

**CITY OF CLEVELAND
CITY COUNCIL MEETING
FEBRUARY 1, 2016
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 7:00 p.m.

COUNCIL MEMBERS PRESENT: Annie Sutton, Edward Young, and Nan Bowen. Bradley Greene was absent.

APPROVAL OF AGENDA

On motion by Annie Sutton, seconded by Edward Young, in favor – Nan Bowen, and carried unanimously, the Mayor and Council approved the revised agenda of February 1, 2016 with the addition of Woodlands Camp water system.

SCOTT SIMPSON, WOODLANDS CAMP – SPECIAL EVENTS REQUEST

Scott Simpson, Woodlands Camp, has submitted two special events applications for the camp. The events are to be held Thursday, February 18 through Sunday, February 21 and Thursday, February 25 through Sunday, February 28. The participant count is estimated at 350 each day of the event. The existing chapel does not have sufficient room for that occupancy count so the camp moves the services and music to an area they call the “dome.” The dome is a large tent structure with canvas walls. The camp has issued time constraints and volume levels to the bands that will play during the event.

Chief John Foster informed the issue of holding the events in the dome is the noise levels. Chief Foster and several council members receive complaints of the loud noise during the time of the events. The event application states 9:00 a.m. to 10:00 p.m., but the last event went until 11:15 p.m. Neighbors are naturally upset of the noise levels late at night and are unable to rest. The noise levels have actually rattled some windows in the area. Chief Foster would not recommend issuing another special events permit to the camp as they are unable to follow the conditions of the permit. The camp is leasing to other churches which books music bands for the events.

Nan Bowen asked what the capacity in the chapel is. Mr. Simpson stated 250 at full capacity, but the events will probably draw 350 participants.

Annie Sutton asked if the event had to start at 9:00 a.m. and Mr. Jon Estes, owner, stated no, but the services and music are planned throughout the day and night. Mr. Estes explained these should be the last two events the camp will hold in the dome. The camp is building a new chapel that should accommodate all of their needs for events and ten times more sound proof than the current facility. Chief Foster added the neighbors complain of the length of time and the level of the noise.

Jon Estes informed he had met with Chief Foster before the previous event and discussed the parameters of the permit which included amplified system use during the hours of 9:00 a.m. to 10:00 p.m. The camp did not keep to the conditions of the permit. The main problem is the bass used in the bands. The sound volume is to a degree that the music disturbs the neighbors and rattles their homes. Mr. Estes was very apologetic and camp members went and visited the neighbors to try and assure the bands would not play after 10:00 p.m.

SCOTT SIMPSON, WOODLANDS CAMP – SPECIAL EVENTS REQUEST – continued

Mayor Ash spoke with Bradley Greene and learned that Mr. Greene spoke to several neighbors who had complaints. The neighbors would like to see the hours of the events adjusted. Mr. Estes answered there are three issues for the camp to consider – one is to be a good neighbor, two is to operate within the law, and three, function as a camp and retreat center.

Edward Young asked if the camp could cut things off at 9:00 p.m. Mr. Estes stated the services end at 10:00 with music. The camp is dealing with a young group of people. The participants are there for forty hours and want to end each night with music. Grant Keene asked if the decibel of the music is essential to the services. Mr. Estes stated he has discussed with the band members to keep the bass down.

Edward Young, Nan Bowen, and Annie Sutton agreed the cutoff for amplified speakers should be at 9:00 p.m. Mr. Estes asked if the council would consider cutting off the bass at 9:00 p.m. and the music at 10:00 p.m. Chief Foster suggested the council permit one event only to allow his department an opportunity to determine if the camp will follow the guidelines.

On motion by Edward Young, seconded by Nan Bowen, in favor – Annie Sutton, and carried unanimously, the Mayor and Council voted to approve the special events permit for February 18 – February 21 with the additional condition – Bass accompanied music must end at 9:00 p.m. All other music must end at 10:00 p.m. If the camp holds the event is within the boundaries of the permit, Chief Foster is authorized to issue the second permit.

JON ESTES, WOODLANDS CAMP – WATER SYSTEM

Jon Estes, owner Woodlands Camp, came before the Mayor and Council to discuss the camp's intent for fire suppression services and the stop work order issued on the construction of the chapel. Mr. Estes informed the Fire Chief stated the fire line would have to be installed at 25% completion of the building.

Paul Norris, Cleveland Building Inspector, explained to him, Fire Chief Ricky Pruitt, and Woodlands employee Bret Baker met to discuss the requirement of a sprinkler system for the new chapel. The current water source is not adequate for the chapel. The group agreed the city would go ahead and issue a permit to construct the basement but would have to install the fire line when the building was at 25% completion. The city never received engineered plans nor did the camp begin construction. Mr. Norris issued a Stop Work Order on the construction of the chapel until the camp provided engineered plans of the tank, lines, and pumps. Mr. Baker told Mr. Norris the details were in the fire marshal plans, but Mr. Norris did not find that it was included. In the plans, submitted to the city, there is no reference to a new water system. Bret Baker stated he does not remember agreeing to have the line installed at the 25% completion of the building. This was rebuked by Paul Norris and Fire Chief Ricky Pruitt.

The plans submitted to the city are a profile of the water system and does not include specifications to fire suppression or potable water use. Mr. Norris spoke with Joe Savage, who submitted the plans, and found Mr. Savage is not capable of engineering a set of infrastructure plans. The city needs to see a set of engineered plans from start to end of the line.

Jon Estes asked if it was typical to have the water system in place at a percent completion of construction.

JON ESTES, WOODLANDS CAMP – WATER SYSTEM - continued

Paul Norris answered Fire Code Chapter 5-507 states the requirement of an approved water supply must be in place for buildings and portions of buildings. Chief Pruitt reminded the council the code was adopted in 2006.

Bret Baker admitted the plans submitted were generic and did not think the engineer was overseeing the design. Mr. Baker brought a full detail set to the council meeting.

Mr. Norris recommended the camp submit a full set of detailed engineered plans and if approved by Tom Guy, Water/Wastewater Supervisor, and the City, the Stop Work Order will be lifted until 80% of the building is complete. The Fire Marshal will determine 80% completion. The city does not want to be in a position in which the chapel is complete and the fire line is still not installed.

The city has an understanding the camp will only use the city's water system for fire suppression and not for potable. The camp will continue to use a well that is on site. Mr. Norris informed the camp is taking a big risk using a well as a potable water source when the well has not been tested or approved by EPD for use. The camp has installed a 6" fire line and a 3" potable line. When questioned why the 3" was installed, Mr. Baker stated in the case the well runs dry.

Mayor Ash asked if the camp has considered all its options between using the well or the city's water system. The well could be used for irrigation instead of potable. Mr. Estes feels the well is the camp's best option. Edward Young informed, if the well is approved by EPD, the camp will need to hire a certified technician to monitor and report.

On motion by Edward Young, seconded by Annie Sutton, in favor – Nan Bowen, and carried unanimously, the Mayor and Council approved to lift the Stop Work Order when the detailed engineered plans are approved by Tom Guy and the fire line must be installed at the 80% completion point of the chapel. The conditions will be written in an agreement for the camp members and the city sign.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Fire Chief Ricky Pruitt was unable to present the statistics for January.

The department manned the fire station for three days during the winter storm.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief John Foster did not have any new business to report.

GRANT KEENE – CITY ATTORNEY

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

NEW BUSINESS

1. The Mayor and City Council reviewed the draft “Streets, Sidewalks and Other Public Places” Ordinance to address Right-of-Way Utility Use. Grant Keene, City Attorney, noted several areas for changes to be made, such as “department” should be “city” and to add “including but not limited to...” References to roads should state right-of-way. Mr. Keene will forward his corrections to the city clerk and will present a final draft for final consideration and approval at the next city council meeting. On motion by Annie Sutton, seconded by Edward Young, in favor – Nan Bowen, and carried unanimously, the Mayor and Council approved the first reading and consideration of the “Streets, Sidewalks and Other Public Places” Ordinance to address Right-of-Way Utility Use. The new language will integrate with the existing ordinance.
2. On motion by Nan Bowen, seconded by Edward Young, in favor – Annie Sutton, and carried unanimously, the Mayor and Council approved the draft minutes of January 4, January 11, and January 26, 2016.
3. Mayor Ash informed the Council of the extension of the DOT LMIG program for safety projects. If the city chooses to participate, there is a 30% match on the expenditures. Nan Bowen asked if the funds could be used to install rumble strips near Bryant and Ridgewood streets on Old 75. The funds can be used for such projects. Chief Foster stated the city need to look at changing out all street signs to reflective signs and break away poles. City staff will create a safety project list and get pricing to submit to DOT. The price list and projects will be submitted to the Mayor and Council at the March 2016 City Council Meeting.
4. Public comments – Annie Sutton asked if the city allowed crematoriums. The city will refer to the zoning ordinance. Ms. Sutton also expressed her thanks to the road crews for keeping the city streets clear and safe during the past winter storm.

OLD BUSINESS

There was not any old business to report.

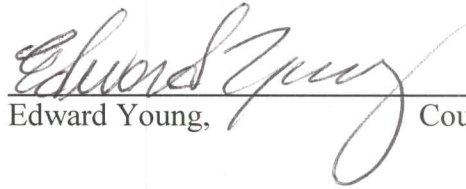
ADJOURNMENT

On motion by Nan Bowen, seconded by Edward Young, in favor – Annie Sutton, and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of February 1, 2016 at 8:42 p.m.

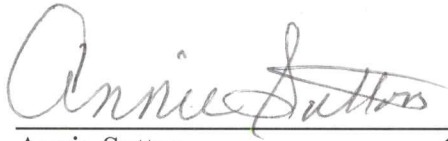
Signatures next page



Shan Ash a/k/a Roy Ash, III Mayor



Edward Young, Council Member



Annie Sutton, Council Member

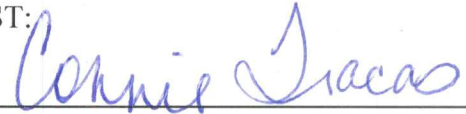


Nan Bowen, Council Member

(ABSENT)

Bradley Greene, Council Member

ATTEST:



Connie Tracas, City Clerk

