

REGULAR MEETING MINUTES

OCTOBER 6, 2008

A regular meeting of the Hoschton City Council was held on October 6, 2008 at 7:00 p.m. in the City Council Room at City Hall. Present were Mayor Bill Copenhaver, Council Members Richard Green, Jim Jester, John Schulte, Richard Shepherd, Tom Walden, and Theresa Kenerly. Also present were City Planner Wistar Harmon, City Clerk Kristen Smith, and City Attorney Thomas Mitchell. Mayor Copenhaver called the meeting to order at 7:01 p.m.

REVIEW AND APPROVAL OF MINUTES: SEPTEMBER 8, 2008

Councilwoman Kenerly made a motion, seconded by Councilman Schulte, to approve the minutes of the September 8, 2008 Regular Meeting. The motion carried a 6-0 vote.

APPROVAL OF AGENDA: No discussion

PETITIONS, COMMUNICATIONS, RECOGNITION AND AWARDS:

Mayor Copenhaver recognized Teresa Heath, Hoschton Court Clerk, for successfully completing the Community Emergency Response Team Training. Mayor stated that is great for the Hoschton community and for the city to have Teresa certified. Mrs. Heath is one of only 12 that have become C.E.R.T. certified.

Mayor Copenhaver reported that the Jackson County Area Chamber of Chamber had recognized Robbie Bettis and the City of Hoschton during the October 1, 2008 Chamber breakfast with a Certificate of Recognition for attempting to break the Guinness Book of World Records for the Most Scarecrows in One Location.

PUBLIC INPUT/DISCUSSION: None.

REPORTS OF STANDING COMMITTEES:

1. Water, Waste and Environmental Services

Councilman Green reported the issues with the pump and phase separator had been solved.

Green also reported Hoschton had received state approval for pond abandonment and should begin the process this week.

Councilman Green reported the Jopena Interceptor is close to completion.

Councilman Green reported he talked with Oconee Well Drillers to request they proceed with the pump test and water quality analysis of our 2nd well. Green commented that the city hopes for a good water quality analysis result.

2. Fiscal Resources

Councilman Walden reported additional Fiscal Resource Committee meetings had been held to further discuss the 2009 Budget Draft and City Fee Schedule. Walden announced the next Committee meeting to discuss the 2009 Budget Draft would be held October 13th at 1 P.M. in City Hall.

Councilman Walden announced the city would hold two Town Hall Meetings to discuss the city's plan for the 2009 Budget. The first Town Hall Meeting to be October 23, 2008 at 2 P.M. in the Depot and the second on October 27, 2008 at 7 P.M. in the Depot.

3. Public Works and Properties

Councilman Jester reported no Committee meeting had been held.

Councilman Jester thanked the Public Works employees for doing a great job during the Fall Festival.

4. Public Safety

Councilman Shepherd announced the next Committee meeting would be held in October at 5 P.M. before the Public Safety Forum.

Councilman Shepherd recognized the Hoschton Police Department and C.E.R.T. for their great job during the Fall Festival.

5. Planning & Zoning

Councilwoman Kenerly reported that a couple of applications for sign permits had been submitted.

6. Business, Commerce, and Economic Development

Councilman Schulte reported that information would be coming with regard to Christmas tree recycling.

REPORTS OF SPECIAL COMMITTEES AND COMMISSIONS:

1. Fall Festival Committee

Mayor Copenhaver announced the 2009 Fall Festival would be a 3-day event with the dates being September 25, 26, and 27. Copenhaver reported that the Festival would open late Friday afternoon, with a concert Friday night and Saturday night, then close at 5 P.M. on Sunday.

Mayor Copenhaver thanked all those that helped with the 2008 Fall Festival. Mayor shared that even more volunteers would be needed for next year and that committees would begin to come together soon.

Mayor Copenhaver shared that Hoschton should receive notice from Guinness in November regarding our attempt to set a new World Record for the Most Scarecrows in One Location. Mayor stated the expectation of a positive result.

2. Economic Development Commission

No report.

3. Historic Commission

Dianne Blankenship, Hoschton Historic Commission President, reported vandalism at the Darby Building. Mrs. Blankenship stated the vandalism appeared to have occurred from inside the building and two windows had been broken.

ADMINISTRATIVE ACTIVITY REPORT:

Mayor Copenhaver presented the September Administrative Activity Report, a copy of which is attached in the official minute book.

UNFINISHED OR TABLED BUSINESS:

1. Hardship request to keep camper on property at 320/358 White Street for a period of 12 months.

Wistar Harmon, City Planner, reported he previously submitted his recommendation to council and the position remained the same. Councilwoman Kenerly reported having discussed the Ordinance with Mr. Harmon and legal council for an option of a variance but it was not possible.

Councilwoman Kenerly made a motion, seconded by Councilman Walden, to deny the hardship request. The motion carried by a 6 – 0 vote.

NEW BUSINESS:

**1. Request approval of Sign Permit Application in the Downtown Overlay District
Applicant: The Neon Zone, Inc. for CITGO on 53 @ Broad Street**

Wistar Harmon, City Planner, reported the sign meets city criteria with the exception that it is 32 square feet whereas city guidelines reference 30 square feet. Harmon recommends approval of the sign at 32 sq. ft.

Councilwoman Kenerly made a motion, seconded by Councilman Schulte, to approve sign permit application with a variance of 32 square feet. The motion carried by a 6 – 0 vote.

2. Request approval for Police Department to surplus one patrol vehicle and other small equipment items on GovDeals.com

Councilman Shepherd reported the items requested for surplus either didn't work and/or were ancient. Shepherd distributed a list of the surplus items, as provided by Chief Hill, and are hereby made a part of the official meeting minutes.

Councilman Shepherd made a motion, seconded by Councilwoman Kenerly to approve for the Police Department to surplus one patrol vehicle and other small equipment items on GovDeals.com. The motion carried by a 6 – 0 vote.

3. Request approval of Resolution to amend Fee Schedule

Councilman Walden recommended, upon approval, the Fee Schedule changes be effective October 6, 2008.

Councilman Walden made a motion, seconded by Councilman Green, to approve the Resolution to amend Fee Schedule. The motion carried by a 6 – 0 vote.

4. Review Federal Trade Commission Red Flag Regulations

MOTION TO APPROVE ORDINANCE: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF HOSCHTON, GEORGIA TO PROVIDE A NEW ARTICLE VI OF CHAPTER 4 ENTITLED, IDENTITY THEFT PREVENTION PROGRAM; TO COMPLY WITH FEDERAL REGULATIONS RELATING TO RED FLAGS AND IDENTITY THEFT; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

Thomas Mitchell, City Attorney, reported having made the changes as discussed during October 2nd Work Session. Mitchell further reported adoption required by November 1, 2008.

Councilman Walden made a motion, seconded by Councilman Green, to waive first read and adopt as presented the Federal Trade Commission Red Flag Regulations Ordinance. The motion carried by a 6 – 0 vote.

5. Fire Hydrant Obstructions

Councilman Jester reported the city had received an email from Fire Chief Ben Stephens describing fire hydrant obstructions. Jester stated that Chief Stephens had not specified locations of the fire hydrant obstructions.

Mayor Copenhaver reported that our City Ordinance references, in Chapter 10, the National Fire Code and states that it takes precedence over any other Ordinance. Thomas Mitchell, City Attorney, confirmed that the City does not need to modify the current Ordinance because the National Fire Code is adopted by reference.

Councilman Jester requested that the City prepare a letter to Chief Stephens requesting that he provide a list of fire hydrants in violation and the City would handle correcting any violations.

6. Review acceptance of offer on alley way and authorization of Mayor to execute Quit Claim Deed

Councilman Shepherd made a motion, seconded by Councilman Schulte, to approve execution of the Quit Claim Deed by the Mayor. Council members Shepherd, Schulte, Green, Jester, Walden voted in favor of the motion. Council member Kenerly abstained. The motion carried by a 5-0 vote.

CLOSING COMMENTS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Meeting adjourned at 7:26 p.m.

Being no further business, Councilman Green made a motion, seconded by Councilwoman Kenerly, to adjourn. Motion carried with a 6-0 vote.

Respectfully submitted,

Kristen A. Smith, City Clerk

Attachments in Minute Book

APPROVED:

William Copenhaver, Mayor

Kristen A. Smith, City Clerk

Hoschton: Regular Meeting 10/06/2008 MINUTES

Manner of Addressing Council. No 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, 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 secure the permission of the presiding officer, and then shall step up in front of the council, give his name and address in an audible tone of voice for the record, and direct his remarks to the City Council as a body rather than to any particular member, limiting such remarks to a reasonable time (**2 minutes per person/ 5 minutes per topic**) unless additional time is granted by City Council. Permission to speak is at the discretion of the Mayor and City Council. Persons wishing to bring subjects to attention of the City Council may do so either by providing the City Clerk or the Mayor with a written petition for presentation to the City Council at its regular meeting or by contacting the Mayor or any City Council member informally

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