

**CITY OF CLEVELAND
CALLED COUNCIL MEETING
JUNE 18, 2018
MINUTES**

CALLED CITY COUNCIL MEETING

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

COUNCIL MEMBERS PRESENT: Annie Sutton, Kevin Stanley, and Bradley Greene. Nan Bowen was absent.

APPROVAL OF AGENDA

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Annie Sutton, and carried unanimously, the Mayor and Council voted to approve the agenda for the called meeting of June 18, 2018.

SPLOST 2020 INTERGOVERNMENTAL AGREEMENT – WHITE COUNTY, CLEVELAND, AND HELEN

Mayor Ash informed the purpose of the meeting is to review the SPLOST Intergovernmental Agreement between the White County Board of Commissioners and the cities of Cleveland and Helen.

Mr. Tom O'Bryant, city administrator, advised the Mayor and Council of changes that were made in the new 2020 SPLOST agreement in comparison to the 2014 SPLOST agreement. In the past, the county commissioners have given the cities an opportunity to review the "draft" agreement before the county voted to approve. With this agreement, the county commissioners did not allow the cities to review or comment before the approval of the county commissioners.

Mr. O'Bryant explained the most concerning difference is noted in section 9 part (D). The 2020 agreement reads: Section 9 Completion of Projects (D) The County and Municipalities agree that each approved SPLOST project associated with this agreement shall be completed or substantially completed within five years after the termination of the SPLOST. Any SPLOST proceeds held by a County or Municipality at the end of the five year period shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under O.C.G.A. § 48-8-121 (g)(2).

O.C.G.A. § 48-8-121 (g)(2) reads: Unless otherwise provided in this part or in an intergovernmental agreement entered into pursuant to this part, excess proceeds subject to this subsection shall be used solely for the purpose of reducing any indebtedness of the county within the special district other than indebtedness incurred pursuant to this part. If there is no such other indebtedness or, if the excess proceeds exceed the amount of any such other indebtedness, then the excess proceeds shall next be paid into the general fund of the county within the special district, it being the intent that any funds so paid into the general fund of the county be used for the purpose of reducing ad valorem taxes.

The 2014 SPLOST agreement Section 9 part (d): The County and Municipalities agree that each approved 2014 SPLOST project associated with this agreement shall be completed or commenced within five years after the termination of the 2014 SPLOST. Any 2014 SPLOST proceeds held by a County of Municipality at the end of the five-year period shall, for the purposes of this agreement, be deemed the sole property of the County or municipality holding said funds, but shall remain dedicated to the specific projects of said entity under the 2014 SPLOST.

**SPLOST 2020 INTERGOVERNMENTAL AGREEMENT – WHITE COUNTY, CLEVELAND,
AND HELEN - continued**

Provided however, it shall be the duty of the County to pay such municipality such funds as the County owes to said Municipality pursuant to the terms of the agreement.

Mr. O'Bryant explained the importance of having the language in Section 9 part D of the 2014 SPLOST agreement made part of the 2020 agreement. The city has projects that will need additional funding from other sources. Applying for additional funding may take time that would exceed the five-year deadline. Projects assigned are determined based on money on hand and not the projected SPLOST collections. This is crucial when developing the city's short term work plan for infrastructure improvements to have SPLOST funds available at the end of five years. The city's infrastructure needs continues to grow as well as the costs for these improvements.

Mr. O'Bryant recommends not adopting the 2020 SPLOST agreement, but to go back to the county and asked the language in Section 9 part (D) is changed to reflect the current agreement. Mr. O'Bryant will speak to the city officials of Helen of his findings.

Mayor Ash asked where the funds go if the SPLOST is in excess of 28 million. Mr. O'Bryant answered the county can use to reduce debt, which in turn must reduce the millage rate, or the county can choose to distribute as per the agreement.

On motion by Bradley Greene, seconded by Annie Sutton, in favor – Kevin Stanley and carried unanimously, the Mayor and Council voted to postpone the approval of the 2020 SPLOST agreement and allow time to approach the county commissioners with the change to section 9 part (D) of the agreement to read - The County and Municipalities agree that each approved 2020 SPLOST project associated with this agreement shall be completed or commenced within five years after the termination of the 2020 SPLOST. Any 2020 SPLOST proceeds held by a County of Municipality at the end of the five-year period shall, for the purposes of this agreement, be deemed the sole property of the County or municipality holding said funds, but shall remain dedicated to the specific projects of said entity under the 2020 SPLOST.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor Annie Sutton, and carried unanimously, the Mayor and Council voted to amend the motion to include a change to Section 14 to reflect the year 2020 of the SPLOST agreement.

Annie Sutton asked if Beth Truelove, White County Chamber, had comments. Ms. Truelove informed the chamber board and agri-fest members have met and are beginning the planning for agri-fest in September.

ADJOURN

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Annie Sutton, and carried unanimously, the Mayor and Council voted to adjourn the Called City Council Meeting at 6:43 p.m.



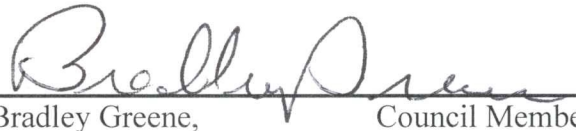
Shan Ash, Mayor



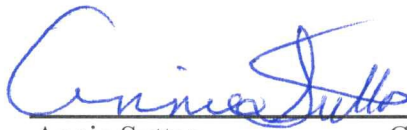
Kevin Stanley, Council Member

(ABSENT)

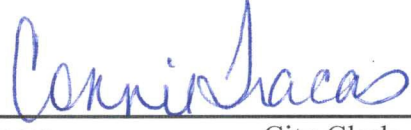
Nan Bowen, Council Member



Bradley Greene, Council Member



Annie Sutton, Council Member

ATTEST: 

Connie Tracas, City Clerk

