

CITY OF HOSCHTON
CITY COUNCIL
THURSDAY, JANUARY 9, 2025 AT 6:00PM
HOSCHTON COMMUNITY CENTER
65 CITY SQUARE, HOSCHTON



WORK SESSION
AGENDA

CALL TO ORDER

AGENDA APPROVAL

REPORTS BY MAYOR, COUNCIL, AND STAFF

OLD BUSINESS

NEW BUSINESS

1. Meeting Schedules for 2025: City Council, Planning & Zoning Commission, Downtown Development Authority, Historic Preservation Committee
2. City Council Committee Recommendations
3. Mayor Pro-Tempore Recommendation
4. Municipal Court Judge Recommendation
5. Municipal Election Qualifying Fees/ Dates
6. O-25-02: Hydrant Meter Deposit
7. Personnel Policy Update: On-Call Policy
8. Intergovernmental Agreement with Jackson County Regarding Impact Fees
9. O-25-01: Personal Transportation Vehicle Ordinance (Golf Carts)

CITIZEN INPUT

EXECUTIVE SESSION (IF NEEDED)

ADJOURN

Upcoming Events:

January 13th @ 6:00pm Downtown Development Authority Meeting
January 21st @ 6:00pm City Council Regular Meeting
January 22nd @ 6:00pm Planning & Zoning Commission Meeting
January 23rd @ 3:00pm Historic Preservation Committee Meeting
January 23rd @ 6:00pm Community Conversations: Growth Planning
guests: Dr. Philip Brown, Superintendent, JCSS
& Ty Clack, Jackson Co. District 3 Commissioner

CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy, and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

**CITY OF HOSCHTON
RULES OF DECORUM**

The purpose of the Rules of Decorum is to foster an atmosphere of civil and courteous discourse, even and especially when discussing contentious topics, at all meetings held by the City of Hoschton.

- a. Rules applicable to the public
 1. Each speaker will be given 5 minutes during public comment.
 2. Each speaker will direct his or her comments to the Mayor or presiding officers and not to any other individual present.
 3. Each speaker will refrain from personal attacks, foul or abusive language, and will maintain a civil and courteous manner and tone.
 4. Each speaker will speak only to the agenda item under consideration. This does not apply during the Public Comment agenda item.
 5. Members of the audience will respect the rights of others and will not create noise or other disturbances that will disrupt the meeting.
- b. Rules for Mayor and Members of Council, Committees, Boards, or Commissions
 1. Members will conduct themselves in a professional and respectful manner at all meetings.

Departmental Reports

DECEMBER 2024

CITY MANAGER REPORT

- A public hearing took place for the upcoming sewer expansion.
- Staff reviewed and updated a recommendation to the council for a new golf cart ordinance.
- A successful 4th annual Jingle Mingle took place, hosted by Downtown Development Authority
- A successful Visit with Santa took place and was hosted by Hoschton Women's Civic Club
- City Manager met with the North Georgia Regional Committee to discuss future opportunities for the City.
- Our Engineer Team met with Barrow County and their engineering team to discuss infrastructure for water line addition.
- MS4 – Annual Meeting for State Reporting
- Met with team to determine submission of application for LMIG (Road) Project for 2025

Respectfully Submitted,

Jennifer Harrison

City Manager

2024/2025 On-Going Projects

CITY PROJECT	EST COST	GRANT	EST. COMPLETION	PROJECT FUND
OAK STREET	TBD (BUDGETED \$100,000.00)	NO	TBD	GENERAL
MULBERRY PARK (153 MULBERRY)	\$1.5 Mil (BID OUT IN 2025)	\$500,000 LWCF	WINTER 2026	GENERAL
EXPLORING WELLS	(BUDGETED \$250,000.00)	NO	ONGOING	WATER/SEWER
WWTP PHASE 2 .5 to .95 MGD	\$43 Mil	\$2.2 MIL SLFRF GRANT	FALL 2025	WATER/SEWER
MAIN WATER LINE UPGRADE PHASE 3	TBD	NO	WINTER 2025	WATER/SEWER
WWTP PHASE 3 .95 to 2.0 MDG	\$8 Mil	NO	WINTER 2028	WATER/SEWER
SOUTH WATER TANK	3,015,906.00 (UNDER BUDGET)	\$1 MIL ARC	FALL 2025 (TO BE ONLINE)	WATER/SEWER
LMIG PAVING PROJECT	TBD	TBD	TBD	GENERAL
BARROW COUNTY CONNECTION	TBD	TBD	JANUARY 2026	WATER/SEWER
PANTHER COURT	\$1.2 MIL	\$600,000 CDBG	FEBRUARY 2025	WATER/SEWER
PARKING DECK	TBD	TBD	TBD	GENERAL

Updated 12/31/2024

**CITY OF HOSCHTON, GA
CONSULTING CITY PLANNER'S REPORT
ACTIVE, ONGOING AND FUTURE TASKS
December 31, 2024**

Category	Description of Task	Status	Notes
Rezoning	Z-24-05 City of Hoschton (Kumar) PUD Conditional to PUD Conditional	City Council approved initiation	1/22/24 P&Z 2/13/24 CC
Rezoning	Z-24-04 City of Hoschton (City Hall) R-1 to INST	City Council approved initiation	1/22/24 P&Z 2/13/24 CC
Annex/zoning	Z-24-03 JTG Holdings Annexation Maddox Road	12/18 Planning Comm. Annexation notice issued 11-15-24	Withdrawn 12-30-24
Annex/zoning	Z-24-04 Covered Bridge Annexation	Incomplete – traffic study required	Met 11/13/24; urged withdraw
Conditional use	CU-24-01 Pittman Day care in MU (SR 53)		12/18/24 P&Z 01/09/25 CC
LAND DISTURBANCE AND DEVELOPMENT PERMITS			
Development Permit App.	McDonald's (Gateway outlot)	Submission anticipated	
Development Permit App.	Tractor Equipment Company Warehouse Addition 3218 Highway 53 (113/021)	2 nd submission received 10/30/24; routed 11/13/24; planning approved 11/14/24	GASWCC denied 10/1/24 (applicant resubmitted directly)
Development Permit App.	Convenience Store and Retail (Twin Lakes Crossings, LLC)	planning 1 st review completed 6/30/2024	GASWCC denied 7/23/24
Development Permit App.	Tribute sewage lift station	2 nd Submission 11/8/24; Routed EMI 11/13/24	
Development Permit App.	Tribute Planned Unit Development	GASWCC conditionally approved	2 nd submission 10/23/24
Development Permit App.	Aylo Health	2 nd submission 12- 20-24 (check for hard copies)	distributed file copies for 2 nd review 12/31/24
Development Permit App.	Aberdeen POD A land disturbance and development permit and POD B land disturbance permit	Planning 2 nd review completed 10/30/24 (approved)	GASWCC denied second submit
Development Permit App.	Aberdeen POD C land disturbance and development permit	Planning 1 st review completed 8/13/24	GASWCC Denied 2 nd submission
Development Permit App.	Aberdeen sewer pump station	Issued 12/31/24	
Development Permit App.	Heartland Dental	Planning 2 nd review 6-18-24; EMI 2 nd	GASWCC denied 07/01/24
Development Permit App.	Henry Street Townhomes (24 fee simple townhouses)	2 nd Submission 3-6- 24	Hold per City engineer 5/14/24
SUBDIVISION PLATS			
Final Plat minor	Aylo Health	E-mailed 12/20/24 (incomplete)	Plat received but no application
Final Plat minor	Tribute (lot combination and boundary line adjustment)	E-mailed 12/26/24	
Final Plat Major	Twin Lakes Phase 11B	As built received 9/18/24	11/14/24 work session agenda

Consulting City Planner's Report, 12/31/24

ORDINANCES AND ORDINANCE AMENDMENTS			
Ordinances	City Code Amendment Motorized Carts	Revised and sent to City Attorney	
Ordinances	Indemnity and Defense of Local Elected and Appointed Officials	Drafted	Do not process yet per attorney
Administration	Intergovernmental agreement with Jackson County for collection of county development impact fees (Z-23-03)	Met 8/14/24 – county to counter-propose projects	Generally there is lack of agreement
Special Projects	10-year Study (Budget Projection based on Development Buildout)	Revised land use change commercial building data 8/16/24	Ongoing
Special Projects	5-Year update of comprehensive plan (requires steering committee)	11/20 public hearing plan comm	October 2025 deadline

December 31, 2024



PUBLIC WORKS DEPARTMENT

MONTHLY REPORT DECEMBER 2024

The Public Works Department completed the following in addition to normal day-to-day duties.

- **Continued working on changing out endpoints that are not reading properly on meters.**
- **Stormwater – We are in the process of completing the Stormwater Audit. We completed clean up on City owned pond for MS4 compliance.**
- **Public Works building is about 90% complete. Should be able to start moving in January 2025.**
- **Public Works department all completed Flagger training and received cards for completion.**
- **Met with Cory to go over the 2025 LMIG roads/projects we decided on.**
- **Attended Pre Con with City Manager and other staff as well as representatives from Aberdeen development.**
- **Met with Josh with Badger Meter as well as Utility Clerks to look at ways to be more efficient and make sure we clearing out any issues.**
- **Continuing to work with EMI on getting North Tank online. Did the initial startup testing for Booster Pump early November, hoping to complete within next month.**
- **Met with Kroger about relocation of water lines on Hwy 53 at Peachtree, as well as the completed their pressure testing and lines are now fully active.**

City of Hoschton Water Treatment System and Wastewater Treatment Facility
Water System Permit # 1570002 - NPDES # GA0035980

11/2024

Wastewater Treatment Facility – System is operating within permit limits

1. **Treatment Facility Solid Content (MLSS):** Belt press operation and wasting of solids has been continuously ongoing seeking target value of MLSS. Ongoing operations will continue to maintain target value.
2. **Inflow and Infiltration:** The treatment system receives inflow and infiltration at the wastewater plant during significant rain events. Sources of I/I within the collection system should be evaluated.
3. **Process Control Data:** Process control sampling and analysis is conducted routinely at treatment facility to optimize treatment and ensure permit compliance.
4. **Maintenance/Repair Items:** EMI is continuing to itemize and repair multiple items at the WWTF in need of maintenance or repair, these items include exterior lights, influent bar-screen, grinder pump, yard hydrants, effluent UV system, EQ basin aerator.

Drinking Water System – System is operating within permit limits.

1. **Ground Water System:** System is operating within permit limits; all required sampling and analysis has been completed and meets or exceeds EPD drinking water standards.
2. **LCRR:** EMI has submitted to EPD the lead service line inventory as required under the Lead and Copper Revised Rule (LCCR).
3. **Cabin Well:** Needs include new chemical feeds pumps, chemical containment, and stand by generator.
4. **White Street Well:** Needs include chemical containment.

November 2024

Wastewater (Permit #GA0035980; Expires 30 June 2029)				
	Permit Limits	Monthly Average	Weekly Maximum	In Compliance
Flow (MGD) Effluent	0.50M/0.625W	0.304	0.331	Yes
Total Effluent Flow (MG) =		9.111		

	Permit Limits	Monthly Average	Weekly Maximum	In Compliance
pH (standard units) (min/max)	6.0-9.0	6.9	7.5	Yes
Effluent BOD (ppm)	8M/12W	3.4	3.9	Yes
Effluent TSS (ppm)	10M/15W	2.1	2.5	Yes
E.coli (cfu/100mL)	126M/410W	7	88	Yes
Ammonia (ppm)	0.76M/1.14W	0.47	0.98	Yes

W=Weekly Average; M=Monthly Average

E. coli is reported as a Geometric Mean

Min. Dissolved Oxygen (permit limit 5.0) (ppm) = 7.40
 Dry Solids Removed from Plant (tons) = 7.79

Ground Water Withdrawal (Permit #078-0003; Expires 11-07-2034)				
	Permit Limits	Monthly Average	Daily Maximum	Total Withdrawal
GW Withdrawal (MG)	0.150M/0.150A	0.057	0.17	1.712

M = Monthly; A = Annually

Drinking Water (System Permit #1570002; Expires 12-22-2027)					
	Permit Limits	Daily Average	Daily Maximum	Daily Minimum	Monthly Total
Well #1 White Street					
Treated Water (Gallons)	Report	12,252	24,540	N/A	367,550
Chlorine Residual (ppm)	n/a	1.22	1.94	0.37	
Well #6 Cabin Well					
Treated Water (Gallons)	Report	44,816	146,163	N/A	1,344,483
Chlorine Residual (ppm)	n/a	1.18	2.78	0.65	
Braselton Connection - Henry WSID GA1570000					
Purchased Water (Gallons)	Report	225,243	N/A	N/A	6,757,287
Chlorine Residual (ppm)	n/a	0.85	1.02	0.37	
Braselton Connection - W. Jackson WSID GA1570000					
Purchased Water (Gallons)	Report	14,866	N/A	N/A	445,968
Chlorine Residual (ppm)	n/a	0.85	1.02	0.37	
Jackson County WSA WSID GA1570117					
Purchased Water (Gallons)	Report	174,344	N/A	N/A	5,230,329
Chlorine Residual (ppm)	n/a	0.85	1.02	0.37	

Remarks:

Water:

System is operating in permit compliance.

Wastewater:

System is operating in permit compliance.

Building Department Activity Report for December 2024

❖ Permit activity

- 41 Total permits issued
 - Permit Fees totaled \$252,197.65
 - All 41 were for new single-family residences
 - 52 Certificates of Occupancy were issued

❖ Inspection Activity

- 439 inspections were completed
 - Approximately 83% passed

❖ Code Enforcement Activity

- Multiple builders and one citizen were cited for unlawful connection to the water supply or tampering with their water meter.

2024 Totals for Permit Activity

- ❖ 800 Total Permits issued
 - 684 New Single-Family Residences
 - 14 Commercial Building permit
- ❖ 564 Single-Family Residence passed final inspection and COs were issued
 - Using the Census average for household size in Hoschton, Georgia (2.74) that leads to an estimated population increase of approximately 1,545 people

NEW BUSINESS

ITEM #1

Hoschton Meeting Schedules for 2025:

City Council

Planning & Zoning Commission

Downtown Development Authority

Historic Preservation Committee

City of Hoschton 2025 Meeting Schedule

CITY COUNCIL WORK SESSION (6:00pm)	CITY COUNCIL REGULAR SESSION (6:00pm)
January 9 th	January 21 st
February 13 th	February 18 th
March 13 th	March 20 th
April 10 th	April 17 th
May 8 th	May 15 th
June 12 th	June 17 th
July 10 th	July 17 th
August 14 th	August 21 st
September 11 th	September 18 th
October 9 th	October 16 th
November 13 th	November 20 th
December 11 th	December 18 th
January 8 th (2026)	January 15 th (2026)

PLANNING & ZONING COMMISSION (6:00pm)	APPLICATION SUBMITTAL DEADLINE
January 22 nd	December 1 st
February 26 th	January 2 nd
March 26 th	February 3 rd
April 23 rd	March 3 rd
May 28 th	April 1 st
June 25 th	May 1 st
July 23 rd	June 2 nd
August 27 th	July 1 st
September 24 th	August 1 st
October 22 nd	September 2 nd
November 26 th	October 1 st
December 17 th	November 3 rd
January 28 th (2026)	December 1 st

DOWNTOWN DEVELOPMENT AUTHORITY (1:00pm)
January 13 th (*6:00pm)
March 6 th
May 1 st
July 3 rd
September 4 th
November 6 th
January 8 th (2026)



All meetings are held at
Hoschton Community Center
65 City Square
Hoschton, GA 30548

For more information, call
 706-654-3034

HISTORIC PRESERVATION COMMITTEE (3:00pm)
January 23 rd
March 27 th
May 22 nd
July 24 th
September 25 th
November 20 th
January 22 nd (2026)

NEW BUSINESS

ITEM #2

City Council Committee Recommendations

NEW BUSINESS ITEM #3

Mayor Pro-Tempore Recommendation

NEW BUSINESS

ITEM #4

Municipal Court Judge Recommendation



LAW OFFICE OF
DOUGLAS T. KIDD, P.C.

November 29, 2024

VIA EMAIL

City of Hoschton
Attn: Jen Williams
61 City Square
Hoschton, GA 30548
jwilliams@cityofhoschton.com

Re: Hoschton Municipal Court Judge

Ms. Williams,

I am submitting my resume and expressing my interest in the municipal court judge position for the city of Hoschton

I am currently the chief municipal court judge for the cities of Loganville, Jefferson, Powder Springs, and Washington and formerly the chief judge in Lavonia, Hartwell, and Canon. I've practiced criminal law for more than a decade and I have been a judge for more than five years. I have substantive knowledge of Georgia's traffic laws and trial practice, as well as the law pertaining to search and arrest warrant applications. I also am ICJE-certified and I am current on my continuing education hours.

I also understand the responsibilities for managing a large docket and overseeing court staff. My personal belief is that judges are public servants and I owe it the court staff, police officers, and defendants to be thoughtful, courteous, and respectful. I think my style of judging would be appropriate for the city. Since becoming a judge, I have made great efforts to be nice and courteous to everyone, including defendants. I also make pro se defendants aware of their rights and make sure they fully understand these rights prior to waiving them. I also make inquiries into defendants' ability to pay court fines, and I find alternative punishments and remedies when appropriate. So far, my approach seems to be working. I have only had a couple of minor disturbances in court and I have not had any complaints to the Judicial Qualifications Committee or to any of the cities I represent, and I have not had any of my rulings appealed.

Recently, one of my courts was honored by the Standing Committee on Judicial Workload Assessment for Clearance Rate Excellence. In Loganville, we were in the top 10 percent of municipal courts for running an efficient docket. I am very proud of this because Loganville hired me in 2021, mostly because of the backlog of cases coming out of Covid from the previous judge's delays in opening up court. Along with my court clerk and staff, we were able to clear a backlog of around 2,500 cases within the first year and now we are one of the most efficient courts in the state.

In addition to my judicial duties, I also have been a city attorney for a decade. As city attorney, I regularly deal with zoning issues as well as nuisance issues under the International Property Maintenance Code. I also have significant experience hearing code violations, especially for the cities of Powder Springs, Jefferson, and Washington.

I propose a per court session fee of \$850.

I would love this chance to help Hoschton with its judicial duties, and if the city has any questions, please feel free to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Douglas Kidd', written over a circular stamp or seal.

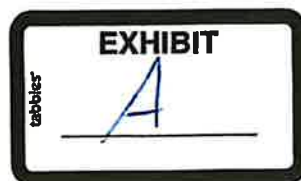
Douglas Kidd
Georgia Bar No. 124770

Enclosure

Douglas T. Kidd

P.O. Box 628
Lavonia, GA 30553
Office: (706) 356-1778 | Cell: (706) 491-9298
doug@douglaskiddlaw.com

- Attorney** **Law Office of Douglas T. Kidd, P.C., Solo** (November 2008 – Present)
Experienced in civil litigation, from client intake, pleading and discovery to motions, summary judgment hearings and appeals.
- Handled dozens of bench trials, jury trials, motion hearings and appeals in Magistrate, Juvenile, Probate, Superior, and Appeals courts.
 - Drafted wills, leases, contracts, shareholder agreements and other transactional documents for businesses and individuals.
- City Attorney** **City of Sky Valley, GA** (February 2018 – Present)
City of Keysville, GA (August 2019 – Present)
City of Gum Branch, GA (August 2019 – Present)
City of Homeland, GA (June 2020 – Present)
City of Jeffersonville, GA (June 2022 – Present)
City of Maysville, GA (February 2024 – Present)
City of Canon, GA (March 2024 – Present)
City of Bowersville, GA (March 2016 – April 2023; May 2024 – Present)
City of Bowman, GA (Jan. '10 – Jan. '13; Feb. '14- Feb. '18; Aug. '23 – May '24)
- Drafted ordinances, reviewed and drafted contracts, and set up Open Records compliance system for small municipalities.
 - Successfully argued case in front of State Elections Board, getting elections fraud charge dismissed against City.
- Chief Judge** **Municipal Court of Powder Springs, GA** (January 2024 – Present)
Municipal Court of Loganville, GA (January 2021 – Present)
Municipal Court of Washington, GA (January 2022 – Present)
Municipal Court of Jefferson, GA (January 2022 – Present)
Municipal Court of Lavonia, GA (August 2018 – July 2022)
Municipal Court of Hartwell, GA (August 2018 – July 2022)
Municipal Court of Canon, GA (August 2018 – July 2022)
- Cleared backlog of nearly 2,500 cases in Loganville within 12 months of appointment, eventually being recognized by the Standing Committee on Judicial Workload Assessment for Clearance Rate Excellence, which signifies the top 10 percent of municipal courts for running an efficient docket.
- Newspaper Experience** **Copy Editor/ Page Designer**, (March 2003 – July 2005)
Chattanooga Times Free Press, Chattanooga, TN
- Bar Admissions** State of Georgia (2008)
Supreme Court of Georgia (2009), Georgia Court of Appeals (2009)
U.S. Supreme Court (2012)
U.S. Court of Appeals, Eleventh Circuit (2012)
U.S. District Court, Middle District of Georgia (2012)
- Memberships, Boards** President, Northern Circuit Bar Association (2012), Vice-President (2011)
Member, Public Defender Supervisory Panel, Northern Circuit (2012 – Present)
Chairman, Franklin County Board of Elections (2015 – 2020)
- Education** **Stetson University College of Law, J.D.** (May 2008)
Georgia Southern University, B.S. Journalism (December 2002)



NEW BUSINESS ITEM #5

2025 Municipal Election Qualifying Fees & Dates

RESOLUTION 2025-01

**A RESOLUTION ESTABLISHING QUALIFYING FEES AND DATES FOR THE
2025 MUNICIPAL ELECTION**

WHEREAS, the City of Hoschton shall conduct its regularly scheduled election on November 4, 2025, to fill terms that will expire on December 31, 2025; and

WHEREAS, O.C.G.A § 21-2-131(a) requires the qualifying fee to be set at three percent of the total gross salary of the office paid in the preceding calendar year, including all supplements authorized by law if a salaried office; and

WHEREAS, O.C.G.A § 21-2-131(a) also requires the qualifying fee to be fixed and published no later than February 1st; and

WHEREAS, the qualifying fee formula was applied to the salary information provided by the appropriate representatives from the City of Hoschton.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Hoschton hereby authorizes the City Clerk's Office to publish the qualifying fees as shown below in the legal organ no later than February 1, 2025.

POSITION	QUALIFYING FEE
Mayor	\$360.00
Councilmember: Post 1, 3, 6	\$180.00

BE IT FURTHER RESOLVED THAT the City Clerk's Office is authorized to conduct qualifying August 18th, 19th, and 20th, 2025, in compliance with O.C.G.A. §21-2-132(d)(4).

BE IT FURTHER RESOLVED THAT the governing body hereby names the City Clerk as the Qualifying Officer for the election, and the Jackson County Elections Office is hereby designated as the Election Superintendent for the election.

Adopted this _____ day of _____, 2025.

Debbie Martin, Mayor

This is to certify that I am Assistant City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Jennifer Williams, Assistant City Clerk

NEW BUSINESS

ITEM #6

0-25-02: Fire Hydrant Meter Deposit

City of Hoschton

Ordinance No. O-25-02

ORDINANCE

AN ORDINANCE TO AMEND SECTION 20-111 OF THE CODE OF ORDINANCES OF THE CITY OF HOSCHTON 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.

WHEREAS, the Mayor and Councilmembers desire to amend the Code section as more specifically described herein in order to update the deposit amount related to fire hydrant meters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOSCHTON HEREBY ORDAINS as follows:

SECTION I.

Section 20-111 of the Hoschton City Code is hereby amended by eliminating it in its entirety and substituting in its place the following:

Section 20-111. Fire Hydrant Meters

1. Fire hydrant meters may be rented by the City of Hoschton to private individuals, firms, or corporations at a rate of one hundred dollars (\$100.00) per week (one week minimum) and a usage charge equal to the commercial water rates in effect at the time the meter is read.
2. A deposit of two thousand dollars (\$2,000.00) per meter will be paid at the time of rental. Deposit(s) will be refunded in full upon return of the meter(s) in undamaged and satisfactory operating condition, and payment of charges for water used.
3. Fire hydrant meters kept more than three (3) months without prior arrangement with the City of Hoschton will be collected by the City and the deposit forfeited. The renter will remain responsible for all rental and usage charges.
4. Any person tampering with fire hydrants without the expressed authorization of either the City of Hoschton or the West Jackson Fire District shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) plus the cost of any water used.

SECTION II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining positions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

The effective date of this ordinance shall be upon passage by the City Council.

Adopted this 21st day of January, 2025.

Debbie Martin, Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

City Clerk

APPROVED AS TO FORM:

Abbott S. Hayes, Jr., City Attorney

NEW BUSINESS

ITEM #7

Personnel Policy Update: On-Call Policy

CITY OF HOSCHTON
STATE OF GEORGIA

RESOLUTION 2025-02

**A RESOLUTION ADOPTING AN AMENDMENT TO THE PERSONNEL POLICY
REGARDING THE ON-CALL POLICY**

WHEREAS, the governing body of the City of Hoschton (“City”) desires to amend the personnel policy, such that employees of the City are aware of their rights and obligations relating to employment by the City and to ensure that the citizens of the City continue to receive excellent service from the persons who work for the City; and

WHEREAS, the City has reviewed the personnel policy and wished to amend Section 7.5.1, On Call Policy, as attached hereto in “Exhibit A”.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Hoschton does hereby adopt the amended personnel policy and directs the Mayor and City Manager to sign such documents and take such action as are necessary to ensure that the personnel policy is made available to City staff.

Adopted this 21st day of January, 2025.

Debbie Martin, Mayor

ATTEST:

Jennifer Williams, Assistant City Clerk

"Exhibit A"

Employees called back to duty will be paid their appropriate rate of pay for hours worked or at the overtime rate for hours worked over the applicable overtime threshold. Employee must inform their Department Head and get approval from City Manager.

7.5.1 ON CALL POLICY

All Public Works and Sewer employees who are scheduled to be on call should be available from 8:00 a.m. Monday to 8:00 a.m. the following Monday. Police on call will run from 8:00 a.m. Friday to 8:00 a.m. Friday of the following week.

Pay for on call will be the following per department –

Public Works will receive a weekly flat rate of \$100.00 plus hours worked at a rate of time and a half for all hours over 40 hours worked. (Worked hours do NOT include Holidays and/or PTO)

Sewer will receive 2 hours per day on Saturday and Sunday to come in and do a Plant Check. This will be paid at a rate of time and a half for hours worked over 40. (Worked hours do NOT include Holidays and/or PTO)

They will also receive 2 hours minimum plus and additional time over that for any calls they must report back to work outside of Business Hours.

Police will receive a weekly flat rate of \$200.00.

Department Heads may make the decision to stop on call for their department if it is no longer needed.

If an employee on call has been called outside of regular business hours for any issues, the employee must get approval from their Department Head before coming in.

Department Heads should notify the City Manager anytime employees have to report back to work.

When on call, the employee may take home a City vehicle for the week as long as it remains within a 55 mile radius of the City limits.

SECTION 8- WAGE AND SALARY ADMINISTRATION

NEW BUSINESS

ITEM #8

Intergovernmental Agreement with Jackson County
Regarding Impact Fees

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE JACKSON COUNTY BOARD OF COMMISSIONERS AND THE
CITY OF HOSCHTON**

This Intergovernmental Agreement (the "Agreement") is entered into this ___ day of _____, 2025, by and between the Jackson County Board of Commissioners, a political subdivision of the State of Georgia (hereinafter referred to as "County"), and the City of Hoschton, a municipal corporation of the State of Georgia (hereinafter referred to as "City").

WHEREAS, pursuant to O.C.G.A. § 36-71-11, the County and the City are authorized to enter into agreements for the administration and collection of impact fees to ensure proper allocation of resources and adherence to state law;

WHEREAS, an arbitration panel finding was filed in the Jackson County Clerk of Courts on September 28, 2023, in Book 0108H, Pages 0454-0461, which mandates that the City of Hoschton shall levy the Jackson County impact fees at the time of building permit issuance relating to development within the real property described in the attached Exhibit "A" (said development within said real property hereinafter referred to as "the Development"), and remit those fees to Jackson County;

WHEREAS, the County and the City mutually agree to establish the terms and conditions for levying and remitting said impact fees in accordance with the arbitration panel's finding and applicable Georgia law;

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the County and the City agree as follows:

1. Purpose

The purpose of this Agreement is to formalize the process by which the City of Hoschton will levy and remit Jackson County impact fees in compliance with the arbitration panel finding and O.C.G.A. § 36-71-11.

2. Obligations of the City of Hoschton

(a) The City shall levy the Jackson County impact fees on all building permits within the Development at the time of building permit issuance.

(b) The City shall levy the County impact fees as authorized and required by Chapter 40 of the Code of Ordinances of Jackson County.

(c) The City shall maintain and provide to the County accurate records of all impact fees collected, including the name of the developer, the amount collected, and the date of collection.

(d) The City shall remit the total amount of impact fees collected to the County on a monthly basis, no later than the 10th day of the following month.

(e) The City shall collect, report, and keep the total amount of administrative fees that are collected for each individual building permit as authorized and required by Chapter 40 of the Code of Ordinances of Jackson County.

3. Obligations of Jackson County

(a) The County shall provide the City with any amendments to Chapter 40 of the Code of Ordinances of Jackson County.

(b) The County shall designate a point of contact to address any questions or concerns from the City regarding the impact fee collection and remittance process.

(c) The County shall maintain records of all remitted fees and their subsequent use in accordance with applicable laws and regulations. The County shall be responsible for complying with requirements under the Georgia Development Impact Fee Act relating to the use of any impact fees collected pursuant to this Agreement, including but not limited to refunds pursuant to and O.C.G.A. § 36-71-9.

(d) The County shall be responsible for complying with any reporting requirements pursuant to the Georgia Development Impact Fee Act relating to the collection of any impact fees collected pursuant to this Agreement.

(e) The County shall be responsible for the handling and payment of any expenses related to any appeals pursuant to O.C.G.A. § 36-71-10 of any impact fees collected pursuant to this Agreement.

4. Audit and Inspection

Both parties agree to allow periodic audits of records related to the collection and remittance of impact fees. The audits shall be conducted by mutual agreement and at a time convenient to both parties.

5. Term and Termination

This Agreement shall commence on the date of execution and shall remain in effect unless terminated by mutual agreement or at the time the Development is fully completed.

6. Miscellaneous Provisions

(a) This Agreement shall be governed by the laws of the State of Georgia.

(b) Any disputes arising under this Agreement shall be resolved in the Superior Court of Jackson County, Georgia.

(c) This Agreement constitutes the entire agreement between the parties and supersedes any prior understandings or agreements related to its subject matter.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

JACKSON COUNTY BOARD OF COMMISSIONERS

By: _____, Chairman

Date: _____

CITY OF HOSCHTON

By: _____, Mayor

Date: _____

Approved as to form

Abbott S. Hayes, Jr., City Attorney

4903-3939-8412, v. 2

EXHIBIT A**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND lying and being in GMD 1407, Jackson County, Georgia and being more particularly described as follows:

BEGIN at a found 1/2 inch rebar, said rebar having coordinates of North: 1,489,399.1 and East: 2,424,019.5, coordinates based on NAD83 State Plane Coordinate system, Georgia West zone, said rebar located on the easterly right of way of GA. Highway 53 (verbal public right of way), said rebar being the TRUE POINT OF BEGINNING;

THENCE leaving said easterly right of way of GA. Highway 53 and proceed North 87 degrees 09 minutes 44 seconds East a distance of 978.40 feet to a found oak; thence South 83 degrees 36 minutes 34 seconds East a distance of 40.57 feet more or less to a point at the centerline of a branch, said point being referred to as Point "A" (the commencement point of a tie-in line "A"- "B"); thence following the centerline of said branch and the meanderings thereof, 789 feet more or less to a point, said point being referred to as point "B"; (the terminus of said tie-in line "A"- "B"); said tie-in line from point "A" and to point "B" having the course of South 46 degrees 28 minutes 58 seconds East a distance of 888.70 feet more or less to a point; thence leaving said centerline of a branch and proceed South 31 degrees 06 minutes 00 seconds East a distance of 736.43 feet to a found 1 inch rebar; thence South 87 degrees 07 minutes 18 seconds East a distance of 1543.43 feet to a set 1/2 inch rebar with cap; thence North 05 degrees 53 minutes 48 seconds East a distance of 1399.97 feet to a found 1 inch rebar; thence South 81 degrees 59 minutes 28 seconds East a distance of 88.66 feet to a found 1/2 inch open top pipe; thence North 89 degrees 00 minutes 55 seconds East a distance of 368.19 feet more or less to a point at the centerline of a Indian Creek, said point being referred to as Point "C" (the commencement point of a tie-in line "C"- "D"); thence following the centerline of said creek and the meanderings thereof, 4747 feet more or less to a point, said point being referred to as point "D"; (the terminus of said tie-in line "C"- "D"); said tie-in line from point "C" and to point "D" having the course of South 23 degrees 58 minutes 42 seconds East a distance of 3086.20 feet more or less to a point; thence leaving said centerline of said creek and proceed South 68 degrees 58 minutes 23 seconds West a distance of 1587.00 feet to a set 1/2 inch rebar with cap; thence South 88 degrees 87 minutes 58 seconds West a distance of 836.71 feet to a marked hole in concrete located on northerly right of way of said GA. Highway 53; thence along said northerly and easterly right of way of GA. Highway 53 the following courses and distances: North 63 degrees 27 minutes 00 seconds West a distance of 185.79 feet to a found right of way monument; North 62 degrees 37 minutes 44 seconds West a distance of 1263.78 feet to a set 1/2 inch rebar with cap; North 62 degrees 31 minutes 30 seconds West a distance of 62.00 feet to a point; along a curve turning to the right with an arc length of 465.41 feet, having a radius of 940.65 feet, being subtended by a chord bearing of North 48 degrees 07 minutes 01 seconds West, and a chord length of 460.68 feet to a point; North 34 degrees 01 minutes 31 seconds West a distance of 897.29 feet to a set 1/2 inch rebar with cap; North 34 degrees 01 minutes 31 seconds West a distance of 182.98 feet to a set 1/2 inch rebar with cap; South 55 degrees 24 minutes 28 seconds West a distance of 9.27 feet to a found right of way monument; North 34 degrees 13 minutes 12 seconds West a distance of 398.97 feet to a point; North 33 degrees 15 minutes 40 seconds West a distance of 174.95 feet to a point; North 33 degrees 04 minutes 42 seconds West a distance of 146.52 feet to a point; North 30 degrees 30 minutes 46 seconds West a distance of 84.72 feet to a point; North 29 degrees 03 minutes 57 seconds West a distance of 48.52 feet to a point; North 27 degrees 06 minutes 11 seconds West a distance of 45.05 feet to a point; North 23 degrees 33 minutes 33 seconds West a distance of 78.81 feet to a point; North 21 degrees 22 minutes 03 seconds West a distance of 80.44 feet to a point; North 20 degrees 51 minutes 23 seconds West a distance of 79.49 feet to a point; North 20 degrees 35 minutes 58 seconds West a distance of 339.35 feet to a point; North 20 degrees 21 minutes 48 seconds West a distance of 408.85 feet to a set 1/2 inch rebar with cap; thence North 20 degrees 35 minutes 57 seconds West a distance of 605.79 feet to a found 1/8" open top pipe; thence North 20 degrees 25 minutes 48 seconds West a distance of 47.15 feet to a found 1/2 inch rebar, said rebar being the TRUE POINT OF BEGINNING.

Tract or parcel contains 287.14 acres, more or less.

NEW BUSINESS

ITEM #9

O-25-01: Personal Transportation Vehicle Ordinance
(Golf Carts)

City of Hoschton

ORDINANCE NO. 25-01

AN ORDINANCE TO DELETE ARTICLE II OF CHAPTER 11 ENTITLED "MOTORIZED CARTS" OF THE CODE OF ORDINANCES OF THE CITY OF HOSCHTON AND REPLACE IT WITH THE ARTICLE 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.

WHEREAS, the Mayor and Councilmembers desire to regulate personal transportation vehicles as authorized under Georgia law.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HOSCHTON HEREBY ORDAINS as follows:

SECTION I.

ARTICLE II. – PERSONAL TRANSPORTATION VEHICLES

Sec. 11-201. – Purpose.

O.C.G.A. Section 40-6-330 et seq. allows the City of Hoschton to regulate personal transportation vehicles to ensure the safety of citizens utilizing roadways within the City.

Sec. 11-202. – Definitions.

The following words and phrases shall have the following definitions with respect to the use and regulation of Personal Transportation Vehicles as set forth in this Article.

- a. *Authorized Street* is any municipal street or roadway in the City of Hoschton and all such residential roadways that have a posted speed limit of 35 miles per hour or less, are not part of the state highway system, and which have not otherwise been specifically excluded from use by Personal Transportation Vehicles. *Authorized Street* shall also include improved paths designed for multiple uses, including Personal Transportation Vehicles, which paths shall be at least eight (8) feet wide and shall be located outside any state highway right of way.
- b. *Driver* is a person sixteen years of age or greater holding; (i) a valid Georgia driver's license; (ii) a valid driver's license issued by any of the states within the United States; or (iii) a valid driver's license issued by a foreign government, but only if such Driver also has on his or her person a passport showing that the Driver was lawfully admitted to the United States and whose lawful admittance has not ended.
- c. *Personal Transportation Vehicle ("PTV")* is any motor vehicle:

1. With a minimum of four wheels;
2. Capable of a maximum level ground speed of less than 20 miles per hour;
3. With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and
4. Capable of transporting not more than eight persons.

The term PTV does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

Sec. 11-203. – Authorized use.

- (a) A Driver as defined above is authorized to utilize a PTV on Authorized Streets in accordance with all other traffic laws.
- (b) Except as specifically authorized under this Article, PTV use on roadways within the City of Hoschton is prohibited.
- (c) PTV use is governed by all traffic regulations of the State of Georgia at any time the PTV is being utilized in the City of Hoschton, and other motor vehicles are required to adhere to all traffic regulations when approaching or overtaking a PTV.
- (d) PTVs may not be utilized on sidewalks.
- (e) While being utilized on Authorized Streets, PTVs are entitled to the full use of the lane in which the PTV is travelling, and no other motorized vehicle shall be driven in such a way so as to deprive a PTV of the full use of such a lane.
- (f) PTVs may not engage in passing within a single lane of traffic, whether the vehicle being passed is another PTV or some other motorized vehicle.
- (g) All passengers on a PTV must be seated on the seat of the PTV at all times the vehicle is in motion, except that passengers four years of age and under may be seated in the lap of an adult.
- (h) PTVs may cross streets and highways that are part of the City of Hoschton municipal street system or Jackson County road system which are used by other types of motor vehicles only at crossings or intersections designated for that purpose by the City of Hoschton, Georgia. For the purpose of this subsection:
 1. A crossing is designated for PTV crossing if the crossing is the intersection of two Authorized Streets; and

2. A crossing is designated for PTV crossing if the crossing is the intersection of an Authorized Street and a street which is not an Authorized Street, if the crossing is marked by signs approaching the intersection from all directions of travel which signs notify motorists of PTV crossing.
- (i) PTVs may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose, and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. State Highway System PTV crossings shall be indicated by warning signs which comply with state law which are clearly visible from all directions of travel.

Sec. 11-204. – PTV requirements.

All PTVs used in the City of Hoschton shall at all times be equipped with:

- a. A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
- b. A reverse warning device functional at all times when the directional control is in the reverse position;
- c. A main power switch. When the switch is in the “off” position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the “off” position;
- d. Head lamps;
- e. Reflex reflectors;
- f. Tail lamps;
- g. A horn;
- h. A rearview mirror;
- i. Safety warning labels; and
- j. Hip restraints and hand holds or a combination thereof.

Sec. 11-205. – Violations.

Violations of this Article, in addition to any infractions fines and penalties as set forth in the Hoschton City Code for other traffic offenses. Any violation of this article shall subject the violator to a minimum fine of at least \$250 per offense and a maximum fine of \$1,000 per offense.

SECTION II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

The effective date of this ordinance shall be upon passage by the City Council.

Adopted this _____ day of _____, 2025.

Debbie Martin, Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

City Clerk

APPROVED AS TO FORM

Abbott S. Hayes, Jr., City Attorney
4930-2003-7899, v. 3