

HOSCHTON CITY COUNCIL
Regular Council Meeting
MINUTES

February 2, 2009 at 7:00 p.m. at City Hall

A regular meeting of the Hoschton City Council was held February 2, 2009 at 7:00 p.m. in City Hall. Present were Mayor William Copenhaver, Council Members Richard Green, Jim Jester, John Schulte, Richard Shepherd, Tom Walden and Theresa Kenerly. Also present were City Clerk Kristen Smith, City Planner Wistar Harmon, Police Chief Dave Hill and City Attorney Thomas Mitchell. Mayor Copenhaver called the meeting to order at 7:04 p.m.

REVIEW AND APPROVAL OF MINUTES OF PREVIOUS MEETINGS:

COUNCIL MEMBER GREEN MADE A MOTION, SECONDED BY COUNCIL MEMBER KENERLY, TO APPROVE MINUTES OF JANUARY 12, 2009 REGULAR COUNCIL MEETING.

The motion carried by a 6 - 0 vote with all members present in favor.

APPROVAL OF AGENDA:

Council member Walden requested to add as Item 5 to New Business presentation of the candidate for the Library Board. Council member Kenerly requested to add as Item 6 to New Business presentation of candidates for reappointment to the Historical Commission.

PETITIONS, COMMUNICATIONS, RECOGNITION AND AWARDS:

Mayor Copenhaver reported registration and decals for motorized carts is ready. Mayor Copenhaver announced Hoschton's commendation and recognition by the Georgia House of Representatives for setting a world record for the Most Scarecrows in One Location, House Resolution 146. Mayor Copenhaver announced the Boy Scout Breakfast would be held at Hoschton United Methodist Church and everyone invited to attend.

PUBLIC INPUT/DISCUSSION:

David Poteet, Village of Hoschton, addressed Mayor and Council with problem of trash trucks. Poteet stated the trucks had driven across and destroyed his sprinkler system so he placed rocks as protection but that the trucks now drive into his yard and leave ruts.

REPORTS OF STANDING COMMITTEES:

Water, Waste and Environmental Services

Council member Richard Green reported no changes from Work Session report.

Fiscal Resources

Council member Tom Walden reported no meeting in January but would have a meeting on February 19, 2009 at 9AM to introduce format for 2009 financial tracking as well as the initial 2010 Budget process timeline.

Public Works and Properties

Council member Jim Jester reported the committee met to discuss the sale of City property, with approximately 25 people attending, and will provide a written summary.

Public Safety

Council member Richard Shepherd reported no changes from Work Session report.

Planning & Zoning

Council member Theresa Kenerly reported there would be a meeting held soon to discuss potential candidates to serve as members of the 2009 Planning & Zoning Commission.

Business, Commerce, and Economic Development

Council member John Schulte reported no changes from Work Session report.

REPORTS OF SPECIAL COMMITTEES AND/OR COMMISSIONS:

Historic Commission President, Dianne Blankenship, thanked John Purcell for the donation of old wood and windows for restoration of the Darby Building. Blankenship reported the building was moved to its new location on January 20, 2009. Blankenship provided minutes from the most recent Historic Commission meeting.

ADMINISTRATIVE ACTIVITY REPORT:

Mayor Copenhaver presented the January 2009 report, a copy of which is attached in the official minute book.

UNFINISHED OR TABLED BUSINESS:

Request approval to amend Condition 3 of Elite Rezoning

City Attorney Thomas Mitchell reported the discussion in January to alter wording of one Condition to match what actually happened. Mitchell also reported receipt of a letter from John Stell, attorney, stating not to change the condition, a copy of which is attached in the official minute book.

COUNCIL MEMBER KENERLY MADE A MOTION, SECONDED BY COUNCIL MEMBER SCHULTE TO APPROVE ELITE REZONONG AS PRESENTED BY THOMAS MITCHELL.

The motion carried by a 6 - 0 vote with all members present in favor.

NEW BUSINESS:

Denial of building permit

City Planner Wistar Harmon reported having received a letter from the adjacent land owner to the property stating he has no objections, a copy of which is attached in the official minute book.

COUNCIL MEMBER KENERLY OVERRUDLED DENIAL OF BUILDING PERMIT, SECONDED BY COUNCIL MEMBER SCHULTE.

The motion carried by a 6 - 0 vote with all members present in favor.

Proposal of plans and specs for new city well

Council member Green recommended approval to accept the bid by Engineering Inc. of Watkinsville for preparation of the site plans and perk tests for the second city well.

COUNCIL MEMBER GREEN MADE A MOTION, SECONDED BY COUNCIL MEMBER WALDEN TO AWARD THE SITE PLANS AND PERK TESTS BID AS SUBMITTED BY ENGINEERING INC.

The motion carried by a 6 - 0 vote with all members present in favor.

Discuss Braselton Firing Range with regard to citizen complaints/concerns

City Attorney Thomas Mitchell reported Hoschton does not have jurisdiction to site someone for noise made outside city limits even though the noise is heard within the city limits. Mitchell stated that the city of Hoschton has no legal standing by which to approach Braselton regarding the noise heard in Hoschton due to firing from the Braselton Firing Range. Mitchell encouraged Hoschton citizens to attend the Braselton Town Council Meeting in order to present their complaints.

Donna Thurman, 44 Doe Court, addressed Council requesting Hoschton Council members attend the Braselton Town Council meeting with the Hoschton citizens.

Erma Denning, 85 Hunters Way, asked Council not to so quickly dismiss this issue because of the impact to the city of Hoschton, Hoschton citizens, and the serious potential economic impact.

Robert Hupel, 1139 Beaver Dam Road, stated his barn which is located down river from the firing range had bullets hit the tin roof and was told by Chief Escoe, Braselton Police Department, that his guys don't even shoot in that direction.

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Mike Gibson, 86 Hunters Way, stated his property value was dropping to zero because no one will buy any houses in Hoschton because of the firing range.

Council member Jim Jester recommends setting a meeting with the Mayor of Braselton. Mayor Copenhaver, Chief Hill, Council member Kenerly, Council member Jester, and Council member Schulte all said they, too, would be willing to attend that meeting.

Randy Denning, 85 Hunters Way, addressed Council regarding the Gun Range Act, stating this state statute will make the firing range untouchable after one year if action not taken now.

Chris Walker, Buck Trail, told Council letters wouldn't do anything and that if the city can get 5,000 scarecrows then he expects all Mayor and Council to attend the Braselton Town Council meeting.

Presentation of Economic Development Commission candidates

COUNCIL MEMBER SCHULTE MADE A MOTION, SECONDED BY COUNCIL MEMBER SHEPHERD TO REAPPOINT DAN GRAVES AND BOB MCNAUGHTON AS MEMBERS OF THE ECONOMIC DEVELOPMENT COMMISSION AND APPOINT NEW MEMBERS CHUCK COPE, RAY VAUGHN, ROBIN WYATT AND FREDERICK WILLIS.

The motion carried by a 6 - 0 vote with all members present in favor.

Presentation of Hoschton's Piedmont Regional Library Chair

Council member Walden announced Jeanette Wagner resignation as Chair.

COUNCIL MEMBER WALDEN MADE A MOTION, SECONDED BY COUNCIL MEMBER SCHULTE TO LORNA DEWBERRY AS HOSCHTON'S CHAIR WITH THE PIEDMONT REGIONAL LIBRARY.

The motion carried by a 6 - 0 vote with all members present in favor.

Presentation of Hoschton's Historic Commission candidates

COUNCIL MEMBER KENERLY MADE A MOTION, SECONDED BY COUNCIL MEMBER WALDEN TO REAPPOINT ROBBIE BETTIS, JO ANNE HOWE, AND CAROL TANNER AS MEMBERS OF THE ECONOMIC DEVELOPMENT COMMISSION FOR TWO YEAR TERMS.

The motion carried by a 6 - 0 vote with all members present in favor.

CLOSING COMMENTS:

Council member Shepherd requested the next Braselton Town Council meeting be posted at Hoschton City Hall.

Historic Commission member Dianne Blankenship asked Mayor Copenhaver if the commission may start on Darby Building. Mayor Copenhaver said the commission may move ahead.

EXECUTIVE SESSION: None.

ADJOURNMENT: Meeting adjourned at 7:54 p.m.

BEING NO FURTHER BUSINESS, COUNCIL MEMBER KENERLY MADE A MOTION, SECONDED BY COUNCIL MEMBER SHEPPERD, TO ADJOURN.

Motion carried by a 6 - 0 vote with all members present in favor.

Respectfully submitted,

Kristen A. Mahan, City Clerk

Attachments in Minute Book

APPROVED:

William Copenhaver, Mayor

Kristen A. Mahan, City Clerk

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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