

**CITY OF CLEVELAND
CITY COUNCIL MEETING
SEPTEMBER 14, 2020
MINUTES**

CITY COUNCIL MEETING

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

COUNCIL MEMBERS PRESENT: Nan Bowen, Rebecca Yardley, Kevin Stanley, and Bradley Greene.

APPROVAL OF AGENDA

On motion by Rebecca Yardley, seconded by Nan Bowen, in favor - Kevin Stanley and Bradley Greene, and carried unanimously, the Mayor and Council voted to approve the agenda for the September 14, 2020 City Council Meeting.

STEPHEN MARTIN – REQUEST TO RENT CITY UNIT ON THE SQUARE AND REQUEST A VARIANCE FOR THE USE OF A UNDER THE COUNTER GREASE TRAP FOR A COFFEE BUSINESS

Stephen Martin, Farmhouse Coffee, came before the Mayor and Council to request approval to rent the city-owned unit on the square and a request to install an under the counter grease trap for a proposed coffee business.

Mr. Martin explained he has been working with the health department and with Tom O'Bryant on the requirements of opening a coffee shop on the square. Mr. Martin and his family has been here for seven years and feels there is a community need for a coffee shop. He stated the quality of other coffee shops are not up to standard and he can offer something better. He plans to offer coffee, espresso, cappuccino, and pre-packaged food. Due to the size of the unit, Mr. Martin will only offer take-out and curbside service. Mr. Martin stated the health department is requiring a grease trap and there is not an area to bury a traditional grease trap.

Rebecca Yardley commended Mr. Martin on his proposal. Tom O'Bryant explained the unit has been vacant since the first of the year. Lynn Stovall had planned to rent for retail use, but due to the pandemic felt it would not be in her best interest.

Bradley Greene asked if all the improvements would be made by the tenant. Mr. O'Bryant answered yes. Mr. Greene added the city has not had problems with others that were given a variance for under-the-counter grease traps. The council was informed grease traps, of any kind, are put on schedule for inspection.

Mr. Martin feels he has completed his due diligence and has no concerns of renting the building. Nan Bowen stated the business would benefit the space.

Annie Sutton asked if there would be a bathroom. Mr. Martin explained the bathroom cannot be made ADA accessible and would only be for employee use.

STEPHEN MARTIN – REQUEST TO RENT CITY UNIT ON THE SQUARE AND REQUEST A VARIANCE FOR THE USE OF A UNDER THE COUNTER GREASE TRAP FOR A COFFEE BUSINESS - continued

On motion by Nan Bowen, seconded by Rebecca Yardley, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the Mayor and Council approved the rental of the city building on the square (3 Courthouse Square) to Mr. Stephen Martin and approved the installation of a under-the-counter grease trap for a coffee business.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Chief Ricky Pruitt, Fire Department, submitted the department statistics for August 2020. The department responded to 90 calls – 42 inside the city, 48 outside the city with 11 of those calls being outside the automatic aid area. The White County Fire Department responded 3 times in the city limits.

Chief Pruitt will schedule extra fireman on duty for the upcoming weather event. The area is expected to receive four to six inches of rain between Wednesday and Friday due to Hurricane Sally.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Chief John Foster, Police Department, submitted a class request for all of his officers to attend Less Lethal Shotgun training. The class is free. The class portion of the class will be held at the Cleveland Police Department and the drill portion of the class will be held at the White County Sheriff's shooting range. Officers will be trained on the proper deployment of impact munitions in 12ga shotgun designated for less lethal force options. The classes will be held September 15 and 17, 2020.

Chief Foster submitted the monthly statistics for August 2020. Chief Foster is working with SSI to improve the information that is provided in the reports. There are a few glitches and errors that need to be corrected. Chief Foster admitted some errors were officer entry errors, such as total miles driven, miscellaneous incident reports. Chief Foster is also working to submit reports that shows all of the officer's activities, not just 911 calls or filing reports. He would like the reports to reflect when an officer checks a store door, removes a dead animal, public assist, etc.

Chief Foster informed the average time to arrive is incorrectly logged as two-minutes as well as the average time in service. He is working on getting the statistic corrected. The department has conducted more than two field interviews and Chief Foster will get with officers on how an activity is logged in the system.

The department reported seven felony arrests and eighteen misdemeanor arrests. Also, the department issued sixty-two citations and one hundred twenty eight warnings. Chief Foster is encouraged of the ratio of citations to warnings.

The department logged 689 activities with 242 calls for service from the 911 center.

CHIEF JOHN FOSTER – POLICE DEPARTMENT – continued

SSI is meeting with Chief Foster to go over the reporting issues and to make corrections to the system.

Chief Foster informed the department recently made an arrest of five people at the same location. Due to the lack of cages in all of the police cars, the officer's had issues transporting to the jail. Chief Foster is in the process of having cages installed in all the cars. While the cages are being installed, Chief Foster asked permission to use the inmate van for transporting. The inmate van is typically used for the inmate detail from the prison. Due to the hysteria of the pandemic, the detail has not been working in the city. The van is currently being unused and at the city shop.

The council approved the use of the inmate van until the inmate detail can return.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Rebecca Yardley, and carried unanimously, the Mayor and Council approved the class request for the officers to attend Less Lethal Shotgun training. There is no fee for the class.

**2020-25 RESOLUTION – ACCEPTANCE AND EXECUTION OF GEFA LOAN DOCUMENTS
CW2020024 WASTEWATER TREATMENT PLANT UPGRADE - \$12,656,000**

Execution of loan approved by the Georgia Environmental Finance Authority (GEFA)

- a. The City is upgrading the wastewater treatment plant to meet new environmental standards as required by the renewed Georgia EPD NPDES permit. In addition to meeting environmental standards the city is designing a waste water facility that will accommodate future growth over the next twenty years.
- b. The City engineer, Rindt McDuff & Associates, is designing a facility, which is estimated to cost approximately \$12.656 million. The City Council approved to apply to the Georgia Environmental Finance Authority for a loan from the Clean Water State Revolving Fund for the estimated cost of the project.
- c. The City received approval from the Georgia Environmental Finance Authority to provide financing for the project on August 25, 2020. The lending rate is 2.37% and the amortization period for the loan is 25 years. The loan is to be repaid from revenue collected from water and sewer fees and partially from SPLOST funds allocated for waste water projects.
- d. The GEFA board has approved the project, based on final project approvals from Georgia EPD, and forwarded the loan agreement documents for review and approval by the City Council.
- e. The agreement includes a resolution of the governing body to authorize an elected official and other city official to sign the promissory note and other documents related to the execution of the loan agreement.
- f. City Council will need to approve to move forward with the execution loan agreement and promissory note, and the adoption of the resolution authorizing the signing of all loan documents.

2020-25 RESOLUTION – ACCEPTANCE AND EXECUTION OF GEFA LOAN DOCUMENTS
CW2020024 WASTEWATER TREATMENT PLANT UPGRADE - \$12,656,000 - continued

Mr. O'Bryant added the city is waiting on the notice of no significant impact from EPD, but feels it will be issued soon since GEFA has submitted the loan documents.

The city has six-months to execute the documents. The loan amount would cover the upgrade to a 1.2 or 1.5 million gallons per day wastewater plant.

The city paid the last sewer plant loan in 2013 and the payment of that loan has continued to be put aside in anticipation of a large wastewater project.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Rebecca Yardley, and carried unanimously, the Mayor and Council approved to accept and execute the loan documents for the wastewater treatment plant GEFA CW2020024 loan through resolution 2020-25. Tom O'Bryant and Beth Allen are authorized to sign related documents.

On motion by Rebecca Yardley, seconded by Nan Bowen, in favor – Kevin Stanley and Bradley Greene, the Mayor and Council voted to open a banking account to accept funds and to pay loan for GEFA CW2020024 wastewater treatment plant project.

GRANT KEENE – CITY ATTORNEY

Grant Keene, City Attorney, informed he is working on a few items, but did not have anything new to report.

TOM O'BRYANT – CITY ADMINISTRATOR

Ron Cantrell Construction, Inc., proposal for Design Development and Engineering Documents for the City Municipal Complex

- a. RCCI is the design development firm City Council chose for the design build of the Talon property for a City Municipal Complex. RCCI has made presentations on the facility design. City council members and staff have been working closely with RCCI to finalize the conceptual design for the facility.
- b. The next steps include taking the design concepts and develop design documents and then engineered plans for construction of the facility.
- c. RCCI has provided pricing for the design documents and engineering. Design documents are \$58,850 and engineered plans would cost \$176,560 for a total of \$235,410.
- d. The design documents include: finalizing the construction program, the detail for plans, the interior and exterior building section elevations, and provide the finish schedules for all the facilities. Project Engineering will not begin until the city issues a Notice to Proceed. The engineering services will include: providing all Architectural Services, Mechanical, Electrical, Plumbing, Civil and Structural Engineering, Interior Design Services, and other Design Build Services necessary to complete Design Development

Ron Cantrell Construction, Inc., proposal for Design Development and Engineering Documents for the City Municipal Complex - continued

- documents; select building systems and materials to reflect the image and character of the client within budgetary constraints; establish critical path scheduling for all design and construction services; evaluate building systems and the owner's program to ensure that the design fits established budgets. Prepare preliminary hard estimates and conduct value engineering analysis upon completion of the engineered drawings and documents.
- e. The final steps in the proposal include: revising plans to reflect value engineering decisions; submitting plans and documents to local and state authorities for plan review and permitting; revise design develop documents and furnish construction documents after plan review is complete; establish guaranteed maximum price (GMP) upon completion of construction documents; and, upon receipt of written Notice to Proceed, RCCI will provide all construction services and construction administration.
 - f. The costs for these services is to be partially funded by SPLOST, and through lending sources.
 - g. City Council will need to approve the RCCI proposal for Design Development and Engineering Services for the City Hall Complex.

Rush Mauney asked if there is still an opportunity to make changes. Mr. O'Bryant answered yes, it is a design-build process. Mr. Mauney asked if the council feels the design presented is what they want to see in the building. Nan Bowen stated she, Mayor Turner, and Tom O'Bryant have been working on the design and feel comfortable with what is presented.

Mayor Turner expressed the need to have public comment on the design. Mr. O'Bryant informed the city has held a public meeting on the design and has received some comments. Mayor Turner stated he is not opposed to holding another public forum on the design.

Mayor Turner asked how the contract would be paid. Mr. O'Bryant answered by the engineering budget line item in the general fund and funds from SPLOST.

On motion by Nan Bowen, seconded by Rebecca Yardley, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the Mayor and Council voted to approve the agreement for Design Development and Engineering Services with RCCI for the City Hall Complex.

Rebecca Yardley recognized Annie Sutton and Nan Bowen for their work on the project.

Status Update of Current Projects

- a. City Council has awarded the contract to North Georgia Pipeline, Inc. Council will need to sign the contract. The preconstruction conference for the project was held on September 11, 2020. The company will soon be staging equipment and materials. They will have 120 days to complete the project.
The Mayor and City Council executed the contract for the project to proceed. The project was approved at a previous city council meeting.

TOM O'BRYANT – CITY ADMINISTRATOR - continued
Status Update of Current Projects – continued

Mayor Turner questioned all the leaks and line breaks caused by the GDOT contractor on the bypass. Mr. O'Bryant informed he is keeping a spread sheets of dates, labor, and material incurred by the city for repairing the lines. Mr. O'Bryant will invoice DOT for the damages.

- b. Submittals for CARES funding is complete. Currently, the city's application for the remaining portion of round one is under review and a decision is in progress. At the time the notes were written, the city was not informed if the second phase of Round 1 had been approved. Since then, the city has been notified the second phase has been approved for payment. There will be two more rounds available but the guidelines and requirements have not been made available.
- c. The replacement water line on Old Blairsville is complete and operational. This upgrade replaces a line that was over 60 years old and was experiencing breaks and interruption in water service to the area.
- d. The smoke test on the wastewater lines in the Campbell street area yielded some locations there is potential stormwater infiltration into sewer system. These locations were marked by staff and are scheduled for further analysis and potential repairs. The City will continue to schedule the smoke test on sections throughout the wastewater collection system. All test dates will be published and customers on the system will be notified as to when they will take place.

NEW BUSINESS

1. Agri-Fest is scheduled for September 26, 2020. The White County Chamber of Commerce is requesting street closures, police, fire, and sanitation services for the event. Street closures are Quillian Street at East Kytile to East Underwood and South Brooks Street from East Kytile to East Underwood.

Beth Truelove explained the event is set-up to comply with the guidelines of social distancing. Rebecca Yardley asked how many vendors and Ms. Truelove answered 25 and that all vendors will be located at Freedom park. Nan Bowen questioned the use of the north end courthouse parking lot. Ms. Truelove informed the lot would only be used for parking since they have decided not to have children's activities due to covid.

On motion by Bradley Greene, seconded by Rebecca Yardley, in favor – Nan Bowen and Kevin Stanley, and carried unanimously, the Mayor and Council voted to approve the street closures of Quillian Street at East Kytile to East Underwood and South Brooks Street from East Kytile to East Underwood and to provide police, fire, and sanitation services for the Agri-Fest event scheduled September 26, 2020.

2. On motion by Bradley Greene, seconded by Nan Bowen, in favor – Rebecca Yardley and Kevin Stanley and carried unanimously, the Mayor and Council voted to approve opening a banking account for SPLOST 5 funding. Payments should begin for the new SPLOST in November 2020.

NEW BUSINESS - continued

3. On motion by Nan Bowen, seconded by Bradley Greene, in favor – Rebecca Yardley and Kevin Stanley, the Mayor and Council approved the draft minutes of August 3, 10, and 17, 2020.
4. Public Comments – Annie Sutton asked the mayor and Council to look into the traffic situation at Zaxby's restaurant. There are many times where the drive-thru line is backed out into the highway and Ms. Sutton is afraid there is going to be a bad accident where someone is hurt or killed. Chief Foster informed Georgia Department of Transportation is responsible for the safety on state roads. Chief Foster added GDOT has submitted a safety plan for the area but has yet to implement the improvements. There is also an issue with those trying to turn left onto Campbell Street (going north) while others are trying to left at Burger King (going south).

Ms. Sutton informed she attended the services of former council member Edward Young and stated the service was very nice. Ms. Sutton expressed her appreciation for the work of Mr. Young throughout the years and that he always had the best interest of the city.

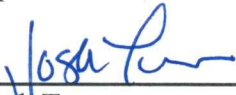
Beth Truelove thanked the Mayor and Council for their continue support to encourage business in the area.

OLD BUSINESS

There was no old business to discuss.

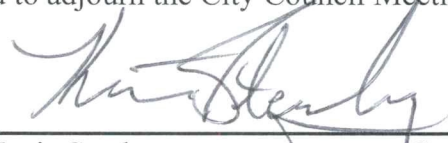
ADJOURNMENT

On motion by Nan Bowen, seconded by Bradley Greene, in favor – Rebecca Yardley and Kevin Stanley, and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of September 14, 2020 at 7:27 p.m.



Josh Turner,

Mayor



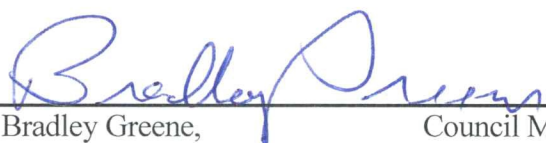
Kevin Stanley,

Council Member
Ward 3
Mayor Pro Tem



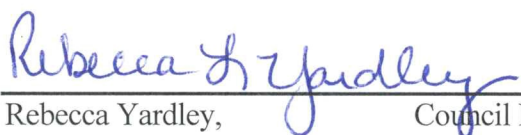
Nan Bowen,

Council Member
Ward 1



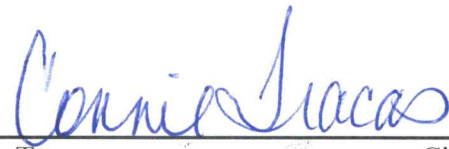
Bradley Greene,

Council Member
Ward 4



Rebecca Yardley,

Council Member
Ward 2

Attest: 

Connie Tracas,

City Clerk



