

**CITY OF CLEVELAND  
CITY COUNCIL MEETING  
JANUARY 13, 2020  
MINUTES**

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**CITY COUNCIL MEETING**

The City Council Meeting of the Mayor and City Council was called to order by Mayor Pro Tem Annie Sutton at 6:30 p.m.

**COUNCIL MEMBERS PRESENT:** NAN Bowen, Kevin Stanley, and Bradley Greene

**APPROVAL OF AGENDA**

On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Bradley Greene, and carried unanimously, the Mayor Pro Tem and Council approved the agenda for the January 13, 2020 City Council Meeting.

**WAYNE TUCK – WALKER, PIERCE AND TUCK – 2018/2019 AUDIT**

Wayne Tuck, City Auditor of Walker, Pierce, and Tuck, came before the Mayor pro Tem and City Council to present the 2018/2019 Financial Audit.

Mr. Tuck expressed his appreciation for the city allowing his firm to conduct the audit. Mr. Tuck also informed Mr. Dan Walker, the city's former auditor, said hello to all the council.

Mr. Tuck thanked Tom O'Bryant, Connie Tracas and specifically Beth Allen, City Finance Officer, for all the work in assisting with the audit.

Mr. Tuck reviewed the following:

Page 1 Opinion Letter

Mr. Tuck informed he is able to issue an unqualified opinion of the financial activities of the city. The opinion is what a city wants in the review of financial records. The Council should expect and even demand of staff to follow financial policies and procedures. The council should not take the opinion for granted as it goes back to the daily work of city staff following policies and procedures by providing the appropriate documentation of all finances and transactions. The audit requirements and expectations from staff is growing every year as the public expects transparency.

Page 5 – Governmental Funds

The city has shown how to use limited resources for city projects and expenditures. The funds show consistency from year to year and Mr. Tuck encouraged the council to compare to past audits. The audit revealed the cash funding is down, but also liability.

Page 7 – Statement of Revenues

The audit shows an increase of \$300,000 from the prior year. Expenditures were up, but were budgeted.

Page 9 – Water/Sewer Proprietary Fund

The Water/Sewer fund is audited as a for-profit business. The audit includes long term debt and fixed assets. The fund is consistent. Liabilities decreased as the debt of various projects have been paid.

Page 10 – Water/Sewer Revenues

There has been an increase in operating expenditures. There is a depreciation expense of \$468,291, which is a flag for the city to look at user fees and operating expenses.

**WAYNE TUCK – WALKER, PIERCE AND TUCK – 2018/2019 AUDIT – continued**

Mr. Tuck encouraged the council to read the entire audit citing very useful information for the city. Mt. Tuck offered to meet with any of the council if they have any questions on the audit.

Mayor Pro Tem Sutton thanked Mr. Tuck for the presentation of the audit.

**MEG MBUGUA – FOR BRIAN RINDT – CITY ENGINEER**

Ms. Meg Mbugua, Rindt-McDuff and Associates, came before the Mayor Pro Tem and Council to present a preliminary plan for the upgrades to the wastewater treatment plant.

Ms. Mbugua informed the firm is still waiting for the waste load allocation to be approved by EPD. The waste load allocation is crucial to the design of the sewer plant. The new plant design is driven by the new requirements by EPD. The plant should be in operation by 2020 in accordance to the city's permit requirements. The goal is to award a bid for construction by the end of 2020.

Ms. Mbugua advised of the requirement to assess watershed areas. This is an annual requirement and could increase the budget by \$20,000 each year. The assessment is meant to test for various bacteria in the watershed system. A plant with increased capacity encourages new development which results in an increase in runoff. EPD wants to insure the watershed stays protected through annual monitoring.

Ms. Mbugua has been working with Tom O'Bryant and Andrea Smith, Water/Wastewater Supervisor. Ms. Mbugua noted how fortunate the city is to have Andrea on staff. Andrea Smith expressed her excitement of the new plant design and looks forward to working with Meg. Mayor Pro Tem Sutton stated it was beneficial going to visit the plant in Dahlonaga. It gave the council a good idea of how the proposed plant will operate.

Mayor Pro Tem Annie Sutton thanked Ms. Mbugua for her presentation.

**2020-02 – AMENDMENT TO PERSONNEL POLICIES AND PROCEDURES – 4.201  
PERSONAL LEAVE**

Mayor Pro Tem Sutton presented the amendment to the personnel policy in reference to personal leave. The current policy states employee accrual of personal leave, but does not give a clear breakdown of accrual as an employee years of service increases. The Mayor Pro Tem and Council held a first consideration at the January 6, 2020 City Council Meeting.

On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Bradley Greene, and carried unanimously, the Mayor Pro Tem and Council voted to approve the second consideration and adopt the amendment to the Personnel Policies and Procedures – 4.201 Personal Leave.

**2020-03 – AMENDMENT TO BUILDING AND CONSTRUCTION CODES**

Mayor Pro Tem Sutton explained the City follows state guidelines for building and construction codes as approved by the Department of Community Affairs. The new codes are typically adopted every two years.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen, and carried unanimously, the Mayor Pro Tem and Council voted to approve the second consideration and adopt the amendment to the Building and Construction Codes.

**CHIEF JOHN FOSTER – POLICE DEPARTMENT**

Chief John Foster, Police Department, informed the Mayor Pro Tem and Council he has forwarded the list of issues and concerns drafted by City Attorney Grant Keene to Red Speed. The staff at Red Speed will address the issues and Chief Foster will report in February.

Chief Foster asked the staff at Red Speed how many of the 38 Georgia agencies in the program have issues with the program. Red Speed answered none have issues with the program. Chief Foster asked how many agencies showed as much concern over the contract as Cleveland has, and they answered no one.

Mayor Pro Tem Sutton stated she read Mr. Keene's concerns and issues and will find it interesting how Red Speed responds.

Chief Foster stated he had an issue for executive session concerning personnel issues.

**GRANT KEENE – CITY ATTORNEY**

Grant Keene, City Attorney, did not have new business to discuss but remarked that his intent was not to discourage the council on the Red Speed program, but to provide information for the council to decide.

**TOM O'BRYANT – CITY ADMINISTRATOR**

Mr. O'Bryant presented a class request to attend the Georgia Association of Zoning Administrators (GAZA) conference in LaGrange. Fees - \$335.00 for the class and \$236.00 for lodging.

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley, and carried unanimously, the Mayor Pro Tem and Council voted to approve the class request for Tom O'Bryant to attend the GAZA conference.

**NEW BUSINESS**

1. On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Bradley Greene, and carried unanimously, the Mayor Pro Tem and Council voted to approve the class request for Judge Garrison Baker to attend Municipal Judge training in Athens. Class fee \$325.00
2. Public Comments – Mayor Pro Tem Sutton thanked all in attendance, Judy Lovell, Josh Turner, Meg Mbugua, and Wayne Tuck. Ms. Sutton also asked Mr. Tuck to tell Dan Walker we miss him.  
Chief Foster added a note about Red Speed. Red Speed fines do not add points to license or affect insurance. Fines issued are considered civil fines.



**OLD BUSINESS**

1. The minutes of December 2, 9, and 30, 2020 were signed.

**EXECUTIVE SESSION**

On motion by Kevin Stanley, seconded by Nan Bowen, in favor – Bradley Greene, and carried unanimously, the Mayor Pro tem and Council voted to enter into an executive session to discuss personnel issues at 6:59 p.m. At the request of Chief Foster, Council member Kevin Stanley asked Tom O'Bryant, Connie Tracas, and Grant Keene to leave the meeting.

**RETURN TO COUNCIL MEETING**

On motion by Kevin Stanley, seconded by Bradley Greene, in favor – Nan Bowen and carried unanimously, Mayor Pro Tem and Council voted to return to the City Council Meeting at 8:05 p.m. Chief 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 Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and carried unanimously, Mayor Pro Tem Annie Sutton and Council voted to adjourn the City Council Meeting of January 13, 2020 at 8:06 p.m.

Office Vacant/open Seat

Mayor

Kevin Stanley,

Council Member

Nan Bowen,

Council Member

Bradley Greene,

Council Member

Annie Sutton,

Council Member  
Mayor Pro Tem

Connie Tracas,

City Clerk

ATTEST:

