

CITY OF HOSCHTON

CITY COUNCIL MINUTES

OCTOBER 4, 2018

HISTORIC TRAIN DEPOT, 5:30 PM

4272 HWY 53, HOSCHTON, GA 30548



WORK SESSION

PUBLIC HEARING

1. **Z-18-07 REZONE REQUEST:** Action Technology Solutions, LLC, By Taylor Harris, applicant, FJH, LLC, property owner, to rezone 29.905 acres (Map/Parcel 120/017D) fronting 149.13 feet on the south side of SR 332 approximately 190 feet east of Town Center Parkway from M-1, Light Industrial District, to MFR, Multiple-Family Residential District. Proposed Use: Townhomes.

Recommended approval with conditions by staff and the Planning & Zoning Commission.

2. **V-18-02 VARIANCE REQUEST:** Action Technology Solutions, LLC, By Taylor Harris, applicant, FJH, LLC, property owner, seeks to vary the Hoschton zoning ordinance, Article 6, "Specific Use Regulations," Section 6.55, "Fee Simple Townhouse," to waive the requirement for rear access to dwelling units, for property (29.905 acres) (Map/Parcel 120/017D) fronting 149.13 feet on the south side of SR 332 approximately 190 feet east of Town Center Parkway. Proposed Use: Townhomes.

Recommended approval with conditions by staff and the Planning & Zoning Commission.

3. **Z-18-08 REZONE REQUEST:** Action Technology Solutions, LLC, By Taylor Harris, applicant, FJH, LLC, property owner, to rezone 3.36 acres (Map/Parcel 113/047) fronting 280 feet on the northwest side of SR 53 approximately 480 feet west of Nancy Industrial Drive from M-1, Light Industrial District, to C-2, General Commercial/Highway Oriented District. Proposed Use: Commercial.

Recommended approval with conditions by staff and the Planning & Zoning Commission.

The Public Hearing opened at 5:30 p.m.

Applicant, Taylor Harris, was available to answer questions, and brought a set of plans. Mr. Harris stated that the townhomes would be in the back of the property, and commercial towards the front of the property. The plans are 228 townhomes, which will be fee-simple townhomes, with a five-year projected buildout.

Richard Green, 122 Pheasant Run, asked to see the plans, which Mr. Harris provided.

Councilmember Powers inquired about a traffic study, as her concern is with the added traffic. It was noted that GDOT will address any issues with traffic, and a traffic study is not required at this time. Councilmember Powers also inquired on emergency access and renters. Mr. Harris does not intend on selling a large number of lots for rental properties, and the emergency access route will be fixed to make it accessible for EMS personnel and public safety.

The Public Hearing closed at 5:45 p.m.

CALL TO ORDER

Mayor Kenerly called the meeting to order at 5:46 p.m.

Roll Call

Mayor Theresa Kenerly – Present
Councilmember Jim Cleveland – Present
Councilmember Mindi Kiewert – Absent
Councilmember Susan Powers – Present
Councilmember Hope Weeks – Present

Also present:

City Administrator, April Plank

City Attorney, Thomas Mitchell

City Engineer, Jerry Hood

Wastewater Operator and Public Works Director, David Pollard

City Planner, Josh Ferguson

Media was present

OPENING PRAYER – Mayor Kenerly led the invocation.

PLEDGE OF ALLEGIANCE – Councilmember Cleveland led the Pledge of Allegiance.

CITIZEN INPUT

Diane Blakenship, 140 Mulberry Street, asked about the new landscaping in front of City Hall.

REPORTS

1. Mayor – provided an update on the scarecrows and the Fall Festival turnout.
2. EMI Engineering – Jerry Hood, City Engineer, provided monthly report.
3. Public Works/Wastewater – David Pollard provided the monthly report.

PRESENTATIONS – None.

DISCUSSION ITEMS

1. **O-10-18 STANDARD SPECIFICATIONS AND DETAILS FOR DESIGN AND CONSTRUCTION OF WATER MAINS AND SEWER MAINS:** An ordinance adopting standard specifications and details for design and construction of water mains and sewer mains. This ordinance will be included in the Hoschton Code of Ordinances as a new Chapter 20, Article VII. A full copy of the specifications and details for design and construction of water mains and sewer mains will be available at City Hall.

David Pollard, Wastewater Operator, stated the specifications and details were out of date, and the City had been using the Town of Braselton's standards in the interim.

2. **WATER SUPPLY IMPROVEMENTS PROJECT AWARD FOR CONSTRUCTION:** City Engineer, EMI Engineering, recommends the City award the contract for the construction of the water supply project to J&K Utilities in the amount of \$352,601.00. J&K was also the low bidder of the project. The total funding from GEFA for this project is \$428,000, which includes soft costs.

David Pollard, Wastewater Operator, explained the details of the project.

3. **SPECTROPHOTOMETER & EQUIPMENT PURCHASE:** Staff is recommending the purchase of a spectrophotometer for testing phosphorus and ammonia removal rates. This instrument is needed for weekly testing, and keeps the WWTF within the permit parameters. The cost of the spectrophotometer is \$4,430.00; a reactor block is \$1,399.00, and a metering pump is \$1,059.95, for a total cost of \$6,888.95. Chemicals are also needed, but purchased on an as-needed basis as supplies and materials.

David Pollard, Wastewater Operator, explained what the spectrophotometer was used for, and why the purchase is now necessary. Other supplies and materials for this testing, such as chemicals to do the testing, are purchased on an as-needed basis.

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 maybe directly involved and the matter discussed was *pending or potential litigation*; 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 6:17 p.m., Mayor Kenerly asked for a motion to enter Executive Session. Councilmember Cleveland made a motion to enter. Councilmember Weeks seconded the motion, and the motion passed unanimously.

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

2. *Motion to Exit*: At 6:35 p.m., Mayor Kenerly asked for a motion to exit Executive Session. Councilmember Cleveland made a motion to exit. Councilmember Powers seconded the motion, and the motion passed unanimously.

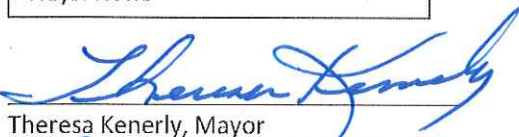
Mover: Cleveland
Secunder: Powers
Ayes: Cleveland, Powers, Weeks
Nays: None

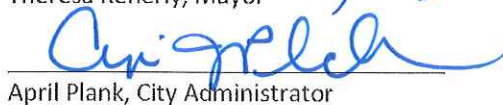
ADJOURN

City Attorney provided an update on the White Street project, and that the litigation case against the City regarding an easement is over, and will be closed in approximately 60 days. Mayor Kenerly made announcements on upcoming events and meetings.

Mayor Kenerly asked for a motion to adjourn the meeting at 6:46 p.m. Councilmember Weeks made a motion to adjourn. Councilmember Powers seconded the motion, and the motion passed unanimously.

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


Theresa Kenerly, Mayor


April Plank, City Administrator

Date 11-5-18



HOSCHTON ANNOUNCEMENTS:

OCTOBER

- 8th – City Council Regular Meeting, 5:30 p.m. Location: Train Depot, 4272 Hwy 53
- 11th – Business Networking 5:00 -7:00 p.m., free event. Food sponsored by Holder's Wildlife & Pest Control
Location: Train Depot, 4272 Hwy 53
- 15th – Planning & Zoning Commission Meeting, 6:15 p.m. Location: City Hall, 79 City Square
- 16th – Planning & Zoning Commission Called Meeting, 5:00 p.m. Location: Train Depot, 4272 Hwy 53
- 20th – Cow Patty Bingo hosted by the City of Hoschton and The Shriners, 2:00 p.m. Location: Green space, 79 City Square
Tickets are sold at City Hall \$100 each; only 300 tickets available
- 27th – 1st Annual Hot Air Balloon Event: Join The City of Hoschton from 4pm-8pm at the Hoschton Soccer Field at 4727 Highway 53, Hoschton for our first Hot Air Balloon Event!

NOVEMBER

- 1st – City Council Work Session, 5:30 p.m. Location: Train Depot, 4272 Hwy 53
- 5th – City Council Regular Meeting, 5:30 p.m. Location: Train Depot, 4272 Hwy 53
- 11th – Veterans Day Ceremony, 1:00 p.m. Location: Green space, 79 City Square
- 17th – Chili Cook Off Location: Green space, 79 City Square
- 22-23 – Thanksgiving Holiday; City Hall Closed.

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 October 4, 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 _____.

_____ 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).

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).

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 pending or potential litigation.

_____. 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.

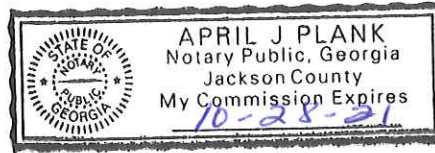
This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A. § 5014-4(b) and is to be filed with the official minutes for the aforementioned meeting.

This 4 day of October, 2018.

Thomas Kennedy
Mayor

Affiant Sworn to and subscribed before me this 4 day of October, 2018.

April J Plank
Notary Public



[Signature]
Council Member

Susan Powers
Council Member

Mindie Kiewert
Council Member

Jim Cleveland
Council Member

