

CITY OF CLEVELAND
CITY COUNCIL MEETING
DECEMBER 9, 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 Bradley Greene, seconded by Annie Sutton, in favor – Nan Bowen and Kevin Stanley, and carried unanimously, the City Council approved the agenda for the December 9, 2019 City Council Meeting.

2019-12 ANNEXATION ORDINANCE – 3RD CONSIDERATION AND POSSIBLE ADOPTION

Mayor Ash summarized the application of Ronald D Conner for annexation. Ronald D. Conner is requesting an annexation and zoning for approximately 0.56 acres of property, 1847 Highway 129 South, Tax Map and Parcel 048C-158, 159, 160.

For public record the following is a timeline of hearings on the annexation request:

- October 24, 2019 – the Planning and Zoning Board held the first public hearing for the annexation request of Ronald D. Conner for annexation and zoning for approximately 0.56 acres of property, 1847 Highway 129 South, Tax Map and Parcel 048C-158, 159, 160. The Planning and Zoning Board voted to recommend annexation.
- November 12, 2019 – The City Council held the second public hearing and Ms. Nadine Wardenga, Planning and Zoning Chair, presented the application with the board’s recommendation. Mr. Conner was not presented, as required, and the application was tabled until December 2, 2019.
- December 2, 2019 – Mr. Conner attended the City Council meeting to represent his application for annexation. Mr. Conner explained his need to annex to obtain city sewer services for the existing building on the property. Mayor Ash and Mayor Pro Tem Bradley Greene were both absent and the attending council members felt the decision should be made with a full council and postponed the decision until December 9, 2019.

All required hearings have been held concerning the application of Ronald D. Conner for annexation.

On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to accept the recommendation of the Planning and Zoning Board the request of Ronald D. Conner for annexation and zoning for approximately 0.56 acres of property, 1847 Highway 129 South, Tax Map and Parcel 048C-158, 159, 160. The property is currently used for highway commercial business and will continue with the land use unless application is made to change the use of the property.

2019-13 RESOLUTION TO AMEND 2018/2019 BUDGET – PUBLIC WORKS, SANITATION, CONFISCATED FUNDS, AND HOTEL/MOTEL TAX

Mr. O’Bryant explained the findings of the 2018/2019 audit.

Street budget increased from \$87,995 to \$137,076. This \$49,081 increase is due to LMIG projects during this budget year.

Sanitation budget increased from \$290,790 to \$296,709. The \$5,919.00 increase is due to the purchase of supplies such as dumpsters and garbage cans. The department may have come within budget, but had an unexpected repair on the sanitation truck.

General government (admin, shop, court) budget is decreased from \$1,077,675.00 to \$1,037,675.00. These departments came under budget by \$40,000 and will offset the increase from streets and sanitation.

Cultural and Recreation budget is decreased from \$41,800.00 to \$26,800.00. This department was under budget by \$15,000 and will offset the increase from streets and sanitation.

Hotel/Motel revenues increased from \$18,000.00 to \$24,000 (\$6,000.00 increase)

Confiscated Funds \$3,000.00. This was not in the budget, but will need to create a fund line item in the city’s budget in the future.

On motion by Bradley Greene, seconded by Annie Sutton, in favor – Nan Bowen and Kevin Stanley, and carried unanimously, the City Council voted to approve Resolution 2019-13 and amend the 2018/2019 budget for the City of Cleveland.

CITY CONTRIBUTION TO THE TURNER CREEK WATER TREATMENT PLANT RESERVE ACCOUNT

Mr. O’Bryant explained the request of the Turner Creek Water Treatment Plant for the increase in capital reserve contribution.

- a. The City and the White County Water Authority have a wheelage agreement for the funding and operation of the Turner Creek Water Treatment Plant.
- b. According to the existing Agreements in place, a tiered mechanism is in place that places a monetary percentage on top of the set wholesale price of water to help fund the capital reserve account for the plant.
- c. The tiers vary from 10%, 20% and 30% based on the amount of funds held in the capital reserve account at the time of budgeting. Historically the tier has been held at 10%.
- d. At the request of the WCWA, the city voted to pay the 20% rate in early 2018 to help build the account through December 31, 2019. The City absorbed the cost of the increased without passing it on to its customers. The standard rate of 10% will return on January 1, 2020.
- e. The plant and the WCWA anticipate some fairly large capital expenses over the next 18-24 months in the estimated amount of \$410,000. They expect even large capital expenses in the future to upgrade the plant.

**CITY CONTRIBUTION TO THE TURNER CREEK WATER TREATMENT PLANT
RESERVE ACCOUNT - continued**

- f. The WCWA would like to continue funding the capital reserve account at the 20% tier rate in order to build and fund the account without having to go into a loan agreement to complete all the necessary capital upgrades at the plant. They would like for the 20% tier rate to remain in place for an additional two years through December 31, 2021.
- g. The WCWA states continuing the increased rate is contingent upon the acceptance of the City and would like for the Council to consider continuing to fund the capital reserve account at the 20% tiered rate for an additional two years – through December 31, 2021.
- h. The City is also experiencing increased costs of operations and anticipates additional capital costs with water line maintenance and an upgrade to the city's wastewater treatment plant. The additional costs of the increased tier rate most likely can no longer be absorbed solely by the City. Staff recommends a study of the water rates to determine if revenue is adequately funding operations and setting aside funds for planned capital improvements for water and wastewater infrastructure.

Mr. O'Bryant expressed his concerns of the additional costs "eating" in to the city's reserves for capital improvements. If voted to continue, the increase will have an impact on city operations and projects. The city will need to look at rates, and with the additional expenditures, may result in an increase in user fees for city utility customers. The city has significant capital improvement projects to fund which include the complete renovation of the wastewater treatment plant and to put a new well online. Mr. O'Bryant informed Georgia Environmental Finance Association (GEFA) will look at the city's user rates and expenditures to determine if the city can repay debt, much like the USDA.

Bradley Greene asked for clarification of the requests for a two year agreement at 20%. Mr. O'Bryant confirmed the current agreement was for a one year period and the new request is for two-years. The goal is to reduce the debt liability by building a reserve fund. Mayor Ash asked what amount did Turner Creek collect with the 20%. Mr. O'Bryant answered approximately \$120,000 in a year, but is unsure of the city's contribution.

Kevin Stanley noted the improvements include adding an additional well to the Turner Creek system. Mayor Ash confirmed a well is a part of the capital project list and a filtering system at the plant.

Annie Sutton expressed her concern of putting a strain on the users of the city's utility system for the sake of the Turner Creek Treatment Plant, but admitted the city will need to look at rates to accomplish the city's capital project. Bradley Greene agreed and stated the city would like to help but not hurt the city's projects in the process.

Mr. Stanley noted the staff at Turner Creek states the large capital expenses over the next 18 to 24 months in the amount of \$410,000. Brian Rindt informed the Turner Creek Treatment Plant is a thirty-year old facility and is probably in need of repairs.

Mayor Ash questioned the percent of water the city purchases from Turner Creek. Mr. O'Bryant estimated 27% of the Turner Creek sales is purchased from the city.

**CITY CONTRIBUTION TO THE TURNER CREEK WATER TREATMENT PLANT
RESERVE ACCOUNT - continued**

Mr. O'Bryant informed it has been several years since the city has issued a rate increase. Operating expenses have increased and along with the capital projects, the city council will need to look at gradual rate increases for the next few years. Bradley Greene expressed the city cannot absorb the increases from Turner Creek due to affecting the city's rates. Nan Bowen asked Mr. O'Bryant what he recommended. Mr. O'Bryant answered it was up to the council to determine what they believe the city can afford, but felt it was important for the council to know that any increase will result in the increase in city rates. It was asked if the city could agree to one-year instead of the requested two-year agreement. The council is able to determine the length of the agreement.

On motion by Kevin Stanley, seconded by Nan Bowen, in favor – Annie Sutton and Bradley Greene, and carried unanimously, the City Council voted to extend the wheelage agreement to fund 20% of the cost the capital reserve fund for the Turner Creek Water Treatment Plant for one year ending December 31, 2020.

BRIAN RINDT – CITY ENGINEER

1. The city is ready to bid the contract for the 12" water line upgrade but the contractor for the GDOT phase III bypass project is holding up the installation. The contractor is attempting to get more time from GDOT to complete the project and is using the city's upgrade project as an excuse for delays. The city can go ahead and move forward from the Warrior tank and stop short at the construction of the bypass, but that would require two contracts.
2. GDOT contractors have started phase III. The city has had no communication with the sub-contractors moving the utility lines. The city had continued communication with the contractors of phase I and phase II. Mr. Rindt feels the contractor may be difficult to work with on the project. During phase II construction, the contractor installed the manholes way below grade to the point of being unusable. The contractor has contacted the city wanting to know when the manholes will be moved to grade. The contractor has been informed the city is not responsible for the move of the manholes. The situation was caused by the contractors of GDOT.
3. The wastewater treatment plant plans are in process and the anti-degradation document is complete. The document show data of the system not degrading the nearby stream or affect the economics in the area due to the discharge. The firm continues to work on the DDR and the waste load allocation.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief Foster, Police Department, addressed the issue of the need of the REDSPEED speed detection program needed at Jack P Nix Elementary School. Chief Foster first addressed the issue in May of this year.

As of January of this year, the department has issued ninety citations in the area of West Kytile St with the majority being issued in the school zone. Approximately \$7,000 has been generated in fines. Chief Foster would like to present a contract for the council to consider at the first of January 2020. Nan Bowen asked if Chief Foster was able to work out all the bugs in the contract and he responded yes he did.

Bradley Greene asked about the success of other jurisdictions and Chief Foster answered the program is working well and has not heard any complaints.

CHIEF JOHN FOSTER – POLICE DEPARTMENT - continued

Annie Sutton agreed there is a speeding problem all over town. Chief Foster added there is also a problem with stop sign violations.

The council agreed to have the item on the agenda at the January city council meeting.

Annie Sutton remarked how hard the police department worked at the parade event on Saturday.

GRANT KEENE – CITY ATTORNEY

Grant Keene, City Attorney, did not have new business to report.

TOM O'BRYANT – CITY ADMINISTRATOR

Tom O'Bryant, City Administrator, presented the Mayor and Council a Certification of Achievement for completing the Demand an End training from the Street Grace program.

Street Grace is an initiative, headed by Governor Brian Kemp and First Lady Marty Kemp, to train and inform the public of commercial sexual exploitation of children. The City Council approved city personnel to participate in the training. The Street Grace relayed a special thank you to Council Members Nan Bowen, Bradley Greene, and Kevin Stanley for attending the class.

Chief Foster informed his department conducts a separate training on this issue.

Mr. O'Bryant informed the city will add information to the city's website for public awareness.

NEW BUSINESS

1. On motion by Bradley Greene, seconded by Annie Sutton, in favor – Nan Bowen and Kevin Stanley and carried unanimously, the City Council approved the 2020 Workers Compensation and Employers Liability Insurance Renewal in the amount of \$77,474.00.
2. Public comments – Beth Truelove, Chamber of Commerce, thanked the Cleveland Police Department for their work during the parade and Christmas in the Mountains event. The Chamber had sixty volunteers to help with the organization of the event. Chief Foster informed, for future events, the Chamber will need to make sure there is proper spotlighting at Freedom Park for the safety of pedestrians.

OLD BUSINESS

1. The minutes of November 2019 were signed.
2. Chief Foster asked the council to approve a letter to the Department of Public Safety as a part of a packet for the speed detection device permit renewal. On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council approved the letter to the Department of Public Safety and authorized Mayor Ash to sign.

ADJOURNMENT

On motion by Nan Bowen, seconded by Bradley Greene, in favor Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to adjourn the City Council Meeting of December 9, 2019 at 7:17 p.m.

Resigned seat 12/30/2019

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

