

**CITY OF CLEVELAND**  
**CITY COUNCIL MEETING**  
**MARCH 11, 2019**  
**MINUTES**

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**CITY COUNCIL MEETING**

The City Council Meeting of the City of Cleveland was called to order by Mayor Pro Tem Bradley Greene at 6:30 p.m. Mayor Shan Ash was absent.

**COUNCIL MEMBERS PRESENT:** Nan Bowen and Kevin Stanley

**APPROVAL OF AGENDA**

On motion by Nan Bowen, seconded by Kevin Stanley and carried unanimously, the Mayor Pro Tem and Council voted to approve the March 11, 2019 City Council Meeting agenda.

**AMENDMENT TO CHAPTER FOUR ALCOHOL ORDINANCE 2019-03 – BRUNCH BILL**

In 2018 the State Legislature passed the Brunch Bill, which allows for a local government to hold a referendum on the extension (or moving up) of the hours of Sunday sales of malt beverages, wine and distilled spirits for consumption on the premises. The City is required to hold three public hearings before submitting the question to the state for inclusion on the ballot.

Mayor Pro Tem Bradley Greene asked if there was anyone present to make comments on the amendment to the alcohol ordinance. No one present made comments to the amendment to the ordinance.

On motion by Kevin Stanley, seconded by Nan Bowen, and carried unanimously, the Mayor Pro Tem and Council voted to approve the second consideration of the amendment to Chapter Four Alcohol Ordinance 2019-03 – Brunch Bill to allow the question to extend hours for Sunday consumption be brought to the voters through referendum.

**BRIAN RINDT – CITY ENGINEER**

1. Georgia Department of Transportation has a reported a conflict with the location of Georgia Power poles on phase three of the bypass. GDOT contends the poles are located in the wrong area and GA Power, with the proof of plans, has challenged the findings. GDOT is requiring GA Power to move the poles and has asked the City to make sure the pole move will not interfere with the location of the water lines. GA Power informed they will only be able to move the poles during the “low power” time of year (spring or fall). The project may be let in June but not actually begin until later in the fall.
2. Mr. Rindt gave his opinion on the wastewater draft permit. He opposes the percent listed for BOD’s and removal, the listing of limitations of concentration limits as well as mass limits, and he objects to the phosphorus limits from 4 to .5. This is a big difference and will require a filtration system at the back of the pond. Mr. Rindt offered to write a letter to EPD, but was told city admin will need to follow up with the water/wastewater supervisor Andrea Smith. Ms. Smith will oversee the improvements to meet the permit requirements.
3. Mr. Rindt submitted a preliminary plan to replace the eight-inch water line to a twelve-inch water line from the Warrior Tank to Hulsey Road to NOK. Mr. O’Bryant informed he has been waiting for Mr. Rindt to submit the plans so he may meet with GDOT Bridge Department. The supports for the existing eight-inch line are aging and needs to be replaced. This justifies the need to replace the supports and upgrade the line.

**CHIEF JOHN FOSTER – POLICE DEPARTMENT**

Chief John Foster, Police Department, discussed the recent pedestrian fatality that occurred Monday, March 4, 2019 at the intersection of Hwy 129 North and Allison Drive. The department requested the assistance of GA State Patrol to work the scene. Chief Foster has been investigating actions of the victim during the time leading up to her death. Chief Foster stated the young lady had a mental condition. Chief Foster has interviewed nine people and has found no foul play but is a coincidental accident. Chief Foster suggested more lighting is needed in the area. Typically, there is plenty of lighting at the convenience store, but lights are off after the store closes for the night.

**GRANT KEENE – CITY ATTORNEY**

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

**TOM O'BRYANT – CITY ADMINISTRATOR**

**1. Blue Creek Tank and Tank Maintenance Program**

- a. The City has recently brought a third water tank on-line, renovated the Warrior Tank and has had the Blue Creek tank inspected and disinfected. The contract for the work on the Blue Creek tank was awarded to American Tank Maintenance. Council was provided a report of their findings.
- b. The inspection on the Blue Creek tank indicates a number of repairs and updates are needed. The proposed cost for the repairs is \$99,317. These repairs would be funded by 2014 SPLOST funds allocated for water and sewer improvements.
- c. With three tanks in the water system it is recommended that the City have a water tank maintenance program. Staff has met with American Tank Maintenance to discuss such a program. American Tank Maintenance has provided 10-year proposal that would provide management and maintenance for all three tanks. ATM would be responsible for all inspections, maintenance and repairs during the time frame. City Council is provided the proposal and annual cost of the maintenance program. It is estimated that the program would save the city a cost of \$42, 718 over the 10-year period.
- d. Funding for the maintenance program would come through water fees collected for operations.
- e. City Council will need to vote to fund the Blue Creek tank repairs and vote to enter into a water tank maintenance program with American Tank Maintenance.

Mr. O'Bryant informed American Tank Maintenance provides maintenance to several water systems in the city's region including the White County Water Authority.

Mayor Pro Tem Bradley Greene stated the savings is significant by going with a long-term maintenance agreement.

On motion by Nan Bowen, seconded by Kevin Stanley, and carried unanimously, the Mayor Pro Tem and Council voted to approve the repairs to the Blue Creek Tank and to enter into an agreement with American Tank Maintenance for annual maintenance for the three tanks owned by the city.



**TOM O'BRYANT – CITY ADMINISTRATOR – continued**

**2. Donation of Land along Underwood St for Sidewalk and East Kytle St for Future Intersection Improvements**

- a. Joe Kemp and Jerry Freeman have submitted a proposed plat to subdivide a 4.52 acre tract into seven lots for residential homes. The tract has frontage on Underwood Street and East Kytle Street. The proposed lots would access from Underwood Street.
- b. During plan review staff has negotiated the donation of land for community improvements. These include a 10 foot wide strip for the length of the property along Underwood Street that would widen the right-of way and allow room for a sidewalk. The developers are also donating a 12 foot wide strip along a portion of East Kytle Street that will be used for a future intersection improvement at Cemetery Street.
- c. City staff has also negotiated with the neighboring properties along Underwood Street for a 10 foot wide strip. These properties belong to Jerry Freeman and Cleveland United Methodist Church. This strip would continue a sidewalk for the length of the street to Freedom Park.
- d. The City has received LMIG funding from Georgia DOT in the amount of \$51,000 that will help fund the sidewalk project. Any remaining costs will come from SPLOST funds allocated for streets and sidewalks.
- e. City Council will need to vote to accept the proposed donation of land from the property owners along Underwood Street and Kytle Street.

Once all parties have signed the required documents, the Mayor and City Council can vote to accept delivery of the deeded properties.

**3. LMIG Safety Application**

- a. The City recently received funding from Georgia DOT from the LMIG program for local street and sidewalk improvements.
- b. GDOT has recently informed the City that they are also eligible for LMIG Safety funds in the amount of \$50,000. These funds have to be utilized for signing, striping and marking, and raised pavement markers. The city would have to provide a minimum 30% match to the project.
- c. The City has received these funds in the past for signage improvements.
- d. The City has a number of streets where the center line and roadside line marking have faded or worn off.
- e. City staff recommends applying for these funds for striping and marking improvements. City matching funds would come from SPLOST funds allocated for street and sidewalk improvements.
- f. City Council will need to vote to apply for the LMIG Safety Funds.

Chief Foster requested the funds be used to purchase barricades for parades. He stated his department needed 50 to 75 barricades. Mr. O'Bryant informed he was not sure if the funding could be used for that type of purchase, but would look for other methods of funding.

On motion by Kevin Stanley, seconded by Nan Bowen and carried unanimously, the Mayor Pro Tem and City Council voted to apply for funds through the GDOT LMIG Grant.

**TOM O'BRYANT – CITY ADMINISTRATOR – continued**

**4. Oak Springs School Exterior Improvements**

- a. The City awarded Ron Cantrell Construction, Inc the design build and construction management for Oak Springs and Talon.
- b. RCCI completed the design for Oak Springs and is bidding the project in two phases, exterior and interior improvements. RCCI has been working with staff and appointed city officials to finalize improvements.
- c. RCCI has advertised and solicited bids for the exterior improvements. The total bid amount for the exterior improvements is \$236,035.74
- d. Funding for these improvements will come from SPLOST IV funds allocated for community and cultural facility improvements.
- e. City Council will need to vote to fund and proceed with the exterior improvements of Oaks Springs School.

Due to the scope and expense of the project, Mayor Pro Tem and Council feels the full Council needs to be present to vote on the project. The Mayor and Council will have a called meeting next Monday, March 18, 2019. On motion by Kevin Stanley, seconded by Nan Bowen, and carried unanimously, the Mayor Pro Tem and Council voted to postpone the decision for the Oak Springs Improvement until March 18, 2019 at a called council meeting.

**NEW BUSINESS**

1. Public Comments – Mr. Gerald Herdliska, 273 Faulkner Street, came before the Mayor Pro Tem and Council to discuss traffic issues, including speeding, on Cemetery and Faulkner Streets. He has concern about the children and people that walk in the area. Chief Foster stated there is a traffic issue and the residential areas in the city need to be designated as “neighborhoods” to enforce speed limits. Chief Foster believes the city-wide speed limit for residential areas is 25 miles per hour. He suggested speed bumps would help at each stop sign but would be expensive. The city would need to conduct surveys of each street to determine if the street would qualify to run radar. The main issue would be length of street and site distance. Captain Aaron Weiland suggested enforcement and street improvements, such as speed bumps, on several streets may correct the traffic violations on adjoining streets. Chief Foster stated the city has too many “thru” streets and suggested Tom O’Bryant research into closing off several streets and push traffic to the state routes.  
Mayor Pro Tem Greene informed the city would take the suggestions under advisement.

**OLD BUSINESS**

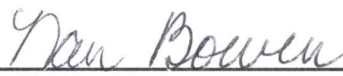
The minutes of February 2019 were signed.

**ADJOURNMENT**


On motion by Kevin Stanley, seconded by Nan Bowen, and carried unanimously, the Mayor Pro Tem and Council voted to adjourn the City Council Meeting of March 11, 2019 at 7:05 p.m.

**(ABSENT)**  
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Shan Ash, Mayor

  
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Kevin Stanley, Council Member

  
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Nan Bowen, Council Member

  
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Bradley Greene, Mayor Pro Tem

  
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**(ABSENT)**  
Annie Sutton, Council Member

ATTEST:   
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Connie Tracas, City Clerk

