

CITY OF CLEVELAND
CITY COUNCIL MEETING
OCTOBER 14, 2019
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 6:30 p.m.

COUNCIL MEMBERS PRESENT: Nan Bowen, Annie Sutton, Kevin Stanley, and Bradley Greene.

APPROVAL OF AGENDA

On motion by Annie Sutton, seconded by Nan Bowen, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the City Council approved the agenda for the October 14, 2019 City Council Meeting.

2019-10 AMENDMENT OF THE ZONING ORDINANCE – 2ND CONSIDERATION AND POSSIBLE ADOPTION – Section 64-219 initiation of Proposals for Annexation Amendments (1) fee increase to cover the costs of administering, legal fees, and processing the annexation request

Mr. Tom O’Bryant, City Administrator, reviewed the amendment to section 64-219 of the zoning ordinance to allow for a higher fee to cover the costs involved with annexing property into the city. The City Council held a first hearing on the amendment October 7, 2019.

- a. The City is beginning to experience inquiries for additional city services, particularly for utility services along the highway corridors. It is the city’s current policy to require, where possible, annexation into the city for utility services.
- b. The current city code establishes a fee of \$390 for requesting annexation into the City.
- c. This fee is the same general fee established for a re-zoning of property. However, additional work and research by city staff and the city attorney for annexation of property costs more staff time and fees.
- d. It is recommended that the city code be amended to add a fee for annexation of property into the City of Cleveland and be set at \$750.00 to cover administering, legal fees, and processing.
- e. City Council will need to adopt the proposed amendment to city code, proposed Section 64-219 – Initiation of Proposals for Annexation Amendments.

On motion by Nan Bowen, seconded by Bradley Greene, in favor Annie Sutton and Kevin Stanley, and carried unanimously, the City Council approved the second consideration and adopted the amendment to the Zoning Ordinance Sec. 64-219. - Initiation of proposals for annexation amendments.

An annexation amendment may be proposed by the mayor and city council, the planning commission of the city, or by the owner of the property sought to be affected by said annexation amendment, or by a duly authorized agent of said owner. Regardless of the source of the proposed amendment, the procedures set out in this resolution shall govern:

- (1) **Annexation application fees.** Fees for the administration of the annexation regulations of the city and the processing of any application for an annexation amendment shall be collected prior to any action of the city. An application shall not be considered complete until the requested fee is paid. The filing fee for an application for an annexation amendment shall be \$750.00 plus the cost of advertising, except that application fees shall not be paid by the mayor and city council, nor by the planning commission of the city, when either acts in its official capacity. The fee

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includes the costs of administering, legal fees, and processing, and the advertising fee will be determined by the rate charged to the city by the local newspaper.

- (2) **Annexation applications.** An application for an annexation amendment shall be filed with the city clerk, in accordance with the form established by the mayor and council and containing the information required by said form. Said application shall be filed during normal office hours. The city clerk shall forward any completed and duly filed application for an annexation amendment first to the city attorney to create the required documents for annexation. After which, the annexation amendment will be submitted to the White County Board of Commissioners as per the Service Delivery Strategy for review and approval. Once approved by the White County Board of Commissioners, a hearing will be scheduled for the planning commission of the city for its evaluation and recommendation to the Cleveland City Council. The application process will begin as soon as the city clerk has received a completed application. The applicant will be kept well informed of all actions during the annexation amendment process, as the process takes longer than a typical zoning amendment request.

BRIAN RINDT – CITY ENGINEER

Brian Rindt, City Engineer, came before the Mayor and Council to discuss three ongoing projects.

1. The design of the wastewater treatment plant continues to move forward. A geotechnical group has bored several areas for soil and rock analysis. The DDR should be completed by the end of October.
2. DOT is in the process of the utility relocation for phase three of the bypass. The current issue is between Georgia Power and DOT on moving the power poles along the route. Georgia Power has informed DOT they will need to wait until next spring when power demands decrease.
3. The city is ready to bid the ARC Hulsey Road waterline project to increase the water line from a 8-inch line to a 12-inch line. DOT will not allow the city to change the line on the bridge, so the engineers have redesigned the line to connect a 12-inch line at each end of the bridge and to keep the 8-inch line in place. Mr. Rindt believes the city should go ahead and start the utility upgrade due to the fact the DOT contractor for phase three does not want the city working at the same time the DOT construction begins. Mr. Rindt stated the contractor is beginning to concoct reasons on why the project needs to be delayed and does not want the city involved with the issues between DOT and the contractor for DOT. The funding agencies will need to agree with beginning the project. Mr. Rindt and his staff will follow up with Mr. O'Bryant. Bradley Greene asked if that part of the project equal to 80% of the project being completed and Mr. Rindt answered yes.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Per the request of the City Council, Chief Pruitt returned to discuss the repairs of the ladder truck. Chief Pruitt informed the company in Alabama declined to give a quote. Another company, Spartan, is waiting to get information from the engineer to determine a quote. The company has only seen pictures of the cracks and damage to the ladder truck.

Chief Pruitt received a partial quote of \$19,748.00 but it has not been determined if the repairs would put the truck back into service. A completed quote could come in at \$60 to \$70 thousand, this is if the company does not find other issues that need to be addressed.

Bradley Greene stated he does not like the ladder truck out of service, but feels the council needs more information on the costs. Chief Pruitt stated his staff could transport the truck to the repair facility in Alabama and had an ultra sound to determine if there is additional damage. It would cost approximately \$1200 to \$1500 to transport and employee time. Nan Bowen stated the repairs could run up to \$100 thousand. Annie Sutton asked if there were any trucks on the market for purchase. Chief Pruitt answered there are used ladder trucks the city could purchase for up to \$45 thousand.

Chief John Foster asked Chief Pruitt did the city just purchase this ladder truck for \$92 thousand. Chief Pruitt answered yes, two years ago, and since then the company has gone out of business. Kevin Stanley stated a used vehicle usually comes with no warranty. Chief Pruitt agreed and stated if the city invested in the repairs there may be more issues develop with the existing truck. Mr. Stanley advised the truck would need a third inspection. Chief Pruitt informed the truck has been through three inspections. The truck passed two inspections but failed the last inspection and was taken out of service.

Chief Pruitt stated a new truck could possibly cost the city up to a million dollars. Most financing does not require a payment for the first year and will finance for ten-years. Mr. Stanley expressed his concern of the city being able to provide \$100 thousand per year for the next ten years. Chief Pruitt informed the city of Helen bought a new ladder truck and it is still in service twenty-three years after the purchase. The city can get credit for a new ladder truck to include credit for a pumper truck. Grant Keene asked if the current ladder truck can be used as a pumper truck. Chief Pruitt answered the truck is too large for city streets.

Bradley Greene suggested Chief Pruitt get with Mr. O'Bryant to go over options.

Chief Ricky informed his crew did a pressure test on Hulsey Road and recorded 1850 gallons per minute from the 8-inch line. A 12-inch line will more than meet the needs of NOK.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

1. Chief Foster informed SSI is in the process of installing the new computer software program. Halski has completed all the needed upgrades so that the new system will install without issues. The department will need several Air Cards to connect to the system. Chief Foster will price the cards through Verizon, Sprint, and AT&T.
2. The proposed new hire did not work out. The P.O.S.T. and training reimbursement fees would cost the city approximately \$4 to \$5 thousand. Chief Foster hired another candidate, a man in his forties that he feels is reliable.
3. Truett McConnell has requested three officers to assist during the Halloween event held on campus. Truett will reimburse the city for the officer's time.
4. Chief Foster would like to meet with Mr. O'Bryant and get a definitive answer on salary and exempt employee status.

GRANT KEENE – CITY ATTORNEY

Grant Keene, City Attorney, informed his mother's estate is having the property resurveyed and will need assistance from public works in locating sewer lines.

TOM O'BRYANT – CITY ADMINISTRATOR

1. Contract with Rindt McDuff for ARC Grant

- a. The City has received a grant from the Appalachian Regional Commission (ARC) to upgrade the water line from the Warrior tank to the end of Phase II bypass improvements (Hulsey Road) in order to provide increase water capacity and for FNST.
- b. The design for the line has been engineered. The city is waiting on GDOT approval in order to move the project forward to bidding.
- c. The ARC grant was written to include some reimbursement of engineering fees. Even though RMA is the city's appointed engineer grant requirements require a separate contract for the project so drawdowns can be initiated and the city can be reimbursed for a portion of the engineering fees for the project.
- d. City Council will need to approve the contract with RMA for the ARC grant project – water line upgrade from the Warrior tank to end of Phase 2 of the bypass.

On motion by Annie Sutton, seconded by Bradley Greene, seconded by Nan Bowen and Kevin Stanley and carried unanimously, the City Council approved the contract between the city and Rindt-McDuff for engineering service for the ARC water upgrade project

2. Mapping of City Water and Sewer System Infrastructure (GMRC Contract).

- a. The City has numerous miles of water and sewer lines within city and in its service area of unincorporated White County.
- b. The City has some very old wall maps of the water system, but no mapping of the city sewer system. Most new infrastructure added to the map has been manually penciled onto the map.
- c. City staff has discussed the need to be able to have map of utility infrastructure while conducting field work.
- d. City staff has met and received a proposal from Georgia Mountain Regional Commission (GMRC) to map the city's utility infrastructure.

TOM O'BRYANT – CITY ADMINISTRATOR - continued

Mapping of City Water and Sewer System Infrastructure (GMRC Contract) - continued

- e. Using GPS technology GMRC will map the water and sewer line, and related infrastructure, which includes manholes, valves, lift stations, pump stations, hydrants, etc, and will include any associate data attached to the pieces of infrastructure.
- f. GMRC will provide map books for staff the take into the field as they work on water and sewer projects. GMRC will provide the city with digital copies of the map books for updating and maintenance.
- g. The proposed contract for the mapping of the utility infrastructure from GMRC is in the amount of \$16,750. If approved the project would start mid-November and be completed by the end of spring.
- h. City Council will need to approve the proposed contract with GMRC in the amount of \$16,750 for mapping the city's utility system.

Brian Rindt informed a lot of city's are turning to this service. Crews are about to locate utilities on laptops that includes information such as depth of manholes, etc.

On motion by Bradley Greene, seconded by Annie Sutton, in favor – Nan Bowen and Kevin Stanley and carried unanimously, the City Council approved the contract with Georgia Mountains Regional Commission to map and record the city's water and sewer lines in the amount of \$16,750.00.

3. Re-Certification for City of Ethics

- a. Since 2007 city officials have adopted and maintained an ordinance to become a Certified City of Ethics under the GMA City of Ethics program
 - b. City official adopted an ethics ordinance and signed on to subscribe to the ethics principles approved by the GMA Board of Directors. City officials, by resolution, pledged to follow and conduct themselves as a group and as individuals to:
 - **Serve Others, Not Ourselves**
 - **Use Resources with Efficiency and Economy**
 - **Treat All People Fairly**
 - **Use the Power of Our Position for the Well Being of All Our Constituents**
 - **Create An Environment of Honesty, Openness and Integrity**
 - c. The program requires re-certification every five years. The City of Cleveland's re-certification is due November 30, 2019.
 - d. To remain certified the city must submit to GMA for review and approval;
 - **A letter of request from city officials for approval to re-certify and identifying all revisions to the city's Ethics Ordinance.**
 - **A new resolution re-adopting the five ethics principles.**
 - e. Staff will be working with council on any updates to the Ethics Ordinance during October and will present any amendments to City Council for adoption at the November meetings.
4. All city employees, including the Mayor and City Council, will receive an email from Halski concerning the training for computer/internet/email threat assessments. The training will include sending bogus emails to see if employees are opening possible dangerous emails. Mr. O'Bryant informed all must comply with the training.

TOM O'BRYANT – CITY ADMINISTRATOR - continued

5. Mr. O'Bryant has received word that Truett McConnell University is in need of new bonds for possible new construction and for refinancing. Mr. O'Bryant has not received anything official from staff at Truett. The Cleveland Downtown Development Authority will be the avenue Truett needs to go through for such bonds. The city has a DDA board which include council members Kevin Stanley and Bradley Greene.
6. The November 11, 2019 City Council Meeting is rescheduled for Tuesday, November 12, 2019 due to the observance of Veterans Day.

NEW BUSINESS

1. Public Comments – Chief Foster wanted to add to his earlier comments of hiring new staff that his department is now completely staffed. Chief Foster still has one officer on medical leave until January.
Bradley Greene asked Chief Foster about the active shooter training at the high school. Chief Foster informed the training went well and the group was able to identify areas that need improvement, mainly the ability to communicate to each other. Outside evaluators were present. Chief Foster feels the county needs a mobile command center and feels the city should share in the costs.
Annie Sutton informed Heather Feldman, Director of Georgia Mountain Regional Commission, father-in-law passed away. Services will be Saturday.

OLD BUSINESS

1. On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley and carried unanimously, the City Council approved the class request for Lee Wilson for continuing certification in the water backflow program.
2. The minutes of September 2019 were signed.

EXECUTIVE SESSION

On motion by Nan Bowen, seconded by Annie Sutton, in favor – Kevin Stanley and Bradley Greene and carried unanimously, the City Council voted to enter into an executive session to discuss personnel issues at 7:23 p.m.

RETURN TO COUNCIL MEETING

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Annie Sutton and carried unanimously, the City Council voted to return to the City Council Meeting at 8:07 p.m. Tom O'Bryant checked the perimeter of the building to see if there was any one, from the public, that needed or wanted to return to the city council meeting. No one was present. No further business was discussed.

ADJOURNMENT

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Annie Sutton, and carried unanimously, the City Council voted to adjourn the City Council Meeting of October 14, 2019 at 8:08 p.m.



Shan Ash,

Mayor



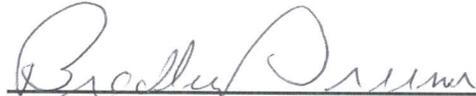
Kevin Stanley,

Council Member



Nan Bowen,

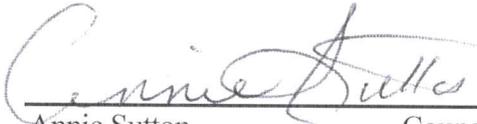
Council Member



Bradley Greene,

Council Member

Mayor Pro Tem



Annie Sutton,

Council Member

Attest:



Connie Tracas,

City Clerk

