

**HOSCHTON CITY COUNCIL
Regular Session**

February 4, 2008, 7:00 p.m.
Hoschton City Hall

ORDER OF BUSINESS:

A. CALL TO ORDER:

Mayor Copenhaver

Mayor Copenhaver called the meeting to order at 7:00 p.m.

B. ROLL CALL OF MEMBERS:

Bill Copenhaver, Mayor

Richard Green, Post 1

Jim Jester, Post 2

John Schulte, Post 3

Cindy Edge, City Clerk

Tom Walden, Post 5

Theresa Kenerly, Post 6

Thomas Mitchell, City Attorney

Absent: Councilman Richard Shepherd.

C. REVIEW AND APPROVAL OF MINUTES OF PREVIOUS MEETINGS:

Motion was made by Councilwoman Kenerly to approve minutes of the January 7, regular meeting and January 10 call meeting, seconded by Councilman Schulte. Motion carried with all approving.

D. APPROVAL OF AGENDA: No changes.

E. PETITIONS, COMMUNICATIONS, RECOGNITION AND AWARDS: None.

F. PUBLIC INPUT/DISCUSSION: None.

G. REPORTS OF STANDING COMMITTEES:

1. Water, Waste and Environmental Services

R. Green

In recapping a report given at the work session, Councilman Green reported the following:

- a. WWTP is on schedule and well within budget;
- b. Three potential well sites have been located; two at the city recreation property and one at the intermediate school. Applications to drill the well will be submitted to EPD for approval;
- c. Jackson County meter on Jackson Trail Rd. has been checked and it has been determined to be within 99% accuracy rate;
- d. In regard to a notice of fecal coliform violation in December, follow-up sampling indicates the city is in compliance.

2. Fiscal Resources

T. Walden

Councilman Walden reported the fiscal resources committee met on January 10 to discuss first quarter budget amendments and additional sources of revenue. Walden also reported this committee will be reviewing the city's fee schedule and will report their findings and recommendations back at a later date.

3. Public Works and Properties

J. Jester

Councilman Jester reported the public works and properties committee met on January 10 and received a street signal and safety study from the Hoschton Police Department. This committee will be meeting on Tuesday, February 12, 2008, 1:30 p.m. at the Police Department to discuss the study with Chief Hill and Officer Grogan.

4. Public Safety

R. Shepherd

No report.

5. Planning & Zoning

T. Kenerly

Councilwoman Kenerly reported the planning and zoning committee has interviewed applicants for the planning and zoning commission positions and recommendations will be presented later in the meeting.

6. Business, Commerce, and Economic Development

J. Schulte

Councilman Schulte reported the Art Trax event is scheduled for April 19. Car shows will begin on April 12 and will continue on the second Saturday of each month through October. The annual antique tractor event will be held on November 14 and 15.

H. REPORTS OF SPECIAL COMMITTEES AND COMMISSIONS:

I. ACTIVITY AND ADMINISTRATIVE REPORTS:

Mayor/ Staff

Mayor Copenhaver reported the city will be participating in the Georgia Cities Week by placing large role-offs at a location within the city for use by citizens.

Mayor Copenhaver reported the annual fall festival event is scheduled for September 26, 27, 2008.

Mayor Copenhaver presented the monthly administrative report, a copy of which is attached in the official minute book.

J. UNFINISHED OR TABLED BUSINESS:

1. City Commission Vacancies

B. Copenhaver

a. Hoschton Historical Commission

Motion was made by Councilwoman Kenerly to re-appoint Ralph Freeman and Dianne Blankenship to serve as members of the Hoschton Historical Commission, seconded by Councilman Jester. Motion carried with all approving.

b. Hoschton Economic Development Commission

Motion was made by Councilman Schulte to re-appoint Lisa Massey to serve as a member of the Hoschton Economic Development Commission, seconded by Councilman Walden. Motion carried with all approving.

c. Hoschton Planning and Zoning Commission

Motion was made by Councilwoman Kenerly to appoint Ben Davis, Ronnie Holcomb and Ann Couture-Parker to serve as members of the Hoschton Planning and Zoning Commission, seconded by Councilman Green. Motion carried with all approving.

2. RZ-07-02 – Shannon Sell

W. Harmon

Oak Street – Lot 7 (rezone from R1 to C2)

The applicant, Shannon Sell, has requested this item be tabled until the March meeting.

Motion was made by Councilwoman Kenerly to table the request of Shannon Sell to re-zone property located on Oak Street in order for the applicant to prepare and present work site alternatives, seconded by Councilman Schulte. Motion carried with all approving.

3. Proposed Ordinance Amendment T. Walden
Section 3-204, Paragraph 6

This amendment will require Mayor and City Clerk to sign official minutes.

Motion was made by Councilman Walden to approve amendment to Section 3-204, paragraph 6 of the Hoschton Code of Ordinances, seconded by Councilman Jester. Motion carried with all approving.

4. Proposed Ordinance Amendment T. Walden
Section 3-206, Paragraph 6

This amendment will permit the mayor to request committee reports.

Motion was made by Councilman Walden to approve amendment to Section 3-206, paragraph 6 of the Hoschton Code of Ordinances, seconded by Councilman Green. Motion carried with all approving.

5. Proposed Ordinance Amendment T. Walden
Section 3-302, Paragraph 4

This amendment will change the requirement to appoint standing committees at the December meeting of each year.

Motion was made by Councilman Walden to approve amendment to Section 3-302, paragraph 4 of the Hoschton Code of Ordinances, seconded by Councilman Schulte. Motion carried with all approving.

6. Proposed Ordinance Amendment T. Walden
Section 3-302, Paragraph 6

This amendment will allow the mayor to discipline employees and provide notice to council following the disciplinary action.

Motion was made by Councilman Walden to approve amendment to Section 3-302, paragraph 6 of the Hoschton Code of Ordinances and further to remove the word "Dismissal" from this ordinance, seconded by Councilman Jester. Motion carried with all approving.

7. Proposed Ordinance Amendment
Section 3-303, Paragraph 2

T. Walden

This amendment will permit the mayor to institute certain investigations and inquiries and to designate department heads to assist when requested.

Motion was made by Councilman Walden to approve amendment to Section 3-303, paragraph 2 of the Hoschton Code of Ordinances, seconded by Councilman Green. Motion carried with all approving.

8. Proposed Ordinance Amendment
Section 3-303, Paragraph 4

T. Walden

This amendment will provide administrative authority to the mayor.

Motion was made by Councilman Walden to approve amendment to Section 3-303, paragraph 4 of the Hoschton Code of Ordinances, seconded by Councilman Schulte. Motion carried with all approving.

9. Proposed Ordinance Amendment
Section 3-803, Paragraph 2.A

T. Walden

This amendment will provide that the Historical Commission members shall be appointed by city council and further to permit members need not be residents of the city.

Motion was made by Councilman Walden to approve amendment to Section 3-803, paragraph 2.A of the Hoschton Code of Ordinances, seconded by Councilman Green. Motion carried with all approving.

Motion was made by Councilman Walden to amend the agenda to include amendment to ordinance section 3-804, paragraph 2.A, seconded by Councilman Green. Motion carried with all approving.

10. Proposed Ordinance Amendment
Section 3-804, Paragraph 2.A

T. Walden

This amendment will reduce the number of members serving on the economic development commission.

Motion was made by Councilman Walden to approve amendment to Section 3-804, paragraph 2.A of the Hoschton Code of Ordinances, seconded by Councilwoman Kenerly. Motion carried with all approving.

11. Proposed Ordinance Amendment T. Walden
Section 4-310, Paragraph 1.B

This amendment will permit the mayor to approve budget amendments within a department by up to 10%.

Motion was made by Councilman Walden to approve amendment to Section 4-310, paragraph 1.B of the Hoschton Code of Ordinances, seconded by Councilwoman Kenerly. Motion carried with all approving.

12. Amendment to Code of Ordinances – Section 5-119 R. Green

This amendment will provide that fines, surcharges and add-ons be approved by resolution.

Motion was made by Councilman Green to approve amendment to Section 5-119 of the Hoschton Code of Ordinances, seconded by Councilman Schulte. Motion carried with all approving.

13. Resolution – List of Fines R. Green

Motion was made by Councilman Green to approve, by resolution, a list of fines as presented, seconded by Councilman Walden. Motion carried with all approving.

K. NEW BUSINESS:

1. Code of Ordinances B. Copenhaver
1st Reading

Motion was made by Councilman Walden to waive first reading of the updated code of ordinances, seconded by Councilwoman Kenerly. Motion carried with all approving.

2. Purchases:
a. Vehicle J. Jester

Councilman Jester reported the request to purchase a new vehicle is due to the need to replace the Ranger pickup.

Motion was made by Councilman Jester to purchase a 2008 Ford F-150 long wheel base pick up truck at a cost of \$13,695 on a three year lease purchase plan through Jefferson Motor Co. Cost of this purchase will be covered by contingency funds. If funds become available during 2008, the balance may be paid off at an earlier date. Motion was seconded by Councilman Walden. Motion carried with all approving.

b. Tractor and Equipment R. Green

Councilman Green reported the city has a need to purchase a tractor, loader, and mowing deck for the wastewater plant.

Motion was made by Councilman Green to purchase a John Deere tractor and associated equipment from Green South at a cost of \$17,199.65. Purchase to be made from water/sewer department funds, seconded by Councilman Schulte. Motion carried with all approving.

c. Mower and Equipment J. Jester

Motion was made by Councilman Jester to purchase a riding mower at a cost of \$6,100.00 and small engine equipment at a cost of \$1,350.00 from Green South. \$5,000.00 for the mower has been allocated in the public works department budget and the balance will come from contingency funds. The \$1,350.00 for equipment will be paid from the water/sewer fund. Motion was seconded by Councilman Walden. Motion carried with all approving.

3. Surplus Property:

- a. 1997 Ford Ranger J. Jester
- b. Tractor – bush hog
- c. General equipment – weed eater, blower

Motion was made by Councilman Jester to declare the 1997 Ford Ranger, tractor and bush hog, and general equipment as surplus property with proceeds from sale of the items going back into a public works department contingency fund, seconded by Councilman Schulte. Motion carried with all approving.

d. Iron pipe R. Green

In the course of excavation at the wastewater treatment plant, iron pipe was discovered and is currently stock piled at the work site. It is possible additional pipe will be uncovered during construction.

Motion was made by Councilman Green to surplus the iron pipe stock piled at the wastewater treatment plant, along with any additional pipe found at the work site and place proceeds from sale of the pipe in a water and sewer fund contingency fund, seconded by Councilman Schulte. Motion carried with all approving.

e. Treatment Pond Aerators

R. Green

Once construction at the wastewater plant is completed, aerators at the site will no longer be of use to the city.

Motion was made by Councilman Green to surplus 9 of the 12 treatment pond aerators at the wastewater plant with proceeds to be placed in a loan reserve fund to repay GEFA loans, seconded by Councilwoman Kenerly. Motion carried with all approving.

4. Phase I – Industrial Park Interceptor Project

R. Green

Discussion in regard to placing re-use lines at the time of installation of new interceptor to the industrial park. Council concurred additional discussion is required before taking action on this item.

Motion was made by Councilman Green to accept a bid from Dale Construction Co. to complete phase I of a project to install sewer lines within the industrial area, contingent upon receipt of an amount equal to one half of the bid amount of \$117,991.00 from connection fees from property owners committing to connect to the system once the line is installed. Payment for connection fees must be made to the city within 45 days, seconded by Councilwoman Kenerly. Motion carried with all approving.

City Attorney Thomas Mitchell recommended funds be held in an escrow account or the city require certified funding from the property owners.

5. Home Rule Charter Amendment – Section 18

T. Walden

City Attorney Thomas Mitchell explained the procedure for home rule amendments to the charter. The city council will read the amendments tonight, advertise in the legal organ for three weeks and adopt amendments at the next regular meeting. The proposed amendments will also be posted in City Hall and at the office of the Jackson County Clerk of Courts.

Councilman Walden read an amendment to Section 18 of the charter as follows:

"Section 18 Quorum: Voting: contained in the Charter of the City of Hoschton is hereby deleted in its entirety and the following inserted in lieu thereof:

A majority of the council members shall constitute a quorum and shall be authorized to transact business of the City Council. Voting on the adoption of ordinances shall be taken by a roll call vote, a show of hands, or by recorded vote at the option of the mayor or any council member. The affirmative vote of three council members shall be required for the adoption of any ordinance, resolution, or motion except as otherwise provided in this Charter."

Motion was made by Councilman Walden to adopt a home rule ordinance amendment to Section 18 of the Hoschton Charter, seconded by Councilwoman Kenerly. Motion carried with all approving.

Home Rule Charter Amendment – Section 6.C

T. Walden

Councilman Walden explained this amendment would allow council to hear appeals from employees. Councilman Green recommended this item be tabled for further consideration.

Motion was made by Councilman Walden to table for further consideration, seconded by Councilman Green. Motion carried with all approving.

L. **CLOSING COMMENTS:**

M. **EXECUTIVE SESSION:**

Motion was made by Councilman Walden to move to executive session to discuss pending litigation, seconded by Councilwoman Kenerly. Motion carried with all approving.
8:26 p.m.

Motion was made by Councilman Walden to return to regular session, seconded by Councilwoman Kenerly. Motion carried with all approving. 8:39 p.m.

N. **ADJOURNMENT:**

There being no further business, motion was made by Councilman Green to adjourn, seconded by Councilman Schulte. Motion carried with all approving. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Cindy R. Edge, City Clerk

Bill Copenhaver, Mayor