

CITY OF CLEVELAND
CITY COUNCIL MEETING
JANUARY 23, 2017
MINUTES

CITY COUNCIL MEETING

The City Council Meeting of the Mayor and Council of the City of Cleveland was called to order by Mayor Shan Ash at 7:00 p.m.

COUNCIL MEMBERS PRESENT: Annie Sutton, Bradley Greene, Edward Young, and Nan Bowen.

APPROVAL OF AGENDA

On motion by Bradley Greene, seconded by Edward Young, in favor – Annie Sutton and Nan Bowen, and carried unanimously, the Mayor and Council approved the agenda of January 23, 2017.

PROCLAMATION – MR. SHAKA CANTRELL AND MR. REGINALD CANTRELL

Mayor Shan Ash presented the proclamation to Mr. Shaka Cantrell and Mr. Reginald Cantrell for actions taken December 24, 2016 during at house fire and saved the life of a friend and neighbor.

Whereas, the strength of this great nation depends on the strength of its families, friends and neighbors. Throughout Cleveland and White County, it has been shown for a community to be whole it must be based on people's love and concern for each other; and

Whereas, On Christmas Eve December 24, 2016, two ordinary people made themselves extraordinary heroes and placed others before themselves to save a life of a friend and neighbor; and

Whereas, Courage is not the absence of fear, but the ability to move beyond fear and the courage, foresight, and compassion, shown to a friend in need, and which such acts contributed to a lifesaving moment; and Mr. Shaka Cantrell and Mr. Reginald Cantrell, citizens of Cleveland Georgia, deserves recognition and the praise of their peers for their selfless and courageous efforts, good citizenship, and service to others;

Now, Therefore, be it Proclaimed by the Mayor and City Council of the City of Cleveland, Georgia, on January 23, 2017, the residents of the City of Cleveland and White County, Georgia express their gratitude and appreciation to Mr. Cantrell for his bravery and courage.

Given under hand and seal, by proclamation of the City Council of the City of Cleveland, Georgia, this the 23rd day of January 2017.

Mr. Shaka Cantrell is a deputy for the Twiggs County Sheriff's Office. Twiggs County Sheriff Darren Mitchum and Chief Deputy Col. James Faulk attended to witness the presentation of the proclamation for Deputy Cantrell.

Messrs. Cantrell also had several family members and friends attend the short ceremony. Both men received a standing ovation for their courageous acts of December 24, 2016.

Annie Sutton thanked the Cleveland Fire Department for their hard work and stated publicly "we have a great group of guys"!

OTTIS HICKOX – PUBLIC THANK YOU TO CLEVELAND POLICE DEPARTMENT

Mr. Ottis Hickox was unable to attend. Mayor Ash read the letter submitted by Mr. Hickox.

On Monday, January 9th, Officer Timothy Peters and Officer Jason Arrington responded to a situation out at Wal-Mart. I would like to take this opportunity to say that these two officers handled the situation and themselves with professionalism and to the highest standards of Law Enforcement and they are a credit to the City of Cleveland and its police department.

I know this due to having served 22 years U.S. Army Special Forces and 21 years Law Enforcement.

Although Mr. Hickox was not present, Mayor Ash, the City Council, and Chief Foster expressed appreciation for his comments.

JACK MOTT

Jack Mott, property owner, came before the mayor and council to request help in controlling surface water running onto his property. Mr. Mott gave a history of the water runoff and questioned if the city has looked at the situation. He also questioned if the city spoke to Senator Gooch about DOT's responsibility. Edward Young answered yes, but has not heard back from the senator. Mr. Mott also followed up with Senator Gooch, but has not received an answer. DOT did send someone to look at the drains from the courthouse to his property.

Mr. Mott informed there is a 24" pipe under the road that feeds into a 14" pipe. Mr. Mott stated the 14" pipe cannot handle the inflow of water. Mr. Mott accused the city of flooding James Rogers business. Mr. Mott stated he understands that DOT cannot work on private property. Bradley Greene informed the city cannot work on private property as well in accordance to state laws. Mr. Mott claimed he was told the city would do the work if he received permission from the property owners. Edward Young answered that was before the city found out the city could not work on private property.

Mr. Mott asked who made the decision to install the 24" pipe. Mr. Mott claims 26 acres within the city drains to his property on Hwy 115 West. Mr. Greene asked if DOT installed the pipe. Mr. Mott answered no, the pipe was installed by a private citizen. Mr. Greene said again, the city cannot do work on private property. Mr. Mott informed Mr. Gooch may find funds to fix the drain to the stream. Mr. Mott offered three suggestions to fix the issue:

1. Clean up the area behind his property and Slack's Auto Parts.
2. Replace the 24" pipe with a 36" pipe. Edward Young stated the existing pipe is four-feet high.
3. Talk to Senator Gooch about lowering drain and move the water flow somewhere else.

For many years, Mr. Mott has complained about the ditch on his property and Edward Young stated he was tired of discussing it. Mr. Mott complained about having to clean up his own property. Bradley Greene reiterated the fact the ditch is on private property and the city cannot perform work on private property. Mr. Mott responded that the city should not run water on his property. Mr. Greene countered it was not city water but nature. Mr. Greene reminded the city cannot work on private property and if Senator Gooch has a different approach, the city will look at it.

2017-01 RESOLUTION CALL FOR ELECTION AND QUALIFYING FEES – 2nd consideration and adoption

The Mayor and Council reviewed the resolution to call for an election and qualifying fees for Ward 3 and Ward 4. The election will be held November 7, 2017. The qualifying fees for Ward 3 and Ward 4 is set at \$118.50.

On motion by Annie Sutton, seconded by Nan Bowen, in favor Bradley Greene and Edward Young, and carried unanimously, the Mayor and Council voted to approve the second consideration and adopt the 2017-01 Resolution Call for Election and Qualifying Fees.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief Foster submitted information concerning the Uniform Rules of the Road, adopted by the State of Georgia, on the actions law enforcement can take on private streets. The department cannot enforce typical traffic laws on private streets. This does not mean the department cannot respond to DUI's, vehicular homicide, or reckless driving calls.

For the department to enforce traffic laws on private streets, the department would need to receive permission from the governing authority and the city would need to receive a petition signed by at least 50% of the property owners on the street. Notices must be posted and ads placed stating the intent to enforce traffic laws for no less than 30 days.

GRANT KEENE – CITY ATTORNEY

Grant Keene, City Attorney, discussed the acceptance of Cardinal Court. On October 11, 2004, the mayor and council (at the time), voted to accept the dedication of Cardinal Court from John Palmour. Mr. Keene cannot find evidence where the deed was recorded. Mr. Keene feels the issue may be due to a computer system he utilized that lost data. If the document was prepared and signed, it is in Mr. Keene's opinion the document is lost.

Mr. Keene has found deeds of surrounding properties that were sold in the development to determine the exact area to be dedicated to the city. The area is the length of the road and the cul-de-sac.

Mr. Keene informed there is an expressed dedication and expressed acceptance reflected in the minutes and on record.

Mr. Keene was directed to have the property owners to sign the deed and present back to the city council for signature.

NEW BUSINESS

1. The Mayor and Council reviewed a quote and scope of services to remove the sludge at the sewer plant. The fee to mobilize, demobilize, dredging, dewatering, hauling and the disposal of 100 dry tons is \$88,560.00. There is an additional cost of \$668.00 per ton for every ton over 100 tons.

Back in 2005 Mr. Rindt offered the following:

1. Clarifier - this system will remove sludge, caused by the chemicals that treat the phosphorus levels, from the pond. The Clarifier's construction cost is estimated at \$851,000 with an estimated \$550.00 a month in sludge disposal.
2. Filters - will move the sludge, through a pumping system, to the front of the influent zone of the pond. It would be required to dredge the pond every ten years. The Filters construction cost is

NEW BUSINESS - CONTINUED

- estimated at \$536,000 and the cost to dredge the pond, every ten years, is estimated at \$200,000.
3. In-Pond Clarification - this system has not been pre-approved for the southeast, but the EPD is willing to allow the city to conduct a pilot testing of the treatment. The sludge would buildup in the effluent zone of the pond and is more difficult to dredge. The pilot testing construction cost is estimated at \$82,000 and the cost to dredge is estimated at \$300,000 every ten years.

Bio-Nomic is currently doing this work in Royston. Andrea Smith has been in contact with the staff in Royston and they are pleased with the work performed. This is a significant cost difference than what was proposed in 2005 and it should help to control the ammonia levels.

On motion by Edward Young, seconded by Annie Sutton, in favor Bradley Greene and Nan Bowen, and carried unanimously, the Mayor and Council voted to approve the quote and services mobilize, demobilize, dredging, dewatering, hauling and the disposal of 100 dry tons in the amount of \$88,560.00.

The Mayor and Council briefly discussed the need for an automatic screen bar debris removal system.

2. Public Comments – Dean Dyer stated in light of the recognition of Deputy Cantrell, Reginald Cantrell, and the Cleveland Police Department, he would also like to recognize Lt. Donna Sims for her professionalism in handling the scene of the death of Easton Cain. Mr. Dyer informed Lt. Sims kept her composure during a horrible situation so that she could assist the family and investigators.

OLD BUSINESS

1. The minutes of December 2016 were signed.
2. Mayor Ash stated Edward Young's business is old.

EXECUTIVE SESSION

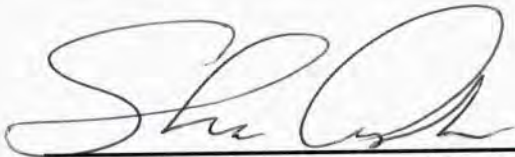
On motion by Edward Young, seconded by Bradley Greene, in favor Annie Sutton and Nan Bowen, and carried unanimously, the Mayor and Council voted to enter into an executive session to discuss real estate at 7:55 p.m.

RETURN TO COUNCIL MEETING

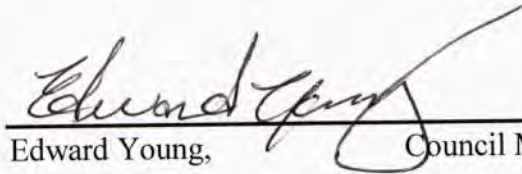
On motion by Annie Sutton, seconded by Bradley Greene, in favor Edward Young and Nan Bowen, and carried unanimously, the Mayor and Council voted to return to the council meeting at 8:30 p.m. No further business was discussed.

ADJOURNMENT

On motion by Annie Sutton, seconded by Bradley Greene, in favor – Edward Young and Nan Bowen, and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of January 23, 2017 at 8:31 p.m.



Shan Ash, Mayor



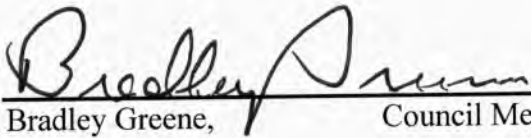
Edward Young, Council Member



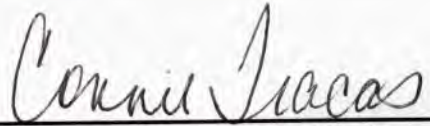
Annie Sutton, Council Member



Nan Bowen, Council Member



Bradley Greene, Council Member

ATTEST: 

Connie Tracas, City Clerk

