



Cleveland City Council
Meeting Minutes
Monday, February 6, 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 6:31 p.m.

PRESENT:

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

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

2. Invocation – Steve Smith, Helen First Baptist, and White County Ministerial Alliance

3. Pledge of Allegiance

Pastor Smith, Staff Evangelist and Community Outreach Pastor, stated that God is opening doors into the City of Helen for Helen First Baptist.

4. Approve Agenda

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

PRESENTATIONS

5. FY 2021/2022 Audit – Wayne Tuck, Walker Pierce & Tuck

Mr. Tuck addressed the Mayor and Council to share the results of the recent FY2021/2022 audit and the City's Financials. He expressed his appreciation to Mr. Harris, Ms. Tracas, and Ms. LaVelle for their assistance and discussed the following:

- The outcome of the audit: The financial statements represent fairly in all material respects the financial position of the City as of June 30, 2021 (unqualified opinion and the goal).
- The balance sheet which does not include water/sewer, as compared to previous years cash is up approximately \$1.4 million.
- A new fund, the American Rescue Plan Act (ARPA) fund, on the financial statement shows the first of two federal fund payments. The second payment was received after June 30 (year-end).
- Unarmed Revenue Currently which has a condition that states until it is spent in accordance with the grant requirements, it is not considered revenue for the city and they can request that the money be returned. The plan is for the funds to be spent accordingly.
- The Statement of Revenues Expenditures and Changes in Fund Balance (Income statement) shows an increase in revenue in each of the funds over the prior year. Capital Projects/SPLOST funds had an increase in revenue of over \$270,000. Each of the funds had increases in fund balance.
- The Water/Sewer Fund's (proprietary fund) cash is up approximately \$330,000 over the prior year.
- The Water/Sewer Fund Income Statement shows that the revenues are up and charges for service (water) were up over \$93,000. Although there is a loss, the loss is down from prior years. Unlike the governmental funds the Water/Sewer fund is supposed to stand on its own and operate.

Council Member McDonald asked if there were any findings. Mr. Tuck stated that there were two findings. One was a professional standard which he stated is unrealistic for a small government. He said it had to be listed to be in compliance with government accounting principles. He said the second one was small errors some of which were with software processes. He said all of the errors have been corrected and recommended training.

PUBLIC HEARING

6. Second Public Hearing and vote - 2023-03 - Sanitation and Solid Waste Ordinance Amendment

Mr. Harris stated that the proposal is to assist in meeting increasing costs. He said it is for a 10% increase on commercial dumpsters, 90-gallon containers and full dumpsters.

Mayor Turner stated that it does not affect the water and sewer rates. He said it is only for commercial sanitation and solid waste.

Council Member McClure confirmed with Mr. Harris that it is not for the purpose of making a profit, it is for the purpose of recovering costs as provided by state law.

There were no comments from the public.

Mayor Turner closed the Public Hearing.

Motion by Council Member McDonald, seconded by Council Member McClure, and voted, unanimously, to approve the 2023-03 Sanitation and Solid Waste Ordinance Amendment.

CITY ADMINISTRATOR KEVIN HARRIS

7. Project List

Mr. Harris stated that the project list is the result of items assigned at the previous Council retreat. He said he would update the Mayor and Council on the status of the items monthly. He said, currently, 14 items have been completed.

Mayor Turner expressed his appreciation to Mr. Harris and to staff for all of their work on these assignments. He also expressed appreciation to the Council Members for setting the priorities for the next few years.

8. Personnel Handbook proposed Sections 11 through 13

Mr. Harris discussed the proposed sections 11 through 13 which include a grievance policy and a social media policy.

9. GEFA Loan Modification

Mr. Harris stated that the original loan was approved on February 1, 2021. The original loan shows that the construction of the waste water treatment plant should already be completed. This modification moves the construction completion date to February 1, 2025.

Motion by Council Member Bowen, seconded by Council Member Yardley, and voted, unanimously, to approve the GEFA Loan Modification.

CITY ATTORNEY KEITH WHITAKER

Mr. Whitaker addressed the Mayor and Council to present an overview of the draft Distilled Package Sale Ordinance.

10. Overview of the draft Distilled Package Sale Ordinance

Mr. Whitaker stated that the language was fairly standard.

After discussion, Mayor Turner asked for the language be updated to reflect the location as “building” rather than “business licensed” on Section 4-122 (6).

Mr. Whitaker stated that he will confirm whether the license fees needed to be listed two times.

Mayor Turner asked if an application fee is permitted and if so, could it be non-refundable. Mr. Whitaker stated that he would find out.

Mayor Turner and Council Member McDonald stated that they would rather have the selection process defined better.

Council Member Bowen stated that 3 locations were too many and stated her preference for 2 locations.

Mayor and Council Members also requested other information such as; map, other cities number of locations, and more information regarding the lottery option.

Council Member Yardley asked Mr. O’Bryant when the city did away with the Alcohol Review Board and empower the City Council to be the review board and what was their intended purpose.

Mr. O’Bryant stated that it occurred around 2018 and it was changed because the board had never met and the application requirements were not being met. The Police Chief at that time recommended that if appeals were made, they should go before the Council.

Mayor Turner stated that he would like for Mr. Harris to be the point of contact for anyone asking questions about the Ordinance.

NEW BUSINESS

11. FEMA Assistance Firefighters Grant for a fire ladder truck.

Mr. Harris stated the urgency for a firetruck. He said there would be no money up front only expenditures.

Motion by Council Member McDonald, seconded by Council Member Bowen, and voted, unanimously, to approve the application submittal.

12. FEMA Assistance for Firefighters Grant for an extractor.

Mr. Harris stated there would be no money requirements upfront.

Motion by Council Member Yardley, seconded by Council Member McClure, and voted, unanimously, to approve the application submittal.

13. Agreement with White County for detaining persons charged with violations of statutes of the State of Georgia and City Ordinances

Motion by Council Member McDonald, seconded by Council Member Yardley, with a friendly amendment by Mayor Turner to allow him to sign the document, and voted, unanimously, to approve the Agreement with White County for detaining persons charged with violations of statutes of the State of Georgia and City Ordinances and to allow the Mayor to sign the document.

14. Approve Meeting Minutes
 - a. January 9, 2023 Meeting Minutes
 - b. January 17, 2023 Called Meeting Minutes

Motion by Council Member Bowen, seconded by Council Member McDonald, and voted, unanimously, to approve the January 9, 2023 Meeting Minutes and the January 17, 2023 Called Meeting Minutes with corrections to Scribner errors they are identifying.

15. Approve Executive Session Minutes
 - a. January 9, 2023 Executive Session Minutes

Motion by Council Member Yardley, seconded by Council Member McDonald, and voted, unanimously, to postpone the January 9, 2023 Executive Session Minutes as they had not been reviewed by the Mayor and Council Members.

UNFINISHED BUSINESS

16. Annual readoption of the Rules of Decorum – NOTE: Postponed at the January 9, 2023 Meeting.

Motion by Council Member McClure, seconded by Council Member McDonald, and voted, unanimously, to approve the annual readoption of the Rules of Decorum with an amendment to allow the Mayor to extend the time allowed for public comment based on the circumstances.

PUBLIC COMMENTS

Ms. Judy Lovell addressed the Mayor and Council Members. She stated that in 1895 the local newspaper, The Cleveland Progress, edited by Mr. W.W. Price reported several days of heavy snow, rain, and sleet followed by strong winds and days of below freezing temperatures in January of 1895. She said it was so cold that a jail inmates' feet froze and cattle, and hogs froze to death.

ANNOUNCEMENTS

Mr. Harris stated the calendar items.

17. Upcoming calendar items:

- White County Water Authority Meeting – Thursday, February 9, 2023, at 7:30 a.m. at the Water Authority
- Downtown Development Authority – Thursday, March 2, 2023, at 3:00 p.m. at the Chamber of Commerce
- Planning & Zoning Meeting – Thursday, March 2, 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 7:42 p.m.

18. Discussion regarding real estate and personnel

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 8:53 p.m.

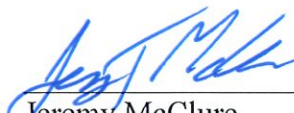
Council Member McDonald opened the door to allow citizens to return to the regular meeting. There were no citizens waiting to return to the meeting.

ADJOURN

Motion by Council Member Yardley, seconded by Council Member McClure and voted, unanimously, to adjourn the City Council Meeting of February 6, 2023 at 8:54 p.m.



Josh Turner Mayor



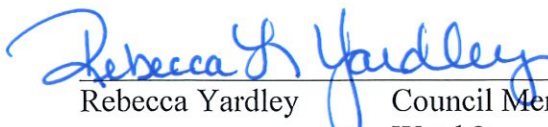
Jeremy McClure Council Member
Ward 3



Nan Bowen Council Member
Ward 1



C.J. McDonald Council Member
Ward 4



Rebecca Yardley Council Member
Ward 2
Mayor Pro Tem

ATTEST:


Kevin Harris City Administrator