

**CITY OF CLEVELAND
CITY COUNCIL MEETING
OCTOBER 8, 2018
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 6:30 p.m.

COUNCIL MEMBERS PRESENT: Nan Bowen, Annie Sutton, Kevin Stanley and Bradley Greene. Finance Officer Beth Allen sat in for City Clerk Connie Tracas.

APPROVAL OF AGENDA

On motion by Kevin Stanley, seconded by Nan Bowen, in favor – Annie Sutton and Bradley Greene, and carried unanimously, the Mayor and Council voted to approve the agenda of the October 8, 2018 City Council Meeting.

JERRY FREEMAN – VARIANCE REQUEST FOR BUILDING LOT WIDTH AND SIDE YARD SETBACKS

Tom O'Bryant presented a narrative requesting a variance for building lot widths and side yard setbacks from Jerry Freeman, Jerry Freeman & Kemp Properties. The proposal read as follows:

This is a letter of notification requesting variances to lot 1 of the property we have subdivided between E. Kytle St and E. Underwood St. The problem we have is that there is not enough room to build a house without it being too close to E. Kytle St based on the current setbacks. We are requesting the city council to grant the following variances:

- Reduce the front property line by 5' on Lots 2 & 3 from 95' to 90'. That 10' will be given to Lot 1.
- Reduce the building setback on the western side of Lot 1 from 15' to 10'. This will give Lot 1 an extra 15' to move the home site away from E. Kytle t.

We appreciate the consideration of these requests in order to make the homes on these streets more aesthetically pleasing to the neighborhood. We have already donated land at the rear of the lot to make improvements to E Kytle St and donated land across the front of the property for a sidewalk in addition to setting aside green space to ensure the protection of an old oak tree. These concessions did limit us on some of flexibility on the lot lines.

Annie Sutton asked if they would be saving many of the trees on the property. Mr. Freeman responded that they would save trees along East Kytle Street to serve as a visual and sound buffer for the homes. He said they would try to save as many as possible along E. Underwood. He said they had plan to save the large magnolia on lot 1, but the utility company came and cut it down because it is in their easement and was under the power line. Mr. O'Bryant also noted that the developer would be using shared driveways which would reduce the number of accesses on Underwood Street from seven to four driveways.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Annie Sutton, and carried unanimously, the Mayor and Council voted to approve the variance requests as presented.

BRIAN RINDT – CITY ENGINEER

Brian Rindt, City Engineer, presented a Georgia Department of Transportation Standard Utility Agreement Contract Item Agreement for the utility move of phase III of the bypass.

On motion by Annie Sutton, seconded by Nan Bowen, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the Mayor and Council voted to approve the agreement and authorized Mayor Ash to sign. GDOT will replace page three to remove number 12 of the reference to O.C.G.A. Sec. 50-5-85.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief John Foster, Police Department, did not have new business to report.

GRANT KEENE – CITY ATTORNEY

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

TOM O'BRYANT – CITY ADMINISTRATOR

1. Water/Sewer Adjustment Policy

- a. Staff presented concerns and problems with the 1996 water adjustment policy to council at the 10-1-18 council meeting.
- b. At issue is the excessive loss water and sewer revenue. (more than \$30,000 in the last three years)
- c. After studying the issue staff has found that there is a lack of maintenance by property owners, in particularly apartment complexes. Instead of the property owner maintaining the property and/or assisting the tenant with a large utility bill, they literally tell the tenant they will wait to see what the city will take off the bill before they do anything. This is due to a policy adopted in 1996 (minutes of February 12, 1996) which allows the following:
 - i. Loss must exceed 150% of the average of the past 3 months readings
 - ii. The adjustment will be 50% of the average of the past 3 months readings
 - iii. The sewerage charges related to the excess will be deleted if it can be shown that the lost water did not enter the sewer. If the lost water did enter the sewer the excess will be reduced by 50%
 - iv. No user can claim more than one such bill reduction in any 12-month period.
- d. There is not another utility company that gives adjustments due to the fault of the utility customer. The city is "eating" the cost by the poor maintenance practices of property owners. This will eventually cause the city to look at increasing water/sewer rates. (See attached costs related to adjustments.)
- e. City Council requested staff revised the proposed policy update to include the following:
 - i. Adjustment requests can only be made for breaks in the service line on the property, not any leaks within the building.
 - ii. The loss must exceed 200% of the average 3 month readings.
 - iii. Proof of repair must be presented at the time of the request.

- iv. The adjustment will be 20% of the average 3 months readings.
- v. Must show definitive proof the water loss did not go into the sewer system to receive a full adjustment for sewer charges. If water loss went into the sewer system and exceeds 200% average, the adjustment will be 20%.
- vi. Sewer adjustments will be made for those filling pools. Water adjustments will not be made for filling pools.
- vii. No user can claim more than one such utility bill reduction in any 24 month period.
- viii. Penalties do not qualify for an adjustment.
- ix. Leaks, caused by city equipment, will receive a full adjustment.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Annie Sutton, and carried unanimously, the Mayor and Council voted to approve the amendment to the Utility Standard Operating Policy addressing utility adjustments.

2. SPLOST Update

- a. The SPLOST 2020 referendum will be part of the November 6, 2018 general election.
- b. The White County Chamber of Commerce voted to support the continuation of the SPLOST and has developed a campaign program promoting the advantages of the SPLOST and advocating a yes vote to continue the SPLOST for another six years. The campaign includes newspaper, radio and social media promotions.
- c. Residents of Cleveland and White County are fortunate in that the majority of the sales tax is generated by visitors and tourist to the Cleveland, Helen and White County.
- d. This means that visitors help pay for the placement and maintenance of important capital costs items like water and sewer infrastructure, roads, parks and other public facilities.
- e. The SPLOST helps to keep property taxes low and relieves the costs burden of capital improvement from the local community.

3. Directional Signs

- a. Phase I and Phase II of the bypass are completed. GDOT installed directional signs to various cities but did not include directional signs to Cleveland.
- b. Nadine Wardenga, as well as other merchants on the square, informed the city of the need for directional signs to Cleveland. Ms. Wardenga also headed the charge to have the signs include Cleveland by contacting State Representative Terry Rogers. Rep. Rogers is assisting with having this corrected.
- c. The city is also applying for several wayfinding signs to direct visitors to the downtown area.
- d. Staff will move forward with the application by sending a letter, signed by Mayor Ash, to GDOT.

NEW BUSINESS


- 1. Public comments – no public comments

OLD BUSINESS

- 1. The minutes of September 2018 were signed.

ADJOURNMENT

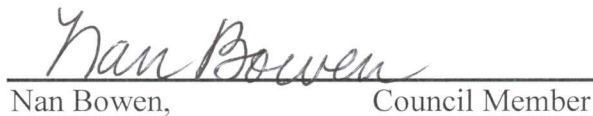
On motion by Kevin Stanley, seconded by Annie Sutton, in favor – Nan Bowen and Bradley Greene and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of October 8, 2018 at 6:55 p.m.



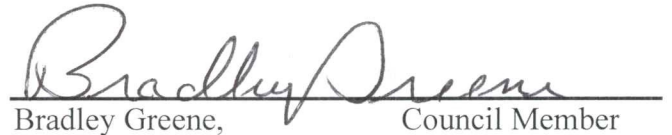
Shan Ash, Mayor



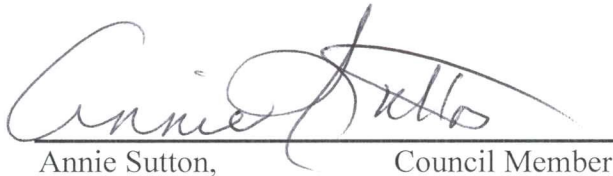
Kevin Stanley, Council Member



Nan Bowen, Council Member



Bradley Greene, Council Member



Annie Sutton, Council Member

ATTEST: 

Connie Tracas, City Clerk

