

CITY OF HOSCHTON
CITY COUNCIL MINUTES
MAY 7, 2018
HOSCHTON COUNCIL ROOM, 5:30 PM
79 CITY SQUARE, HOSCHTON, GA 30548



WORK SESSION & PUBLIC HEARINGS

PUBLIC HEARING: For a wastewater improvements project partially funded by the Appalachian Region Commission (ARC) and administered by the Georgia Environmental Finance Authority's (GEFA) Clean Wastewater State Revolving Fund (CWSRF). The proposed project includes the expansion of the City's sanitary sewer collection system into an industrial park located south of the City's wastewater treatment facility. The improvements will occur in Jackson County, Georgia within the industrial park along Jackson Trail Road and Amy Industrial Park.

Mayor Kenerly opened the Public Hearing at 5:30 p.m. Jerry Hood, City Engineer, and Corrine Valentine of EMI Engineering, presented the Public Hearing documentation to mayor and council regarding the sewer system extension to South Industrial Park. The Public Hearing's proposed project includes approximately 2,800 LF of gravity sewer; approximately 1,200 LF of force main, and a proposed lift station. The estimated project cost is \$700,000. Funding sources include a \$350,000 grant through the Appalachian Regional Commission (ARC), and \$350,000 through local fund matching. Grant plans are complete, however, a few easements to obtain remain. This project is beneficial to Industrial Park, and the upgrade will come with 40 new jobs to Aavis Pharmaceuticals. Aavis is also considering a \$5 million upgrade and investment to their building with this new sewer upgrade. The EPD has approved the plans of this project, and the bid should go out within a month.

With no comments from the public, Mayor Kenerly closed the Public Hearing at 5:35 p.m.

PUBLIC HEARING:

At 5:35 p.m., Mayor Kenerly opened the Public Hearing for item numbers 1-3.

1. Z-18-02 Rezone Request: Applicant Tracy Carswell and property owner, Betty Dahler, seek to rezone 1.64 acres at 320 White Street, Map and Parcel H01 0138 from an R-1 Low Density Residential to OR Office Residential District. The proposed use is office and/or residence.

City of Hoschton Planning Administrator, Jerry Weitz, presented the items. Mr. Weitz stated there is a revised set of conditions, and the Planning and Zoning Commission meeting minutes reflect the conditions. The rezone request to OR Office is compatible with residential zoning.

Applicant Tracy Carswell inquired about the two personal items that are permitted to be on the property, and if there are specifics to the description of those items. City Attorney, Thomas Mitchell, informed Mr. Carswell that if he is requesting to keep machinery, then those requests are more commercial and would require going back to the Planning and Zoning Commission.

Regarding the easement, Tracy Carswell spoke about his concern with the width of the easement, and does not believe it is enough. City Engineer, Jerry Hood, agreed with Mr. Carswell, and Mayor Kenerly informed Tracy that she would take care of the width concern, and that can be adjusted in the easement paperwork. She also informed him there would be no cost for the easement to him.

2. Amend Subdivision and Land Development Ordinance: To amend Article VI, "Access and Design Requirements for Roads," Section 613, "Road Right-of-Way Widths, Miters and Pavement Widths," to

change the minimum pavement width for a local residential street from 24 feet from back of curb to back of curb to 26 feet from back of curb to back of curb.

Jerry Weitz stated that 24 feet is a little narrow, and would like to provide more space and make it standard. Mr. Weitz proposes 26 feet as the new standard, and it would go into effect for all new developments. Councilman Cleveland inquired on mandating by ordinance to parking on one side of the street. Mayor Kenerly stated the city cannot enforce that, but subdivision HOA's are able to do so.

3. Amend Zoning Ordinance: To amend Article VI, "Specific use Provisions" Section 6.30, "Collection Bin," to prohibit said use, and to consider a change of definition of "Collection Bin" in Article XII, "Definitions."

Mayor Kenerly stated the issues with collection bins is that people look at them as dumping sites, and bring more than just clothing (mattresses, trash). The City currently allows collection bins, but should be banned. It was noted that recycling bins will not be banned, and this ordinance separates collection bins from recycling containers.

Mayor Kenerly closed the Public Hearings for item numbers 1-3 at 5:56 p.m.

CALL TO ORDER

Mayor Kenerly called the meeting to order at 5:56 p.m.

1. Roll Call

Mayor Theresa Kenerly -- Present Councilmember Jim Cleveland -- Present Councilmember Mindi Kiewert -- Present Councilmember Susan Powers-- Present
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Also present:

City Administrator, April Plank
City Attorney, Thomas Mitchell
City Engineer, Jerry Hood
Planning and Zoning Administrator, Jerry Weitz
Wastewater Operator/Utilities Director, David Pollard
Events Coordinator, Jennifer Kidd Harrison

OPENING PRAYER

Mayor Kenerly led the invocation.

PLEDGE OF ALLEGIANCE

Councilman Cleveland led the Pledge of Allegiance.

CITIZEN INPUT

None.

REPORTS

1. Mayor
Mayor Kenerly did not provide a report as many of the updates are on the agenda.

2. **EMI Engineering**
City Engineer, Jerry Hood, provided the monthly report.
3. **Public Works/Wastewater**
Wastewater Operator and manager, David Pollard, provided the monthly report.

DISCUSSION ITEMS

1. **CITY SQUARE ROAD CLOSURE:** City staff is requesting a temporary road closure of City Square for the 3rd Annual Jam in the Park festival on Saturday, May 12 beginning at 8:00 a.m. until approximately 10:00 p.m.

Events Coordinator, Jennifer Kidd Harrison, stated that she would like to come Friday evening, around 11:00 p.m. after all the businesses are closed to block the parking lot.

2. **WEST JEFFERSON STREET PROJECT CHANGE ORDER:** Change Order #1 from J&K Utilities, LLC in the amount of \$4,200. The Change Order is for the West Jefferson Street pipe replacement to replace 36' of 18" pipe with new 18" RCP, and to backfill with GAB.

City Engineer, Jerry Hood, stated this could potentially have overflow in the event of a very heavy rain, and the City may need to do something more to prevent this problem downstream. The line they would tie in to is a 12" line. Temporary construction easements have been created, but not sought after.

Councilwoman Kiewert inquired on the cost to change the 12" to an 18" inch line, and those costs were not estimated. Councilwoman Powers inquired on obtaining the easements, and Jerry Weitz, Planning and Zoning Administrator, stated that we would attempt to obtain easements with any new rezone request. City Attorney, Thomas Mitchell, informed council that it might be wise to table this item until more details were obtained. After further discussion, council agreed to table the Change Order.

3. **NEGRC SUMMER YOUTH WORK COMPONENT:** To authorize the Mayor to sign the Summer Youth Work Component agreement with the Northeast Georgia Regional Commission to allow the City to participate in the 2018 WIOA Youth Work Experience Program. The program is for a period of five (5) weeks. Pay and insurance is covered under the program.

City Administrator, April Plank, went over the details of the Youth Work Component.

4. **COMCAST ACCESS TO PROPERTY:** To authorize the Mayor to sign an Access to Property consenting Comcast Cable access to city property for the installation, operation and maintenance to provide service to the City's Wastewater Treatment Facility. Comcast Cable is covering the cost of cable and other equipment into, over, under, across and along the property.

City Administrator, April Plank, went over the details of the Comcast agreement. Agenda Items 4 and 5 go together; the Service Order Agreement must be signed in order for Comcast to have Access to Property for the installation of new internet service lines. The cost for the installation of the lines to be ran to the WWTF and to serve that area would be absorbed by Comcast, but per their standard protocol, an agreement would need to be signed as part of the due diligence.

5. **COMCAST BUSINESS SERVICE ORDER AGREEMENT:** To authorize the Mayor to sign a Business Service Order Agreement with Comcast for internet service to be provided at the City's Wastewater Treatment Facility. The cost of internet service will be \$134.85 per month for three (3) years.

6. **RESOLUTION REVISION FEE SCHEDULE:** A resolution revising the fee schedule of zoning and development-related fees, and establishing a cost recovery requirement for certain zoning and development-related services.

Mayor Kenerly and City Administrator, April Plank, informed council the costs of planning, zoning, building permits and inspections on the city were very stringent, and after the cost break-down discovery, it was determined that raising the fees was mandatory. This Resolution adopting the new fee schedule, Agenda Item 4, goes hand-in-hand with Agenda Item 7: Fee Schedule.

7. **FEE SCHEDULE:** To approve the updated fee schedule and Resolution for Building Permit fees and planning and Zoning fees.
8. **JACKSON COUNTY INTERGOVERNMENTAL AGREEMENT FOR ELECTIONS:** To authorize the mayor to sign an Intergovernmental Agreement with Jackson County to conduct city elections. The agreement shall govern the conduct of all City Elections by the County. The renewal fee has increased to \$1.25 per registered voter, an increase from \$1.00 per registered voter during the initial term of agreement. The agreement shall commence on January 1, 2018 and expire December 31, 2018, and shall be automatically renewed for four additional one-year terms.

Mayor Kenerly informed council of the agreement and increased fees, and that Jackson County also reduced the number of voting precincts, so voters have a limited number of polling places now. The City of Hoschton did not have any say in the increased fees or precinct locations. The City will do their part by helping Hoschton voters as much as possible to learn where their new precincts are located.

9. **REZONE REQUEST Z-18-02:** Applicant, Tracy Carswell, and property owner, Betty R. Dahler, seek to rezone 1.64 acres at 320 White Street, Map and Parcel H01 0138, fronting approximately 350 feet on the west side of White Street and approximately 420 feet south of West Broad Street from R-1 Low Density Residential to OR Office Residential District. The proposed use is office and/or residence.

Recommended approval with conditions proposed by the Planning and Zoning Commission, and Mayor Kenerly will work out the details with Mr. Carswell on the size of the easement, minimum 20-foot.

10. **AMEND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE:** To amend the Subdivision and Land Development ordinance of the City of Hoschton, Article VI, "Access and Design Requirements for Roads," Section 613, "Road Right-of-Way Widths, Miters and Pavement Widths," to change the minimum pavement width for a local residential street from 24 feet from back of curb to back of curb to 26 feet from back of curb to back of curb. This is the first reading.

Recommended approval.

11. **AMEND ZONING ORDINANCE:** To amend the Zoning Ordinance of the City of Hoschton, Article VI, "Specific Use Provisions" Section 6.30, "Collection Bin," to prohibit said used, and to consider a change of definition of "Collection Bin" in Article XII, "Definitions."

Recommended approval.

12. **OPEN RECORDS AND RECORDS MANAGEMENT ORDINANCE:** To amend the Code of Ordinances of the City of Hoschton, Chapter 3, Administration, by establishing a new Article XI for the purpose of open records and records management to comply with O.C.G.A. 50-18-70 by designating an Open Records Officer and Alternate Open Records Officer; defining duties and compensation; providing for the manner of serving open records requests; open records procedures; providing a Records Management Plan, and for other purposes.

City Administrator, April Plank, went over the need for an Open Records and Records Management Policy. Agenda Items 12 and 13 go hand-in-hand. The policy details the manner of serving open records requests, and establishes a policy on a records management plan.

13. OPEN RECORDS AND RECORDS MANAGEMENT POLICY: To establish an Open Records and Records Management Policy, and to provide information on the manner of serving open records, and to establish a records management plan on retention, archiving, destruction, and for other purposes.

14. WINTERSET SUBDIVISION, TEMPORARY USE APPROVAL: For Council to confirm a Temporary Use Approval by Zoning Administrator for four additional model homes.

Jerry Weitz, Planning and Zoning Administrator, recommends temporary use approval for the model homes. It was noted this was the first time the City would be issuing a temporary use.

15. WINTERSET SUBDIVISION, ARCHITECTURAL ELEVATIONS: For Council to approve of Architectural Elevations for Homes (six prototypes); required per Condition #14 for Z-17-01.

It was noted by the Planning and Zoning Administrator that the elevations are aesthetic.

16. PROCLAMATION – WATER PROFESSIONALS APPRECIATION DAY: Water professionals provide critical services that are most often taken for granted, but that are essential to virtually everything we do. During its recently completed session, the Georgia General Assembly amended Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and observances, so as to designate the first Monday in May of each year as "Water Professionals Appreciation Day" in Georgia.

City Administrator, April Plank, read a portion of the proclamation for Water Professionals Appreciation Day.

17. GEORGIA INTERLOCAL RISK MANAGEMENT AGENCY (GIRMA) RENEWAL TERMS 2018/2019: To authorize the mayor to sign the renewal terms for the city's property and liability coverage for the coverage of May 2018 through May 2019. No changes have been made to the base renewal rates. The cost for renewal is \$20,853.00.

City Administrator, April Plank, informed mayor and council there are no changes to the cost of GIRMA, and the agreement would be good through May 2019.

EXECUTIVE SESSION

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); 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 5014-3(b)(2).

1. Motion to Enter

At 6:48 p.m., Mayor Kenerly asked for a motion to enter Executive Session. Councilwoman Kiewert made the motion to enter Executive Session. Councilwoman Powers seconded the motion, and the motion passed by a unanimous vote.

Mover: Kiewert Secunder: Powers Ayes: Cleveland, Kiewert, Powers Nays: None
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2. Motion to Exit

At 7:15 p.m., Mayor Kenerly asked for a motion to exit Executive Session. Councilwoman Kiewert made the motion to enter Executive Session. Councilwoman Powers seconded the motion, and the motion passed by a unanimous vote.

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

ADJOURN

Mayor Kenerly adjourned the Work Session at 7:16 p.m., and read through the announcements.

Theresa Kenerly, Mayor

April Plank, City Administrator

Date



ANNOUNCEMENTS:

- **May 12** – 3rd Annual Jam in the Park Festival, 11 a.m. – 9:00 p.m. located at 79 City Square. All proceeds benefit the Shriners Hospital for Children. Free admission. Variety of music.
- **May 21** – Planning and Zoning Commission Meeting, 6:15 p.m. at Hoschton City Hall.
- **May 22** – Special Election for vacant unexpired term on Hoschton City Council. Election at the Depot for city election. Primary Election (County/State/Federal Election) will be held the same day where voting will be conducted in Braselton at Northeast Church.
- **May 28** – Memorial Day, City offices will be closed in observance of this holiday.
- **June 8-10** – Community Clean-Up on White Street behind City Hall.
- **June 16** – Junebug Concert on the Green. Details TBD.

BUILDING PERMIT FEES – CITY OF HOSCHTON, GEORGIA

CALCULATING BUILDING VALUATION	Unless otherwise stated, the valuation for all new construction will be based on the actual contract cost of the work, or calculated by using the latest construction cost data as published in the Building Safety Journal by the International Code Council (ICC). For interior completion only, the construction cost is valued at fifty percent (50%) of the calculated ICC building valuation.
FEE PAYMENT	Fees are collected prior to issuance of permit.

PLAN REVIEW FEES	New single-family residential review	Additional 50% of permit fee
	Residential renovations/additions	Additional 50% of permit fee
	All commercial/industrial plan reviews	Additional 50% of permit fee

PERMIT FEE TABLE	TOTAL VALUATION	FEE
	\$1,000 and less	Minimum fee of \$100.00
	\$1,001 to \$50,000	\$15.00 for first \$1,000 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00, minimum fee of \$100.
	\$50,001 to \$100,000	\$260.00 for first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.
	\$100,001 to \$500,000	\$460.00 for first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.
	\$500,001 and up	\$1,660.00 for first \$500,000 plus \$2.00 for each additional thousand or fraction thereof.
CERTIFICATE OF OCCUPANCY OR COMPLETION (C/O OR C/C)	New single-family detached, condo or townhome	\$100.00
	New commercial	\$100.00
	New or renovated commercial tenant space	\$100.00
TRADE PERMITS	Permit fee	Use permit fee table – minimum \$75.00
SIGNS REQUIRING A BUILDING PERMIT	Wall mounted	\$100.00
	Monument/free-standing	\$200.00
DEMOLITION	Residential	\$150.00
	Commercial	\$300.00
PERMIT EXTENSIONS	Subsequent extension	\$100.00/three (3) months
RE-INSPECTIONS	For each added trip	\$75.00
OTHER	Transfer of permit/change of contractor	\$100.00
	Structure move/relocate	\$300.00
	Deck	\$100.00
	Fence permit	\$150.00
	Inspections outside of normal business hours	\$125 per hour (\$250.00 minimum)
	Replacement of permits, COs, etc.	\$25.00

BUILDING PERMIT FEES – CITY OF HOSCHTON, GEORGIA

OTHER CONTINUED	Pool permit – Residential	\$450.00 (includes pool, plumbing, electrical and fence permits)
	Fee for work done without a permit	Two-hundred percent (200%) of original permit fee
	Temporary construction trailer (not including electric permit)	\$100.00
	Administrative fees (per permit)	\$25.00 residential / \$100.00 commercial

PLANNING AND ZONING PERMIT FEES – CITY OF HOSCHTON, GEORGIA

TEXT AMENDMENT ZONING ORDINANCE	\$475.00
<i>Required functions of a text amendment to zoning ordinance:</i> Review initial proposal; prepare revisions to ordinance amendment; public hearing in legal organ; planning and zoning commission meeting; city council meeting; amend zoning ordinance document and republish and repost on web page.	
APPLICATION TYPE	MINIMUM FEE AND EXPLANATION OF COST
PRE-APPLICATION CONFERENCE	\$250.00 per hour with a two (2) hour minimum
ANNEXATION	Ten (10) acres or less - \$250.00 / Greater than ten (10) acres - \$250.00 plus \$1.00 per acre
<i>Required functions of an annexation:</i> Written notice to county; publish notice in legal organ; preparation of annexation ordinance with legal description; planning and zoning commission meeting; staff report; city council public hearing; annexation reporting.	
DE-ANNEXATION	\$475.00
<i>Required functions of a de-annexation:</i> Written notice to the county; publish notice in legal organ; preparation of annexation ordinance; planning and zoning commission meeting; staff report; city council public hearing; de-annexation reporting.	

DEVELOPMENT OF REGIONAL IMPACT (DRI)	\$400.00 (local processing fee)
<i>Required functions of a DRI:</i> Receive development-related information and complete form on the state's online Development of Regional Impact Reporting System; review information, file; account for comments in staff report.	
REZONING (AMEND OFFICIAL ZONING MAP)	
TO: A, R-1, R-2	\$600.00
TO: R-3, R-4	\$650.00
TO: MFR OR, INST, C-1, C-2	\$700.00
TO: C-3, M-1	\$825.00
TO: PUD	\$1,000 plus \$1.00 per acre
<i>Required functions for rezoning:</i> Review application for completeness; prepare legal advertisement for public hearing to be published in legal organ; arrange to have public notice signage posted on property; review for compliance with local requirements; prepare staff report and ordinance; attend planning and zoning commission meeting and prepare minutes; attend city council meeting; amend official zoning map.	
ZONING CONDITION MODIFICATION	\$400.00
<i>Required functions for zoning condition modification:</i> Review application for completeness; prepare legal advertisement for public hearing to be published in legal organ; arrange to have public notice signage posted on property; review for compliance with local requirements; prepare staff report and ordinance; attend planning and zoning commission meeting and prepare minutes; attend city council meeting; amend official zoning map.	
REVISED ZONING SITE PLAN REVIEW FEE	\$200.00
CONDITIONAL USE	\$500.00
<i>Required functions for conditional use:</i> Review application for completeness; prepare legal advertisement for public hearing to be published in legal organ; arrange to have public notice signage posted on property; review for compliance with local requirements; prepare staff report and ordinance; attend planning and zoning commission meeting and prepare minutes; attend city council meeting; amend official zoning map.	

PLANNING AND ZONING PERMIT FEES – CITY OF HOSCHTON, GEORGIA

VARIANCE, ZONING	\$500.00	
<i>Required functions for variance:</i> Review application for completeness; prepare legal advertisement for public hearing to be published in legal organ; arrange to have public notice signage posted on property; review for compliance with local requirements; prepare staff report and ordinance; attend planning and zoning commission meeting and prepare minutes; attend city council meeting; amend official zoning map.		
VARIANCE, ADMINISTRATIVE	\$100.00	
<i>Required functions for variance, administrative:</i> Review application for completeness; review for compliance with local requirements; issue written decision.		
APPEAL OF ADMINISTRATIVE DECISION	\$650.00	
<i>Required functions of an appeal:</i> Assemble record; prepare legal advertisement for public hearing; review for compliance; provide for notification to applicant.		
OFFICIAL LETTER OF ZONING CONFIRMATION	\$50.00	
<i>Required functions of an official letter confirmation:</i> Verify zoning; review property description and prepare and disseminate letter.		
CERTIFICATE OF ZONING COMPLIANCE (SITE SPECIFIC)	\$250.00	
<i>Required functions of a certificate:</i> Verify zoning; review property description; review as-built survey for compliance with various codes, and prepare and disseminate letter.		
DESIGN REVIEW, SR 53 OVERLAY DISTRICT	\$400.00 plus \$200.00 per re-submission after one (1)	
<i>Required functions of design review of overlay district:</i> Verify zoning; review property description; review as-built survey for compliance with various codes, and prepare and disseminate letter.		
SUBDIVISION PLAT, PRELIMINARY	\$600.00 plus \$20.00 per lot; plus \$200.00 per re-submission after one (1)	
<i>Required functions for preliminary subdivision plat:</i> Review application for completeness and compliance; distribute to review agents; staff report or memo; planning commission meeting; city council meeting; final notice.		
SUBDIVISION PLAT, FINAL, MAJOR SUBDIVISION	\$1,500 plus \$10.00 per lot (five or more homes)	
<i>Required functions for final major subdivision plat:</i> Review application for completeness and compliance; distribute to review agents; staff report or memo; planning commission meeting; city council meeting; review associated requirements including bonds and legal documents; final notice.		
SUBDIVISION PLAT, FINAL, MINOR SUBDIVISION	\$75.00 (four or less homes)	
<i>Required functions for final minor subdivision plat:</i> Review application for completeness and compliance; final notice (note: includes lot combinations and boundary line adjustments).		
RETRACEMENT SURVEY (REVIEW)	\$25.00	
<i>Required functions for survey review:</i> Review plat to determine whether a final plat is required; issue letter of exemption if plat is not required.		
DEDICATION OF PUBLIC STREETS OR LAND	\$400.00	
<i>Required functions for street or land dedications:</i> Public works inspection; prepare resolution of acceptance; release of applicable maintenance or performance bond(s); city council meeting.		
DEVELOPMENT PERMIT		
	PLANNING	\$500.00 plus \$10.00 per acre*
	WATER	\$500.00 plus \$10.00 per acre*
	SEWER	\$500.00 plus \$10.00 per acre*
	STORMWATER	\$500.00 plus \$10.00 per acre*
		*plus \$200.00 per re-submission after one (1)
LAND DEVELOPMENT INSPECTION	\$85.00 per hour with a two (2) hour minimum	
EROSION SEDIMENT CONTROL TERTIARY	\$250.00 per lot	

PLANNING AND ZONING PERMIT FEES – CITY OF HOSCHTON, GEORGIA

FEE FOR ANY DEDICATION	\$150.00
RE-INSPECTION FEE	\$100.00
RE-SUBMISSION FEE ON DEVELOPMENT PLANS	\$200.00
SOIL EROSION FEE	\$100.00 per disturbed per acre
SANITARY SEWER DOWNSTREAM ANALYSIS	\$1,500.00
WASTEWATER PUMP STATION (EACH)	\$1,500.00
HYDRAULIC WATER MODEL	\$1,500.00
OIL AND GREASE SEPARATOR OR GREASE TRAP	\$500.00
AS-BUILT WATER-SEWER REVIEW	\$500.00 plus \$10.00 per acre
AS-BUILT STORMWATER AND ROADS REVIEW	\$700.00 plus \$25.00 per acre