

CITY OF CLEVELAND
CITY COUNCIL MEETING
MARCH 14, 2022
MINUTES

CITY COUNCIL MEETING

The City Council Meeting of the Mayor and Council of the City of Cleveland was called to order by Mayor Josh Turner at 6:30 p.m.

COUNCIL MEMBERS PRESENT: Nan Bowen, Jeremy McClure, and CJ McDonald. Rebecca Yardley was absent.

INVOCATION: Mr. Dean Dyer, WRWH Radio, gave the invocation to open the meeting.

APPROVAL OF AGENDA

On motion by CJ McDonald, seconded by Jeremy McClure, in favor – Nan Bowen, and carried unanimously, the Mayor and Council approved the march 14, 2022 City Council Meeting agenda with the addition of position status change for Police Major Aaron Weiland.

2022-02 AMENDMENT ZONING ORDINANCE – SHORT TERM RENTAL CLASSIFICATION – 4TH CONSIDERATION AND ADOPTION

Mr. Tom O’Bryant explained the zoning amendment will allow for a zoning classification for short-term rental use. Short-term rental will be allowed in R-I, R-II, and R-III residential districts.

On motion by Nan Bowen, seconded by CJ McDonald, in favor – Jeremy McClure, and carried unanimously, the Mayor and Council voted to adopted 2022-02 and amend the Zoning Ordinance and add the use for Short-term Rental use in R-I, R-II, and R-III residential districts.

2022-03 SHORT TERM RENTAL ORDINANCE – 2ND CONSIDERATION AND POSSIBLE ADOPTION

Mr. O’Bryant informed the ordinance presented includes the minor changes discussed at the March 7, 2022 Council meeting, including changing magistrate court to Cleveland Municipal court.

On motion by CJ McDonald, seconded by Nan Bowen, in favor – Jeremy McClure, and carried unanimously, the Mayor and Council voted to approve 2022-03 Short Term Rental Ordinance as presented.

2022-04 RESOLUTION TO AMEND BOARD APPOINTMENTS – CITY CLERK LISA RITCHIE

The amendment adds Lisa Ritchie to fill the position of City Clerk.

On motion by Jeremy McClure, seconded by Nan Bowen, in favor – CJ McDonald, and carried unanimously, the Mayor and Council approved 2022-04 Resolution to amend Board Appointments and added Ms. Lisa Ritchie as City Clerk. Mayor Turner welcomed Ms. Ritchie.

2022-05 AMENDMENT TO ALCOHOL BEVERAGE ORDINANCE - CURBSIDE SERVICE – 1ST CONSIDERATION AND DISCUSSION

Mr. O’Bryant informed the comments of the Council in the March 7, 2022 work session have been incorporated in the amendment. The amendment will allow grocery stores, which offer curbside grocery pickup, to sell alcoholic beverages. The amendment includes requirements of each applicant to provide a company policy of the handling of alcohol sales, a designated pick-up area with security cameras, presentation of legal ID from the customer purchasing alcohol, etc.

Dean Dyer asked if there are only two stores that would qualify and Mr. O’Bryant answered yes.

On motion by Jeremy McClure, seconded by CJ McDonald, in favor – Nan Bowen, and carried unanimously, the Mayor and City Council voted to approve the 1st consideration of 2022-05 Alcohol Beverage ordinance – Curbside Service.

2022-06 AMENDMENT SECONDHAND GOODS ORDINANCE – CHAPTER 42 ARTICLE II PAWNBROKER – 1ST CONSIDERATION AND DISCUSSION

Mr. O’Bryant informed changes have been made to the ordinance based on the Council comments from the work session held March 7, 2022. Specifically defining the employees that would be required to have a background check, meaning those that would handle pawn transactions and not someone that landscapes or provides general maintenance. The language in the ordinance has been recommended by Chief Shoemaker.

Jeremy McClure referred to the fee schedule and asked if other businesses are charged a \$150.00 fee for additional employees. Mr. O’Bryant answered no the fee is just for this use. Mr. McClure asked what the fee will go towards. Mr. O’Bryant explained the fee will go towards the costs of background check and police follow-up. Mr. McDonald reminded the ordinance and fee schedule are two separate items.

On motion by CJ McDonald, seconded by Nan Bowen, in favor – Jeremy McClure, and carried unanimously, the Mayor and Council voted to approve the first consideration of 2022-06 Amendment Secondhand Goods Ordinance, Chapter 42 Article II Pawnbroker as presented.

2022-07 RESOLUTION TO ADOPT A FEE SCHEDULE – PAWN BROKERS – 1ST CONSIDERATION AND DISCUSSION

Mr. McDonald began the discussion by questioning the \$150 fee for additional employees. Mr. McDonald feels the fee is too expensive. Mr. McDonald motion to amend the fee schedule by removing the requirement of the additional employee fee. Jeremy McClure seconded the motion. Mayor Turner asked if any discussion before final vote.

Nan Bowen asked if the owner of the business will be the only employee required to have a background check. Mr. O’Bryant explained there should be a fee for each employee handling pawn transactions. GCIC invoices the city for background checks. Ms. Bowne stated the \$250 fee for the owner includes one background check and there is an additional background check fee of \$50. Mr. McClure stated the ATF has the background check due to the sale of firearms. Mr. O’Bryant replied the ATF does not share background checks with the city.

2022-07 RESOLUTION TO ADOPT A FEE SCHEDULE – PAWN BROKERS – 1ST
CONSIDERATION AND DISCUSSION - continued

Chief Shoemaker concurred the ATF does not share background check information without a subpoena. Mr. McClure asked if the \$150 go to the police and Mr. O'Bryant answered yes.

On motion by CJ McDonald, seconded by Jeremy McClure, in favor – Nan Bowen and carried unanimously, the Mayor and Council approved the first consideration of 2022-07 Resolution to adopt a fee schedule for pawn brokers with the removal of \$150 additional employee application fee.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Chief Ricky Pruitt, Fire Department, presented the department statistics for February 2022. The department reported 72 calls, 34 calls within the city and 38 calls in the county. White County Fire services responded into the city 7 times.

Chief Pruitt informed his department has started fire hydrant maintenance and will soon begin testing hoses.

CHIEF JEFF SHOEMAKER – POLICE DEPARTMENT

Chief Shoemaker began by talking about his progress in the police department since his employment began. Chief Shoemaker stated he has relied on Major Aaron Weiland in the transition. Chief Shoemaker announced the promotion of Major Aaron Weiland to Deputy Chief. Officer's Wood and Addis presented the new badge to Deputy Chief Weiland.

Chief Shoemaker presented the department statistics for February 2022. The department reported 2465 activities for the month.

Community Oriented & Proactive: Public Assist – 344; Premises Check – 1391; Field Interview - 5
Reporting: Incident Report - 65; Accident Report – 16; Investigative / Supplemental – 74;
Administrative Duties - 309

Actions taken: Citation – 133; Warnings – 118; Warrants – 19; Juvenile – 1

Citation Breakdown: Misdemeanor, non-traffic- 7; DUI, Alcohol, & serious offenses- 5; Driver's license, Registration, & Insurance- 29; Moving violations, traffic control, etc- 82; Equipment, seatbelt, etc- 10.

TOM O'BRYANT – CITY ADMINISTRATOR

Tom O'Bryant, City Administrator, presented the January statistics for public works department. The report reports the activities that are above day to day job duties.

New water cut-in and sewer cut-in – 1; Meter change out – 8; Sewer backup – 5; Dumpster repair/replace – 1; Miscellaneous – 11; Check for leak – 5; Final reading do not lock - 15; Garbage request - 22; Inspection – 3; Cut-off and lock meter - 1; Garbage request change - 3

Final read and lock meter- 4; Street repair – 1; Meter inspection – 5; Residential turn-on – 19;
Commercial turn on – 1.

