



**Cleveland City Council
Called Meeting Minutes**
Thursday, October 12, 2023 - 6:30 P.M.
Cleveland Community Center/Police Department
342 Campbell Street, Cleveland, GA

1. Call to Order

Mayor Turner called the meeting to order at 6:30 p.m.

PRESENT:

Mayor Josh Turner, Council Members Nan Bowen, Annie Sutton, Jeremy McClure (Mayor Pro Tem), and C.J. McDonald

Also present were City Administrator Kevin Harris, City Attorney Keith Whitaker, and City Clerk Lisa Ritchie

Mayor Turner asked for a moment of reflection for the lives lost in Israel.

- 2. Invocation – Senior Pastor Dr. Phil Weaver, Cleveland First Baptist Church, and White County Ministerial Alliance**
- 3. Pledge of Allegiance**
- 4. Approve Agenda**

Motion by Council Member McClure, seconded by Council Member Sutton, and voted, unanimously, to approve the agenda.

Mayor Turner welcomed Council Member Sutton to the Council.

PRESENTATION

- 5. Georgia Military Veterans' Hall of Fame, Inc. Day**

Mayor Turner read the Proclamation. The mayor discussed the inductees into the Georgia Military Veterans' Hall of Fame. Those from White County are as follows:

- Army Private Rondall H. Glaze, Valor – killed in action

- Sergeant Jason Harkins, Valor - killed in action
- Army Colonel Joan O. Mooneyham, Valor

Motion by Council Member McClure, seconded by Council Member McDonald, and voted, unanimously, to approve the Georgia Military Veterans' Hall of Fame, Inc. Day.

The Mayor and Council presented the Proclamation to the family of Sgt. Jason Harkins.

PUBLIC HEARING (cancellation/postponement)

Mayor Turner stated the item.

Economic Development and Planning Director Tom O'Bryant addressed the Mayor and Council Members.

Mr. O'Bryant stated that the Planning and Zoning Board has not provided a recommendation at this time. He stated that the item was to be heard by Planning & Zoning but they did not have a quorum and the zoning procedure laws require a recommendation from Planning & Zoning. Planning & Zoning will hear the item at their meeting scheduled for October 26 and the Mayor and Council will hear it at their November 13, 2023 Meeting

6. Public Hearing - Annexation of 0.694 acres owned by Roy Brogdon identified as parcel number 048C 166 located on 129 South next to Kiwanis property – NOTE: Cancellation of Public Hearing due to lack of a recommendation from the Planning & Zoning Board. The Public Hearing has been advertised for the November 13, 2023 Council Meeting.

Mayor Turner wished Mr. Harris a happy belated birthday.

CITY ADMINISTRATOR KEVIN HARRIS

Mr. Harris addressed the Mayor and Council Members.

7. Swearing in of Council Member Annie Sutton earlier in the day, October 12, 2023, at 3:00 p.m.

Mr. Harris stated that Judge Garrison Baker swore Annie Sutton in as a Council Member for the remainder of 2023 today at 3 p.m. He stated that he had met with Council Member Sutton to get her up to date on city matters.

8. City Charter

Mr. Harris stated that the city charter needs to be reviewed and updated before the 2024 legislative session.

CITY ATTORNEY KEITH WHITAKER

Mr. Whitaker did not have any items to report.

NEW BUSINESS

9. Request for a Variance to Code Section 12-402 for Occupation, Time Limits by Sid Patel

Mr. O'Bryant stated that Mr. Patel requested a variance regarding the maximum 14 days stay. He asked for an additional 30 days for a total of 44 days for one of his occupants.

The applicant was not in attendance to answer questions the Mayor and Council had.

Lt. Donna Sims addressed the Mayor and Council Members. She stated that they have home health care employees staying there but was not sure if the request is for one of them.

Mr. O'Bryant recommended approval with tracking it is a home health care employee they wish to extend the stay for.

Motion by Council Member McClure, seconded by Council Member McDonald and voted, unanimously, to approve the variance with contingencies that Mr. Patel provides documentation from the employer stating that they need to stay for an additional 30 day. Council Member McClure amended the motion to approve the variance contingent on receiving documentation from the attendant's employer no later than Monday, October 16, by 5:00 p.m. (close of business) Council Member McDonald seconded the amended motion and the Council voted, unanimously, to approve the amended motion.

10. White County Water Authority wheelage adjustment

Mayor Turner stated that through a previous management agreement between the White County Water Authority and the City of Cleveland for the Turner Creek Water Treatment Plant auditors determined the actual wholesale cost of water verses the estimated wholesale cost for the year. If there is a deficit after the conclusion of the fiscal year the cost to break even is split based on consumption formulas between the water authority and the city. If there is a surplus, the surplus is split based on those formulas. After this year's audit there was a surplus of \$63,888.84 with \$21,664.88 owed to the city and \$42,223.97 owed to the authority. The authority desires to increase the balance of the reserve account for emergency repairs and maintenance as needs arise. They have agreed to direct their portion owed to the

authority to the Turner Creek Water Treatment Plant's reserve account if the city agrees to do the same.

As the city's representative on the Water Authority, Mayor Turner stated that he is in agreement for a onetime payment.

Motion by Council Member McDonald, seconded by Council Member Bowen, and voted, unanimously, to approve directing the White County Water and Sewerage Authority to make a onetime deposit in the amount of \$21,664.88 owed to the city for the wholesale cost of water adjustment in the Turner Creek Water Treatment Plant reserve account contingent upon the White County Water and Sewerage Authority agreeing to deposit \$42,223.97 owed to the authority in the Turner Creek Water Treatment Plant reserve account.

11. Approval to amend the City's checking (review and signature purposes), and credit card accounts as follows:

- Remove Rebecca Yardley, previous Ward 2 Council Member, from both accounts

Motion by Council Member McDonald, seconded by Council Member McClure, and voted, unanimously, to approve the removal of Rebecca Yardley from the checking and credit card accounts.

- Add Ward 2 Council Member Annie Sutton to both accounts

Motion by Council Member McClure, seconded by Council Member McDonald, and voted, unanimously, to approve adding Council Member Annie Sutton to checking and credit card accounts.

- Add Finance Director John Solmon to the checking account

Motion by Council Member Bowen, seconded by Council Member McClure, and voted, unanimously, to approve adding Mr. Solmon to the checking account.

Mr. Harris discussed complaints and concerns regarding the White County Molding's property, formerly known as the Atlanta Hardwood's Corporation, 176 Appalachian Trail. The specific concerns are noise from the production and dust/shavings landing in the subdivision next door. The city has been working through it's existing zoning laws and code enforcement. Last week it became apparent that the city will have to be more proactive and aggressive in its efforts to ensure the safety and wellbeing of the community and its residents. He said they have had meeting with public safety (fire and police), and zoning. The situation is becoming worse. White County Molding is working with the city to rectify the issues. The city has filed a claim/complaint with the Georgia Environmental Protection Division (EPD) stating the

concerns. Police have been patrolling the area. The EPD will come within the next 10 days to investigate the claim/complaint. He said White County Molding has committed \$500,000 to rectify the issues.

PUBLIC COMMENTS

- Troy Bennett, 117 Pine Hill Drive, addressed the Mayor and Council regarding his concerns with White County Molding/Hardwoods Company.

Council Member McDonald apologized to Mr. Bennett about the situation with White County Molding. He said it has been going on for too long and nothing is happening to rectify it. He said the primary focus should be the health and well being of the residents.

He said as a parent and citizen of Pine Hill Drive, he will do whatever he has to do to protect his family and neighbors.

ANNOUNCEMENTS

Ms. Ritchie gave the announcements.

12. Upcoming calendar items:
 - Alcohol Review Board – Monday, October 16, 2023, at 6:30 p.m. at the Police Department
 - Package Store Lottery – Thursday, October 19, 2023, at 6:30 p.m. at the Police Department
 - Planning & Zoning Meeting – Thursday, October 26, 2023, at 6:30 p.m. at the Police Department

EXECUTIVE SESSION

Motion by Council Member McClure, seconded by Council Member McDonald and voted, unanimously, to enter an Executive Session at 7:18 p.m.

13. Discussion regarding personnel

Motion by Council Member McClure, seconded by Council Member Bowen and voted, unanimously, to adjourn the Executive Session and return to the City Council Meeting at 8:16 p.m.

Council Member McDonald opened the door to allow citizens to return to the regular meeting.

ADJOURN

Motion by Council Member McDonald, seconded by Council Member McClure and voted, unanimously, to adjourn the Called City Council Meeting of October 12, 2023, at 8:17 p.m.

Approved this 10th day of November, 2023

Josh Turner
Josh Turner Mayor

Jeremy McClure
Jeremy McClure Council Member
Ward 3
Mayor Pro Tem

Nan Bowen
Nan Bowen Council Member
Ward 1

C.J. McDonald
C.J. McDonald Council Member
Ward 4

Annie Sutton
Annie Sutton Council Member
Ward 2

ATTEST:
Lisa A. Ritchie
Lisa A. Ritchie City Clerk