summary integration, utility billing integration, credit card swipe device, hosting, cloud backup, setup fees, remote training and maintenance fees for the first year. This is a web-based software program. The annual maintenance fee after year one is \$6,500 per year with no increases in maintenance fees for the first five (5) years. The new program setup will be completed by the first of 2019.

City Administrator, April Plank, thanked council members for meeting with her to discuss the different finance software programs. Councilman Cleveland asked Mayor Kenerly where the funds were coming from to pay for the software, and Mayor Kenerly stated the software program was needed, and has been a recommendation by the auditors for the past couple of years. Mayor Kenerly also stated that a budget amendment will be due later this summer and the finance software will be included in that amendment, and compared the cost of the finance software to three tap fees.

EXECUTIVE SESSION

Pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was pending or potential litigation.

At 6:37 p.m., Mayor Kenerly asked for a motion to enter Executive Session. Councilman Cleveland made a motion to enter Executive Session and add personnel to discussion. Councilwoman Powers seconded the motion, and the motion passed unanimously.

Mover: Cleveland
Seconded: Powers
Ayes: Cleveland, Powers, Weeks
Nays: None

1. *Motion to Enter*
2. *Motion to Exit*

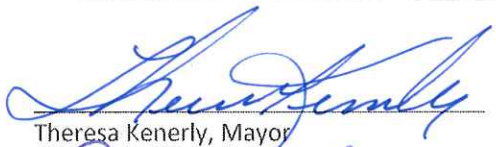
At 6:56 p.m., Mayor Kenerly asked for a motion to exit Executive Session. Councilman Cleveland made a motion to exit Executive Session. Councilwoman Powers seconded the motion, and the motion passed unanimously.

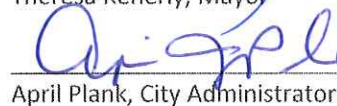
Mover: Cleveland
Seconded: Powers
Ayes: Cleveland, Powers, Weeks
Nays: None

ADJOURN

Mayor Kenerly read through the Announcements, and at 7:08 p.m., she asked for a motion to adjourn Work Session. Councilwoman Weeks made a motion to adjourn the meeting. Councilwoman Powers seconded the motion, and the motion passed unanimously.

Mover: Weeks
Seconded: Powers
Ayes: Cleveland, Powers, Weeks
Nays: None


Theresa Kenerly, Mayor


April Plank, City Administrator

7-10-18
Date



ANNOUNCEMENTS:

- **June 8-10** – Community Clean-Up on White Street behind City Hall.
- **June 16** – Junebug Concert on the Green from 7:00 p.m. to 10:00 p.m.
- **June 25** – Planning and Zoning Meeting, 6:15 p.m. at City Hall. Public welcome and encouraged to attend.
- **June 22-26** – Georgia Municipal Association (GMA) Annual Convention.
- **July 4** – Independence Day, City Offices will be closed in observance of this holiday.

- **July 5 (Thursday)** – City Council Work Session, 5:30 p.m. at the Train Depot. Public welcome and encouraged to attend.
- **July 9 (Monday)** – City Council Regular Meeting, 5:30 p.m. at the Train Depot. Public welcome and encouraged to attend.

Manner of Addressing Council - No Council member, while the City Council is in session, shall speak on any subject unless recognized by the presiding officer. Every speaker shall address the Chair/Mayor, and no member shall interrupt anyone who is speaking except to call him to order or for explanation.

Limitations on Addressing City Council - Any person not a member of City Council who desires to address the City Council shall first sign in at the beginning of the work session giving his or her address and the subject they wish to speak about. Permission to speak is at the discretion of the Mayor and City Council. Three (3) minutes will be allowed for each person chosen to speak. Grievances with individual employees may not be discussed. If you are selected to speak, you will be called upon by the presiding officer, and then shall come to the podium, state your name and address in an audible tone of voice for the record, and direct his/her remarks to the City Council as a body rather than to any particular member, limiting such remarks to no more than three (3) minutes.

AFFIDAVIT OF THE HOSCHTON CITY COUNCIL

Before an officer duly authorized to administer oaths appeared **Theresa Kenerly**, who after being duly sworn, deposes and on oath states the following: (1) I am competent to make this Affidavit and have personal knowledge of the matters set forth herein. (2) Pursuant to my duties as **Mayor**, I was the presiding officer of a meeting of the Hoschton City Council held on the 31 day of May, 2018. A portion of said meeting was closed to the public. (3) It is my understanding that O.C.G.A. § 50-14-4(b) provides as follows: When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the person presiding over such meeting or, if the agency's policy so provides, each member of the governing body of the agency attending such meeting, shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception. (4) The subject matter of said meeting, or the closed portion thereof, was devoted to matters within exceptions to public disclosure provided by law. Those specific relevant exceptions are identified as follows:

_____ A. Meeting to discuss or vote to authorize the settlement of a matter covered by the attorney-client privilege as provided in Georgia Code section 50-14-2(1) and 50-14-3(b)(1)(A). The subject discussed was [identify the case or claim discussed but not the substance of the attorney-client discussion].

_____ B. Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

_____ C. Meeting to discuss or vote to authorize the ordering of an appraisal related to the acquisition or disposal of real estate as provided in Georgia Code section 50-14-3(b)(1)(C).

_____ D. Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(D).

_____ E. Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(E).

X _____ F. Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

_____ G. Meeting to interview one or more applicants for the position of the executive head of an agency as provided in Georgia Code section 50-14-3(b)(2).

X _____ H. Pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was [identify the matter but not the substance of the discussion].

_____. I. Staff meeting held for investigative purposes under duties or responsibilities imposed by law as provided by Georgia Code section 50-14-3(a)(1).

_____. J. Meeting to consider records or portions of records exempt from public inspection or disclosure pursuant to Article 4 of Chapter 18 of Title 50 of the Georgia Code because there are no reasonable means to consider the record without disclosing the exempt portions.

This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A. § 5014-4(b) and is to be filed with the official minutes for the aforementioned meeting.

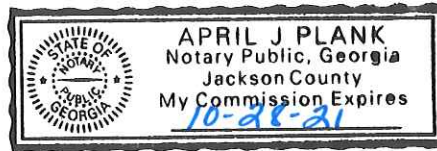
This 31st day of May, 2018.

Arizolla
City Administrator

Theresa Kenerly
Mayor Theresa Kenerly

Affiant Sworn to and subscribed before me this 31st day of May, 2018.

Arizolla
Notary Public



[Signature]
Council Member

Susan Powers
Council Member

Jim Cleveland
Council Member

Council Member

