

CITY OF HOSCHTON  
CITY COUNCIL AGENDA  
MONDAY, MAY 18, 2020 AT 7:00PM  
HOSCHTON TRAIN DEPOT  
4272 HIGHWAY 53, HOSCHTON



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## PUBLIC HEARING / REGULAR MEETING

### SUMMARY

*This meeting is open to the public and will be Facebook live*

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**CALL TO ORDER 7:00pm** by Mayor Sell

**ROLL CALL**

*Councilmember Ledbetter*

*Councilmember Astin*

*Also Present:*

*City Attorney, Abbott Hayes, Jr.*

*City Administrator, Gary Fesperman*

*City Clerk, Jennifer Harrison*

*City Planner, Jerry Weitz*

*Financial Consultant, Rachel Bembry*

**OPENING PRAYER** by Gary Fesperman

**PLEDGE OF ALLEGIANCE** by Lance Corporal, Alan Gooch

**AGENDA APPROVAL**

*Mayor Asked to add Stormwater Proposal from EMI*

*City Attorney requested to hold items #4 & #5 under Old Business from discussion until after Executive Session*

*Motion to add these changes to the agenda, Ledbetter, second by Astin, all in favor*

**APPROVAL OF MINUTES**

January 9, 2020 – Special Called Meeting

January 13, 2020 – Meeting Cancelled (No quorum)

February 24, 2020 – Special Called Meeting

March 11, 2020 - Meeting Cancelled (No quorum)

April 13, 2020 – Work Session

April 20, 2020 – Regular Council Meeting

Motion to approve minutes with no changes, Astin, Second by Ledbetter, all in favor

## Hoschton City Council Agenda, May 18, 2020

### OATH OF OFFICE

Oath for Mr. Gary Fesperman as the Interim City Administrator, *sworn in by City Attorney, Abbott Hayes, Jr.*

**CITIZEN INPUT** *No citizen input*

**PUBLIC HEARING** *Administered by by City Attorney, Abbott Hayes, Jr.*

1. **R-20-01** Rezone DCH Montebello, LLC, property owner and applicant, seeks to rezone 5.3 acres fronting on the north side of State Route 53 and the west side of Jopena Boulevard (3528 Hwy. 53) (Map/Parcel 120/030) from C-1 (Neighborhood Business District) to C-2 (General Commercial Highway Oriented District). Proposed use: Commercial.

*Motion to change from C1 to C2 as ordinance is written. Motion by Astin, Second by Ledbetter, in favor by all.*

2. **V-20-01** Variance, Heritage Group Homes, LLC, property owner and applicant, seeks a variance to the Hoschton Zoning Ordinance, Article VIII, "Zoning Amendments and Applications," Section 8.05 "Variances" paragraph (4) to allow for a variance to reduce the minimum required lot size, and a variance to Article IV, "Zoning Districts," Section 4.07, "OR, Office Residential District", paragraph 3, "dimensional requirements for agricultural and residential zoning districts" (Table 4.2) to reduce the required minimum lot size from 14,520 square feet to 10,000 square feet for 0.52 acre fronting on the south side of W. Jefferson Street and the west side of White Street (Map/Parcel H02/030) (14 West Jefferson Street). Proposed use: single-family detached lots.

*Motion to approve ordinance as written. Motion by Ledbetter, Second by Astin, in favor by all.*

3. **R-20-02** Rezone Kenneth W. Gary, applicant, Lexes Home, Inc., property owner, seeks to rezone 1.025 acre fronting on the east side of First Avenue and the west side of Oak Street (35 First Street) (Map/Parcel H01/013) from C-2 (General Commercial Highway Oriented District) to MU (Mixed Use). Proposed Use: addition of four townhomes.

*Motion to approve with the adding on of \*There shall be no grinder pumps (Exhibit B). Motion by Astin, Second by Ledbetter, in favor by all.*

4. **R-20-03** Rezone Azalea Senior Village Phase II, LP, applicant, Maria C. Welch Living Trust, property owner, seeks to rezone 4.205 acres fronting on the west side of Jefferson Avenue and the north side of West Jefferson Street (Map/Parcels 120/005F and 120/005) from R-3 (Single-family Moderate Density Residential District) to MFR, Multiple-Family Residential District. Proposed use: Independent living senior community.

*Motion to approve ordinance as written. Motion by Ledbetter, Second by Astin, in favor by all.*

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5. **V-20-02** Variance Azalea Senior Village Phase II, LP, applicant, Maria C. Welch Living Trust, property owner, seeks a variance from the Hoschton Zoning Ordinance, Article X, "Access, Parking, Loading," Section 10.10, "Minimum Number of Onsite Parking Spaces" to reduce the required number of parking spaces from 1.6 to 1.25 per dwelling unit, for 4.205 acres fronting on the west side of Jefferson Avenue and the north side of West Jefferson Street (Map/Parcels 120/005F and 120/005). Proposed use: independent living senior community.

*Motion to approve ordinance as written. Motion by Astin, Second by Ledbetter, in favor by all.*

### A. OLD BUSINESS

#### 1. **Appoint City Judge:**

To appoint a city judge to conduct code enforcement violations

*City Attorney requested a motion to remove this item off the agenda until more information can be established.*

*Motion by Astin, Second by Ledbetter, in favor by all.*

#### 2. **Set Court Dates for 2020:**

To select Court dates to address code enforcement violations

*City Attorney requested a motion to remove this item off the agenda until more information can be established.*

*Motion by Astin, Second by Ledbetter, in favor by all.*

#### 3. **Adopt Purchasing Policy:**

To adopt a policy that is updated that covers current and emerging issues.

*Presented by Financial Consultant, Rachel Bembry.*

*Motion by Ledbetter, Second by Astin, in favor by all.*

4. **Preliminary Plat for Cresswind at Twin Lakes** (Full Build-Out), KH Twin Lakes, LLC, owner/ developer and applicant; 1,300 lots on 950.95 acres; (PUD conditional zoning), Map/Parcels 121/001, 121/003, and 121/008 (fronting on the south side of State Route 53). *[planning commission recommendation, January 2020: approval]*

5. **Preliminary Plat for Twin Lakes portion of the Twin Lakes Planned Unit Development** (Full Build-Out), KLP Twin Lakes, LLC, owner/ developer and applicant; 1,000 lots on 502.48 acres (PUD conditional zoning), Map/Parcels 121/001, 121/003, and 121/008 (fronting on the south side of State Route 53 and the east side of Peachtree Road) *[planning commission recommendation, January 2020: approval]*

**AFTER EXECUTIVE SESSION**, *Motion to approve #4 and #5 as is. Motion by Astin, Second by Ledbetter, in favor by all.*

**B. NEW BUSINESS**

**1. Resolution for Road Closure during City Event for 2020**

*Motion by Ledbetter, Second by Astin, in favor by all.*

**2. Resolution for Road Closure Downtown Car Show**

*Every 3<sup>rd</sup> Saturday from 3pm-7pm for Car Show on City Square  
Until October 2020.*

*Motion by Astin, Second by Ledbetter, in favor by all.*

**3. Garbage & Recycling Adjustments:**

Effective May 19<sup>th</sup>, All new citizens will pay \$15.50 per cart for regular garbage.

*Motion to approve as is, by Ledbetter, Second by Astin, in favor by all.*

Effective July 1<sup>st</sup>, All Citizens will be charged an additionally \$3.00 per cart for recycling. A reminder will be sent out in the water bill dated June 1<sup>st</sup> to citizens of the recycling change.

*Motion to remove. Motion by Astin, Second by Ledbetter, in favor by all.*

**4. Final Plat for Twin Lakes Planned Unit Development (Takedown):** Application by KH Twin Lakes, LLC, KHII Twin Lakes, LLC Twin Lakes, LLC, and Hog Mountain Properties, LLC, c/o Brogan Consulting, Inc. seeks final plat approval for Twin Lakes Planned Unit Development ("Takedown Plat") to divide 1,462.257 acres not 8 ownership tracts to reflect current division of ownership). Property fronting on the south side of State Route 53 and the east side of Peachtree Road (Map/parcels 121/001, 121/003, 121/004, and 121/008).

*Motion to approve as is, by Ledbetter, Second by Astin, in favor by all.*

**5. Stormwater Proposal from EMI**

*Motion to table by Astin, Second by Ledbetter, in favor by all.*

**C. COMMENTS**

• **Mayor**

*Mayor Sell mentioned the concerns on our water insurance. Insurance will be removed off the June 1, 2020 bill.*

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**D. EXECUTIVE SESSION (If necessary)**

*Motion to go into Executive session to discuss Litigation by Ledbetter, Second by Astin, in favor by all.*

*Motion to go out of Executive session to discuss Litigation by Astin, Second by Ledbetter, in favor by all.*

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).

**E. ADJOURN**

*Motion to adjourn, by Ledbetter, Second by Astin, in favor by all.*