

CITY OF HOSCHTON  
CITY COUNCIL AGENDA  
MONDAY, NOVEMBER 16, 2020  
CITY HALL COUNCIL ROOM AT 7:00PM  
79 CITY SQUARE, HOSCHTON



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REGULAR COUNCIL MEETING

SUMMARY

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**WELCOME AND CALL TO ORDER** *by Mayor Sell at 7:00PM*

**PRESENT FOR MEETING**

*Mayor Shannon Sell*

*Councilmember Shantwon Astin*

*Councilmember Adam Ledbetter*

*Councilmember Tracy Carswell*

*Councilmember James Lawson*

*City Administrator Gary Fesperman*

*City Clerk Jennifer Kidd-Harrison*

*City Planner Jerry Weitz*

*City Attorney, Abbott Hayes*

*Media was present*

**INVOCATION** *by Councilman Carswell*

**PLEDGE TO THE FLAG** *by Councilman Lawson*

**AGENDA APPROVAL** *as is by Astin, second by Lawson and all in favor*

**APPROVAL OF MINUTES:**

October 19, 2020 – Work Session Minutes

October 26, 2020 – Regular Council Minutes

*Both approved as is by Lawson, second by Ledbetter and all in favor*

**CITY ADMINISTRATOR MONTHLY REPORT** *read by Gary Fesperman*

**OLD BUSINESS:**

1. **ORDINANCE O-20-08:** An Ordinance to amend Section 32-101 (4) & Section 82-113 Occupational tax certificate fee (business license)

*Staff Recommendation as follows:*

**Fee Schedule**

**Base fee:** \$115.00, up to 5 employees (including owners), then \$10 per each additional employee

**Home Occupation fee:** \$115.00

**Late Fee Schedule**

**Ordinance O-20-08 Section 32-113 Delinquent Fees**

*For license renewal, each licensee must tender the applicable fee during normal business hours on or before December 31. If December 31 is a weekend day or holiday, the fees must be paid on the preceding business day. Any licensee that fails to tender such fees in a timely manner shall be delinquent and shall be subject to the following:*

1. *If no provision is made elsewhere in this Code for a specific fee amount and except as prohibited by State law, after January 1 of each year, a business license/occupation tax increases from \$115.00 to \$230.00;*
2. *If no provision is made elsewhere in this Code for a specific fee amount and except as prohibited by State law, after February 1 of each year, a business license/occupation tax increases from \$115.00 to \$345.00;*
3. *Upon citation to the municipal court, a civil fine not to exceed \$500 that may be enforced by the contempt power of the court;*
4. *There will be no prorated business license fees for any application during the calendar year.*

*The City Clerk is authorized pursuant to state law to issue executions against the delinquent taxpayers for the amount of delinquent taxes or fees, any interest due and owing, and any penalty due and owing.*

*Motion to approve as is by Ledbetter, second by Carswell & all in favor*

2. Preliminary Plat Twin Lakes Phase 4, 53 lots (tabled from October council mtg)

*Motion to approve plat with contingent of receiving payment for north water tower based on the agreement between Hoschton and Kolter.*

**NEW BUSINESS:**

1. **ORDINANCE O-20-07:** An ordinance to amend section 20-117 entitled “unlawful connection” of the Hoschton city code by amending the language as set forth below; to repeal conflicting ordinances; to provide for severability; to provide for codification; to provide for an effective date; and for other purposes.

*Motion to approve as is by Astin, second by Lawson and all in favor.*

2. **RESOLUTION R-20-11:** Request to approve a quit claim deed proposed by Eddie Butler, property owner, pertaining to 7.261 acres (Map/Parcel H01/048) fronting on the south side of W. Broad Street, the east side of Mulberry Street, and the west side of White Street, to release any interest the city may have in Walnut Street, Trade Street and the southernmost half of Mulberry Street contained within said property (never opened or maintained by the City of Hoschton (excludes north portion of Mulberry Street to West Broad Street shown as right of way by Jackson County Tax Assessor).

*Motion to approve as is by Lawson, second by Ledbetter and all in favor.*

**CONSENT AGENDA:**

1. Request to initiate Zoning variances needed to plat new north and south water tank sites
2. Request to initiate application to reduce the 50-foot stream buffer to 25 feet (state imposed buffer) and to waive the additional 25-foot wide impervious cover setback required by Section 23-105 of the Hoschton City Code for properties owned by City of Hoschton fronting on the east side of Oak Street and the north side of Pendergrass Road (SR 332) (Map/Parcels H01/010, H01/009, H01/008, H01/007, H01/006, H01/005, H01/004, H01/003A and H01/003B)

*Motion to approve item 1 & 2 as is by Ledbetter, second by Carswell and all in favor.*

**EXECUTIVE SESSION (IF NEEDED) LITIGATION**

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).

**ADJOURN**

*Motion to adjourn by Carswell, second by Astin and all in favor at 7:22pm.*