

**CITY OF CLEVELAND
CITY COUNCIL MEETING
NOVEMBER 4, 2019
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.

APPROVAL OF AGENDA

On motion by Annie Sutton, seconded by Bradley Greene, in favor – Nan Bowen and Kevin Stanley, and carried unanimously, the City Council approved the agenda for the November 4, 2019 City Council meeting.

**2019-11 RECERTIFICATION OF CITY OF ETHICS WITH AMENDMENT –
1ST CONSIDERATION**

The Mayor and City Council reviewed the Ethics ordinance with the proposed amendment. Tom O'Bryant gave a brief history of the development of the ordinance and explained the amendment.

Re-Certification for City of Ethics

- a. In 2007 city officials desired to become a Certified City of Ethics under the GMA City of Ethics program
- b. City officials adopted an ethics ordinance and signed on to subscribe to the ethics principles approved by the GMA Board of Directors. City officials, by resolution, pledged to follow and conduct themselves as a group and as individuals to:
 - **Serve Others, Not Ourselves**
 - **Use Resources with Efficiency and Economy**
 - **Treat All People Fairly**
 - **Use the Power of Our Position for the Well Being of All Our Constituents**
 - **Create An Environment of Honesty, Openness and Integrity**
- c. The program requires re-certification every five years. The City of Cleveland's re-certification is due November 30, 2019.
- d. To remain certified the city must submit to GMA for review and approval;
 - **A letter of request from city officials for approval to re-certify and identifying all revisions to the city's Ethics Ordinance.**
 - **A new resolution re-adopting the five ethics principles.**
- e. Proposed amendment to the ordinance includes adding to Section 2-585:

Sec. 2-585. - Penalty.

Any person violating any provision of this article is subject to one of the following or a combination thereof:

- (1) Written notification and warning by a majority of the mayor and city council;
 - (2) The requirement to attend and successfully complete ethics training and classes;
 - (3) Public reprimand or censure by the city council;
 - (4) A fine up to \$600.00;
 - (5) Request for resignation by the city council.
- f. City Council will need to vote to re-adopt the resolution of the five ethics principles and the city's ethics ordinance with proposed amendments in Section 2-585 – City Code; Chapter 2, Article VIII and submit the ordinance and resolution to GMA for re-certification as a Certified City of Ethics.

2019-11 RECERTIFICATION OF CITY OF ETHICS WITH AMENDMENT –

1ST CONSIDERATION – continued

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council approved the first consideration of 2019 Recertification of City of Ethics Ordinance with amendment to Section 2-585 Penalty.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Chief Ricky Pruitt, Fire Department, submitted the statistics for October 2019. The department responded to 84 calls, 34 within the city limits, 50 outside the city with 13 of the calls being outside the automatic aid area.

The department's three pumper trucks have recently been inspected and all three trucks have passed for service.

Chief Pruitt is researching grant opportunities for a new ladder truck.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief John Foster, Police Department, submitted a class request for Officer Ken Ridley to recertify as a taser instructor. The class fee is \$495.00.

On motion by Nan Bowen, seconded by Annie Sutton, in favor Kevin Stanley and Bradley Greene, and carried unanimously, the City Council approved the class request for Officer Ken Ridley for taser recertification in the amount of \$495.00.

GRANT KEENE – CITY ATTORNEY

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

TOM O'BRYANT – CITY ADMINISTRATOR

Mr. Tom O'Bryant, City Administrator submitted the following for consideration:

1. Turner Creek Water Treatment Plant Audit

- a. The White County Water Authority has sent the FY2019 audit findings for the Turner Creek Water Treatment Plant.
- b. According to the "Wheelage Agreements" put in place, at the beginning of each fiscal year the water treatment plant adopts a projected wholesale price of water for the sale of water to the City of Cleveland and the White County Water Authority. At the end of the fiscal year and annual audit a finding is established and determines any adjustments for the costs of production and wholesale price of water.
- c. This year the FY2019 audit finding reflects an increase of the wholesale rate due to increase operating expenses.
- d. The Turner Creek Water Treatment plant is due an additional \$8,291 from the City of Cleveland for the wholesale costs of water. (The WCWA is owes \$22,918 to TCWTP.)
- e. City water funds were deposited into the Tuner Creek general operating account. The Turner Creek plant has requested the City Council to vote to move the funds from operations to their capital projects account.

Turner Creek Water Treatment Plant Audit - continued

- f. **Note:** In addition to this adjustment, the city is also experiencing an increase in costs to produce and deliver water. Staff is currently conducting a review of costs and current water rates to ensure that the enterprise fund is operating efficiently.

It was questioned if the Turner Creek Treatment Plant had an actual operations shortfall in their budget if they are requesting the funds be transferred to capital reserves. It was also noted the city is paying 20% into the plants reserve fund for improvements. This expires in December.

Mayor Ash informed the plant has approximately \$600,000 in reserve. Mr. O'Bryant informed the amount was \$605,800 and the plant has plans to put a new well online and replace the filtering system at the plant.

Bradley Greene stated with the current costs of water, the city needs to look at its own revenue sources and projects. Mr. O'Bryant agreed the city has an aging water system and will need to add a well to the system. The city will need to look at water and wastewater rates.

Mayor Ash informed the city purchases 35% to 36% of the water produced at the Turner Creek Plant. The White County Water Authority board members voted to allow Turner Creek to move what they owed in operating costs to the capital reserve fund.

Bradley Greene asked the council receive additional information on how the amount due was determined and would also like to take a closer look at the agreement.

2. Grant of Underground Easement to Georgia Power for old Oaks Springs School Site

- a. The improvements for Oaks Springs School continue to take place. Currently the power for the construction is located on a temporary pole.
- b. Georgia Power has proposed connecting permanent power to the facility by connecting from the current overhead distribution line to a pole on site and then through an underground distribution line to the building. See exhibit A.
- c. City council will need to vote to grant the easement to Georgia Power and sign the easement agreement.

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to approve the easement for Georgia Power to the Oak Springs School site.

3. Purchase of Transport Van for Inmates

- a. The City currently has a contract with the Georgia Department of Corrections to provide a detention inmate detail for work needed around the city.
- b. Part of the city's responsibility in the agreement is to provide a transport van for the detail to and from the state detention center in Blairsville.

Purchase of Transport Van for Inmate - continued

- c. The City's current van (a 2004 model) broke down last month and the city shop has determined the required repairs for the vehicle are very expensive. Staff researched to find a good used vehicle, but could not find one in good shape. Staff contacted Jacky Jones Ford in Cleveland to seek a quote on a new vehicle to purchase off of state contract.
- d. Jacky Jones staff provided a bid price for a 15 passenger inmate van in the amount of \$36,675.
- e. SPLOST funds are available and have been designated for the purchase of this type of vehicle.
- f. City Council will need to approve the purchase of the inmate transport van in the amount of \$36,675 from Jacky Jones Ford.

Bradley Greene questioned if it was the city's responsibility to provide the transport van. Mr. O'Bryant answered yes in accordance with the agreement.

On motion by Bradley Greene, seconded by Annie Sutton, seconded by nan Bowen and Kevin Stanley, and carried unanimously, the City Council approved the purchase of the transport van from Jacky Jones Ford in the amount of \$36,675.00.

4. Approval of Fluoride Treatment

- a. Several months back, the city participated in a pilot-test to treat the city's water system with a fluoride tablet. This was conducted at the well on Cemetery Street and was monitored by EPD, Georgia Rural Water Association, the developer of the product, and our staff.
- b. The use of this product is, of course, lighter in that we do not have to dump heavy bags of fluoride in the system, but is also very affective.
- c. Andrea Smith has learned, from Georgia Rural Water Association, the city has been approved to run the new fluoride system. The city will also receive free supplies for the first year.

Mr. O'Bryant added this reduces the risks to the city employees. The current method of adding fluoride to the system requires adding powder which can be breathed in and potentially cause issues. All employees must take care when adding fluoride and wear masks and protective gear. This will be a big improvement to the city's water system and the welfare of the employees.

NEW BUSINESS

- 1. On motion by Bradley Greene, seconded by Annie Sutton, in favor – Nan Bowen and Kevin Stanley and carried unanimously, the City Council approved the class request for Pete Dorsey to attend Wastewater Class III training.
- 2. On motion by Annie Sutton, seconded by Nan Bowen, in favor Kevin Stanley and Bradley Greene, and carried unanimously, the City Council approved the class request for Tom O'Bryant to attend training for infrastructure funding.

NEW BUSINESS – continued

3. On motion by Nan Bowen, seconded by Annie Sutton, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the City Council approved the draft minutes of October 7 and October 14, 2019 as presented.
4. Public comments – Chief Foster informed Halloween events went well throughout the night. Chief Foster added this was the first Halloween he had not worked in twenty-two years.
Annie Sutton thanked Bill Huff and Terry Goodger for attending the meeting.
Bill Huff stated the addition of the potter's statue has increased the amount of visitors to the Historic Courthouse.

EXECUTIVE SESSION

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to enter into an executive session to discuss personnel issues at 7:01 p.m.

RETURN TO COUNCIL MEETING

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to return to the City Council Meeting at 7:17 p.m. Chief John Foster checked the perimeter of the building to see if there was any one, from the public, that needed or wanted to return to the city council meeting. No one was present. No further business was discussed.

ADJOURNMENT

On motion by Nan Bowen, seconded by Bradley Greene, in favor – Annie Sutton and Kevin Stanley, and carried unanimously, the City Council voted to adjourn the City Council Meeting of November 4, 2019 at 7:18 p.m.



Shan Ash,

Mayor



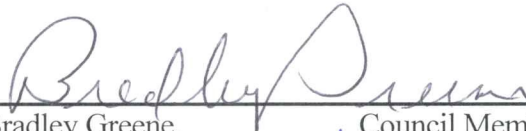
Kevin Stanley,

Council Member



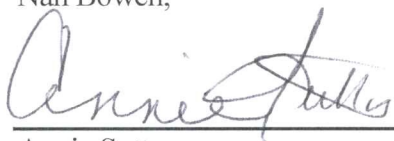
Nan Bowen,

Council Member



Bradley Greene,

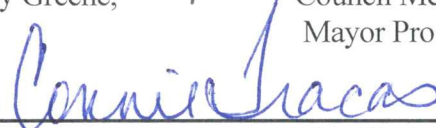
Council Member
Mayor Pro Tem



Annie Sutton,

Council Member

Attest:



Connie Tracas,

City Clerk

