

# HOSCHTON CITY COUNCIL

## Regular Meeting Minutes

May 4, 2009, 7:00 p.m.

Hoschton City Hall

A regular meeting of the Hoschton City Council was held April 6, 2009 at 7:00 p.m. in Hoschton City Hall. Present were Mayor Bill Copenhaver, Council Members Richard Green, Jim Jester, John Schulte, Richard Shepherd, Tom Walden, Theresa Kenerly. Also present were City Clerk Kristen Mahan, City Planner Wistar Harmon, Police Chief Dave Hill and City Attorney Thomas Mitchell. Mayor Copenhaver called the meeting to order at 7:00 p.m.

### **ORDER OF BUSINESS**

#### **REVIEW MINUTES OF PREVIOUS MEETINGS:**

**COUNCIL MEMBER KENERLY MADE A MOTION, SECONDED BY COUNCIL MEMBER WALDEN, TO APPROVE MINUTES OF APRIL 6, 2009 REGULAR COUNCIL MEETING.**

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

**APPROVAL OF AGENDA:** No discussion.

#### **PETITIONS, COMMUNICATIONS, RECOGNITION AND AWARDS:**

Mayor Copenhaver read letter addressed to the City of Hoschton from Carolyn Gibson, Poppi's Pub, expressing her appreciation for the city's commitment to the community through the success of the Art Trax Event.

Kelley Gary, 22 Hickory Walk, addressed Mayor and Council regarding his sponsor of a Petition to amend Section 41 of the Hoschton City Charter. Mr. Gary read to Mayor and Council then presented to City Clerk the petition form he proposes to use.

Dianne Blankenship, Mulberry Street, thanked everyone that supported the BBQ & Bingo.

#### **REPORTS OF STANDING COMMITTEES:**

##### **Water, Waste and Environmental Services (WWES)**

Council member Green stated there had been substantial changes which require action since the report given last Thursday. Green stated the items are listed on the agenda and he would get to them one at a time.

##### **Fiscal Resources**

Council member Walden reported no changes from the Work Session report.

##### **Public Works and Properties**

Council member Jester stated he reported Thursday on animal control, paving of East Broad, coordination with Jackson County on the new park, and the steering committee kick off for City Square and has nothing to add to those comments.

##### **Public Safety**

Council member Shepherd announced having an important meeting scheduled for Tuesday, May 19<sup>th</sup> at 6:00PM.

##### **Planning & Zoning (P&Z)**

Council member Kenerly reported nothing else to add to Thursday report.

##### **Business, Commerce, and Economic Development**

Council member Schulte reported no changes from Thursday report.

#### **ADMINISTRATIVE ACTIVITY REPORT:**

Mayor Copenhaver presented the April 2009 Administrative Activity Report which is included and made a part of the Minutes.

Reverend Luis Ortiz, 45 Hall Street, addressed Mayor Copenhaver asking if Hoschton now has a new animal control unit. Mayor Copenhaver responded that as of May 1, 2009 animal control was taken over by Jackson County.

## **UNFINISHED OR TABLED BUSINESS:**

### **City of Ethics Certification reaffirm or replacement**

Mayor Copenhagen stated city attorney, Thomas Mitchell, has the draft Ordinance from GMA as well as Hoschton's existing Ordinance. Copenhagen stated need direction on whether to replace with the GMA Ordinance or reaffirm existing.

City attorney Thomas Mitchell explained similarity and differences between Hoschton's existing Code of Ethics Ordinance and GMA's sample as well as answered questions posed by Council members. Mitchell stated Hoschton's Ordinance is adequate however the new GMA Ordinance sample provides for the required process of handling ethics complaints. Sample Ordinance is on GMA's website for review and asked all Council members to review prior to next Council Work Session. Mayor Copenhagen stated Hoschton has until year end to reaffirm with new section or replace.

### **Award of Pond Abandonment contract**

Council member Richard Green reported the pond abandonment was in the original contract with W.F. Floyd. Green stated Hoschton has ended its contract with W.F. Floyd and removed the \$75,000 pond abandonment portion from their contract. Pond abandonment is delayed until after the tank conversion project. Pond abandonment will take place at the end of the year but Hoschton must prove to state city will abandon pond by requesting bids for pond abandonment. Green reported three bids received ranging from \$58,990 to \$175,000. Green recommends accepting the Dale Construction of Jefferson Georgia in the amount of \$58,990 because it is the lowest and they have a proven record of good work with the city.

COUNCIL MEMBER GREEN MADE A MOTION, SECONDED BY COUNCIL MEMBER WALDEN, TO AWARD POND ABANDONMENT CONTRACT TO DALE CONSTRUCTION COMPANY OF JEFFERSON GEORGIA IN THE AMOUNT OF \$58,990.

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

## **NEW BUSINESS**

### **Appointment of Acting Police Chief**

Council member Richard Shepherd made a recommendation, based on the resignation of the current Police Chief as well as his recommendation of the new Acting Police Chief, to appoint Jeremy Howell as Acting Police Chief. Shepherd stated the final determination for the permanent placement of the Police Chief will be made by the Public Safety Committee.

Council member Green asked how long Howell could be in place as Acting Police Chief. Council member Jester stated law requiring new Police Chiefs to at least apply for Chief Training within sixty days of appointment. Howell to research training requirements and availability prior to May Public Safety Committee meeting.

COUNCIL MEMBER SHEPHERD MADE A MOTION, SECONDED BY COUNCIL MEMBER KENERLY, TO APPOINT AS ACTING POLICE CHIEF JEREMY HOWELL, CURRENTLY SECOND IN COMMAND, EFFECTIVE MAY 15<sup>TH</sup> WITH A SALARY INCREASE OF \$125 PER WEEK AND NO OVERTIME ALLOWANCE.

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

### **Award West Jackson Park Well contract**

Council member Richard Green reported the advertisement for bids to build well house, plumb the well, and run electricity, as design approved by the state closed Thursday. Hoschton received one bid in the amount of \$36,900 from All-South Contractors. Green recommends rejecting bid and instead recommend city divides project and advertise separately for plumbing of the well, the well house, the electricity hook-up, and water main. Green with Mike Bledsoe, well design, advised on how to divide project to get work done at a lower cost. Council supported Green's recommendation.

### **Award of Tank Conversion contract**

Council member Richard Green reported the weak link in the system being the Phase Separator, it has not worked as it should, and now converting the Phase Separator into a Clarifier, and convert existing Clarifier into a Digester. Green has received favorable opinions as to how this project will work and that it is the least expensive and fastest way to close out the project. Hoschton received only one bid last Friday from Siemens Corporation in the amount of \$465,408. Requested Siemens also include the cost of an additional blower which is \$15,912. Green stated the cost would be funded by remaining GEFA loan proceeds and final approval of the \$299,000 loan increase request.

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COUNCIL MEMBER GREEN MADE A MOTION, SECONDED BY COUNCIL MEMBER KENERLY, TO AWARD TANK CONVERSION CONTRACT TO SIEMENS CORPORATION CONTINGENT UPON APPROVAL BY GEFA FOR THE LOAN INCREASE WITHIN THE NEXT SIXTY DAYS.

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

### **Repairs to existing well**

Council member Richard Green reported the yield from the White Street well had dropped to yield nothing; R-W Contractors arrived to test the electrics today and determined it is not an electrical problem but a pump problem.

COUNCIL MEMBER GREEN MADE A MOTION, SECONDED BY COUNCIL MEMBER KENERLY, TO CONTINUE WITH REPAIR OF WHITE STREET WELL, PULL PUMP WITH FUNDING BY WATER SEWER CAPITAL RESERVE FUND AND PAY BACK RESERVE FUND ON A MONTHLY BASIS IN AN AMOUNT DETERMINED BY FISCAL RESOURCES COMMITTEE.

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

Erma Denning, Deer Creek Farms, asked Council if they should blindly approve without bids to determine the cost to the city first and buy water from Jackson County. Green explained the cost would be approximately \$10,000 for one month to buy all the water from Jackson County.

Council member Jester asked if Hoschton had received first payment from Meriweather County. Mayor Copenhaver reported the city had received the money, deposited into the Reserve Fund, which would potentially fund this project.

### **ITEMS FOR COUNCIL AND STAFF CONSIDERATION**

Council member Jim Jester asked what the response to Kelley Gary's request would be. City Attorney Thomas Mitchell to review form submitted by Mr. Gary to ensure valid, then Mitchell will advise Council and within seven days City Clerk to give Mr. Gary direction.

### **EXECUTIVE SESSION**

#### **ADJOURNMENT**

Meeting adjourned at 7:50 p.m.

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

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

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**Respectfully submitted,**

**Kristen A. Mahan, City Clerk**

### **Attachments in Minute Book**

APPROVED:

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William Copenhaver, Mayor

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Kristen A. Mahan, City Clerk

5/04/2009

**Procedure for Citizens to Address Council:** Citizens having an issue they need addressed by Council must submit a written request to the City Clerk who will direct it to the appropriate Council Committee or City Staff for action.

**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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