



Cleveland City Council
Meeting Minutes
Monday, October 2, 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, 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

- 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 McDonald, and voted, unanimously, to approve the agenda with amendments to postpone item number 7 until the next meeting and to add an Executive Session for pending litigation.

PRESENTATIONS

5. Proclamation recognizing the WRWH's 65th Anniversary

Mayor Turner read the Proclamation. The Mayor and Council presented the Proclamation to Dean Dyer. Mr. Dyer accepted the Proclamation on behalf of the radio station and all of the people working behind the scenes, now and over the past 65 years.

Mayor Turner expressed his appreciation for Mr. Dyer and the radio station.

Motion by Council Member McDonald, seconded by Council Member Bowen, and voted, unanimously, to approve the Proclamation recognizing WRWH's 65th Anniversary.

6. The Standing Committee on Judicial Workload Assessment Award to Municipal Court of Cleveland for Clearance Rate Excellence

Ms. Ritchie addressed the Mayor and Council Members. She announced that the Judicial Council's Standing Committee on Judicial Workload Assessment recognized the city of Cleveland's municipal court as a Clearance Rate Excellence Award recipient. She said the achievement reflects Cleveland court's dedication, efficiency, and commitment to ensuring timely resolution of cases as only 10% of Municipal Courts in Georgia are recognized as demonstrating exceptional performance in maintaining clearance rates.

Judge Garrison Baker, Solicitor Greg Futch, and Court Clerk Charlie LaVelle were in attendance and provided with the award. Public Defender Todd Lord was not in attendance.

Judge Baker stated his appreciation to the Mayor and Council for the support they have given the court systems. He said it is a collaborative team effort which also includes court reporters, interpreters, and the police chief and his administrative staff. He said this award is a great honor and it would not be possible without the Municipal Court Clerk, Charlie LaVelle. He said Charlie works hard and holds their feet to the fire to keep it going.

~~**7. Proclamation commending the Georgia Military Veteran's Hall of Fame and their inductees three of which are from White County; Army Private Rondall H. Glaze, Jason R. Harkins, and Joan O. Mooneyham**~~

This item was postponed to the next meeting during the adoption of the agenda.

DEPARTMENT REPORTS

8. Economic Development and Planning– Director Tom O'Bryant

- September 2023 Report

Mr. O'Bryant addressed the Mayor and Council Members. He discussed the following September items:

- Occupational Licenses – 3 (Alpine Nutrition, and Jones Refurbishing)

- Building Permits – 13 (Peaceful Ridge, Parkview, and Aderson LDP)
- Building Inspections – 18 (Atlantic Billboards, Gateway Village, Oak Springs Cottages, and Waffle House)
- Sign Permits – 2 (Alco Realty, and Cleveland United Methodist)
- Plan Reviews – 1 (The Overlook Apartments)
- Current Commercial Activity – 4 (Waffle House, 6 Courthouse Square, Berry IGA, and Wendys)
- Development Inquiries – 3 (Albert Tate, Lightpoint CRE, and Chastain Appraisal)
- Grant Applications
 - Appalachian Regional Commission (ARC) Grant is under review by ARC in Washington, DC (Wastewater Treatment Plant)
 - EDA Grant application related to Disaster Declaration FEMA-4600-DR, for resiliency relief to help fund the proposed wastewater treatment plant has moved to the final round. Request for additional information is due October 27.
 - FEMA AFG – Administration set up, submitted ladder truck specs and vendor to grant administrator.
 - GDOT Transportation Alternative Program (TAP) grant application for preliminary engineering for sidewalks and crosswalks connecting Freedom Park and City Park revised scoping meeting with the consultant from GDOT added additional work items that will increase workscope and costs.
- Infrastructure
 - The Angel Lane developer has received the LDP. Survey ribbons have been placed.
 - The new well (well6) bidding is complete. Award recommendation will be provided by the consultant for award by the Mayor and Council Members.
 - Georgia Environmental Protection Division (EPD) is researching well 7.

- The Downtown Development Authority (DDA) meeting and discussion regarding potential assistance to Fuller Living LLC.

Finance Director John Solmon addressed the Mayor and Council Members to give the Finance Report. He discussed the following August items:

- Police and Fire (Public Safety) have the largest expenditures (55%) of all departments
- Revenues were up and expenditures were down

9. Fire Department – Chief Ricky Pruitt

- September 2023 Report

Chief Pruitt addressed the Mayor and Council Members. He reported the following September items:

- Total of 104 Calls: 63 inside the city and 41 in the County
- White County Fire Department responded 2 times in the city

10. Police Department – Chief Shoemaker

- September 2023 Report

Chief Shoemaker addressed the Mayor and Council Members. He stated that he and Deputy Chief Aaron Weiland nominated Sheena Wright for the Georgia Association Chiefs of Police’s Administrative Assistant of the Year award. Chief Shoemaker read the nomination letter. Some of the highlights of the nomination are that Ms. Wright has been employed by the Cleveland Police Department for the past eighteen years, she is highly regarded as a resource to all members of the agency. She consistently demonstrates remarkable dedication, exceptional organizational skills, and a commitment to excellence in her role as an administrative assistant. She is the backbone of the police department and is also relied upon by other employees of other departments within the city. Ms. Wright embraces multiple assignments and is the “go to person” for many things including police reporting, human resources related issues, payroll issues, GCIC entry and countless others.

Chief Shoemaker expressed gratification stating that Ms. Wright was chosen as the Administrative Assistant of the Year for the 9th District.

Chief Shoemaker reported the following September items:

- Total occurrences – 1,963
 - Public assists - 620
 - Premise checks – 987
 - Field interviews - 25

- Incident reports - 63
- Accident reports - 24
- Investigative/supplemental - 58
- Citations Issued - 58
- Warnings - 105
- Warrants - 21
- Juveniles – 2
- Citations
 - Misdemeanor, non-traffic - 5
 - DUI, Alcohol, & serious offenses - 0
 - Driver’s license, Registration, & Insurance - 7
 - Moving violations, traffic control, etc. - 38
 - Equipment, seatbelt, etc. – 8

11. Public Works Department – Assistant Public Works Director Ricky Hunt

- September 2023 Report

Assistant Public Works Director Ricky Hunt addressed the Mayor and Council Members. He reported the following September items:

- Inside new Water Cut-In & Sewer – 5
- Water Quality – 2
- Meter Change Out – 11
- City Hall Office Maintenance – 1
- Sewer Backup – 2
- Dumpster Repair/Replace – 1
- Check for Leak – 17
- Final Reading Do Not Lock – 18
- Garbage Request – 20
- Inspection – 2
- Cut Off and Lock Meter Non-Payment – 12
- Meeting with Customer – 6
- Sewer Inspection – 1
- Snowbird – 1
- Final Read and Lock Meter – 11
- Street Repair – 2
- Meter Inspection – 25
- Garbage Service Discontinued – 1
- Residential Turn On – 29
- Commercial Turn On – 2
- After Hours Work – 3

- Seasonal – 1
- City Property Maintenance – 3
- Street R-O-W Maintenance – 2
- Meter Readings – Monthly – 2274
- Meter Re-Reads – Monthly – 25
- Utility Locates – 100

Mayor Turner stated that he had been invited to several schools to read about community helpers' week. He said the book that he read to the students was George Caroline Visits City Hall which talks about trash pickup services. He said the White County Pre-K staff told him that the kids' favorite part of the week was to watch the trash trucks picking up trash.

NEW BUSINESS

12. Resolution 2023-24 – Amendment to Board Appointments

- Fill the expired term of Ward 2 Council Member to December 31, 2023
- Downtown Development Authority

Motion by Council Member McClure, seconded by Council Member Bowen, and voted, unanimously, to approve the following appointments:

- Fill the expired term of Ward 2 Council Member to December 31, 2023 – Appoint Annie Sutton to serve through the end of 2023
- Downtown Development Authority – appoint Kevin Lin

13. Ratify the purchase of furniture and accessories for the fire department

Mr. Harris stated that the fire fighters updated their area in city hall with new carpet, ceiling fans, paint, etc. He said this request is for the purchase of furniture and accessories for the fire services area and for the finances to come from SPLOST V.

Motion by Council Member McClure, seconded by Council Member McDonald, and voted, unanimously, to approve the purchase of furniture and accessories for the fire department with the funding coming from SPLOST V.

Council Member McClure stated his appreciation for the firefighters saving the city money by doing the renovations themselves.

14. Lead and Copper Update

Andrea Smith, Water/Wastewater Supervisor, addressed the Mayor and Council. She stated that there are 2,173 total water service lines in Cleveland's system. Of the 2,173 water lines 1,511 have been identified and they are lead free. There are 662

lines to be identified before October 16, 2024. She said they do not expect to find any lines with lead.

15. Amendment to the 2023 Meeting Schedule

- Cancellation of the Called Meeting scheduled for Tuesday, October 10, 2023
- Scheduling a Called Meeting on Thursday, October 12, 2023

Motion by Council Member McDonald, seconded by Council Member Bowen, and voted, unanimously, to approve the amendments to 2023 Meeting Schedule.

16. Approval of Meeting Minutes

- September 11, 2023 Called Meeting Minutes

Motion by Council Member McDonald, seconded by Council Member Bowen, and voted, unanimously, to approve the minutes of the September 11, 2023 Called Meeting.

17. Approval of Executive Session Minutes

- September 5, 2023 Executive Session Minutes
- September 5, 2023 Executive Session Minutes
- September 11, 2023 Executive Session Minutes
- September 11, 2023 Executive Session Minutes

Motion by Council Member Bowen, seconded by Council Member McClure, and voted, unanimously, to approve the Executive Session Minutes of the September 5, 2023 Meetings and the September 11, 2023 Meetings.

UNFINISHED BUSINESS

18. Package Store Applications Update

Mr. Harris stated that the city received five applications for package stores. He said one application was denied and the applicant appealed the denial. He said the next steps are to have an alcohol review board meeting to hear the appeal, and have a lottery to choose the three allowed to move forward with plans for package stores. He stated that Wayne Tuck of Walker, Pierce & Tuck, P.C. will run the lottery meeting.

19. Proposed 2023-2024 Benefits

- Georgia Municipal Employee's Benefits System (GMEBS) Life & Health Program Employer Declaration & Application for health, vision, and dental
- Life and AD&D Insurance
- Holidays

Ms. Ritchie stated recommendations as follows:

- Renew the employee's benefits with Georgia Municipal Employee's Benefits Life & Health for 2024 with no changes to their current plans
- Provide \$30,000 Life and \$30,000 AD&D insurance rather than the current \$10,000 each
- Add President's Day to employee holidays

Motion by Council Member McDonald, seconded by Council Member McClure, and voted, unanimously, to accept the renewal of the employee's benefits with Georgia Municipal Employee's Benefits System Life & Health Program employer declaration and application for health, vision, and dental as presented, add President's Day as an additional employee holiday, and provide \$50,000 life insurance and \$50,000 AD&D insurance.

20. Award of bid for well #6

Meg Mbugua, P.E., Rindt, addressed the Mayor and Council. She stated that the bids were opened on September 13. American Water was the winning bid for \$503,074. Mr. O'Bryant stated that it is important to build the city's water resources. He expressed appreciation to the Georgia Department of Transportation (GDOT) for the property donation.

Mayor Turner stated this is for the new well located on Sebring Drive.

Motion by Council Member McClure, seconded by Council Member McDonald, and voted, unanimously, to approve the award of the bid in the amount of \$503,074 to American Water Specialties for the construction and completion of well number 6 on Sebring Drive with funding from SPLOST V.

Council Member McDonald expressed his appreciation to Mr. O'Bryant for solicitation to get bidders.

PUBLIC COMMENTS

There were no comments from the public.

CITY ADMINISTRATOR KEVIN HARRIS

Mr. Harris discussed the following items:

- RFP for the Real Estate Broker Services regarding the disposition of property owned by the City of Cleveland formerly known as the "Talon Property", at 19 Campbell Street is listed on the state registry until October 31, 2023.
- A meeting of the Alcohol Review Board will be held on October 16 at 6:30 for organization and to hear the applicant's appeal.

- Expression of appreciation regarding the Mayor and Council's vote to approve Ms. Ritchie's recommendations and to increase the life and AD&D insurance. He said Cleveland has a good strong staff and the Mayor and Council's decision to maintain good benefits encourages employee retention.

CITY ATTORNEY KEITH WHITAKER

Mr. Whitaker did not have any items to report.

ANNOUNCEMENTS

Ms. Ritchie gave the announcements.

Upcoming calendar items:

21. City of Cleveland offices will be closed on Monday, October 9, 2023, in observance of Columbus Day
22. The City Council Meeting scheduled for Monday, October 9, 2023, has been cancelled
23. White County Water Authority Meeting – Thursday, October 12, 2023, at 7:30 a.m. at the Water Authority
24. Downtown Development Authority Meeting – Thursday, October 12, 2023, at 3:00 p.m. at the White County Chamber of Commerce
25. Alcohol Review Board – Monday, October 16, 2023, at 6:30 p.m. at the Police Department.
26. Package Store Lottery – Thursday, October 19, 2023, at 6:30 p.m. at the Police Department.
27. Planning & Zoning Meeting – Thursday, October 26, 2023, at 6:30 p.m. at the Police Department.

Mayor Turner announced that they expect to have a vote after Executive Session.

EXECUTIVE SESSION

Motion by Council Member Bowen, seconded by Council Member McClure and voted, unanimously, to enter an Executive Session at 7:43 p.m.

28. Discussion regarding pending litigation

Motion by Council Member McClure, seconded by Council Member McDonald and voted, unanimously, to adjourn the Executive Session and return to the City Council Meeting at 8:14 p.m.

Council Member McDonald opened the door to allow attendance to the meeting.

Motion by Council Member McClure, seconded by Council Member and voted, unanimously, to participate in the class of defendants for case number 2:23-cv-03147-RMG, case number 2:23-cv-03230-RMG, and authorize the Cleveland Water Department to exchange data with class council.

Mr. Whitaker stated that it involves the aqueous film-forming foams products liability litigation the city has been identified as a class member, a class defendant, and the city is opting to participate in that class action law suit in order to try to recoup some testing costs that have been incurred due to the EPA requirement of testing for certain contaminants that are the subject of this litigation.

Motion by Council Member Bowen, seconded by Council Member McClure and voted, unanimously, to enter an Executive Session at 8:20 p.m. to discuss real estate and 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 8:57 p.m.

Council Member McDonald opened the door to allow attendance to the meeting.

ADJOURN

Motion by Council Member Bowen, seconded by Council Member McClure and voted, unanimously, to adjourn the City Council Meeting of October 2, 2023, at 8:58 p.m.

Approved this 6th 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