

CITY OF CLEVELAND
CITY COUNCIL MEETING
NOVEMBER 2, 2020
MINUTES

CITY COUNCIL MEETING

The City Council 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

Chief Foster requested the Council amend the agenda to include the review and discussion of the Chick-Fil-A Special Events Permit under item number 5 – Chief John Foster- on the agenda. On motion by Rebecca Yardley, seconded by Nan Bowen, the Mayor and City Council approved the November 2, 2020 agenda with the addition of the review and discussion of the Chick-Fil-A Special Events Permit under item number 5 – Chief John Foster.

GEORGIA HEALTHY FAMILY ALLIANCE – DANIEL THOMPSON

Daniel Thompson, Georgia Healthy Family Alliance, came before the Mayor and Council to discuss his organization and the fight against vaping and smoking.

The group's main focus is towards children in fourth and fifth grade. That age group is the most impressionable and can be taught the dangers of vaping and smoking. The program is called TAR WARS and is an evidence based program developed to teach elementary students about the dangerous health effects of tobacco and vape use. The group offers a presentation that can be in a one class setting. There is no cost to the school for the presentation. Mr. Thompson explained there is an increase in deaths caused by vaping and over a thousand deaths have been reported nationwide.

The alliance started its mission in Rome, GA and extended to several counties in the region. There are several counties that are "too big to tackle", so they are focusing on what can be handled within the current budget. The counties the group is focused on are Hall, Banks, Dawson, Jackson, White, Habersham, Barrow, and Lumpkin. Mr. Thompson had received word that Jackson EMC is planning to donate ten-thousand dollars to the campaign.

Mr. Thompson informed it has been discovered that some of the ingredients in the vaping solution includes substances, some illegal, such as formaldehyde, fentanyl, and strong doses of nicotine. In some cases there can be enough nicotine in one vape canister that equals a pack of cigarettes. There is a concern of children being separated from friends and attending events due to the pandemic. The main issue is kids are on social media more as they are isolated and the marketing groups target children for vaping products.

Mr. Thompson provided a level of sponsorships to keep the program going. The group is at 57% of the \$250,000 goal. Mayor Turner thanked Mr. Thompson and expressed the importance of their mission.

CHIEF JOHN FOSTER – POLICE DEPARTMENT

Before Chief Foster began, Mayor Turner and the Council thanked Chief Foster and his officers for all the hard work in the past week during the storm event.

Chief Foster had requested an amendment to the agenda to discuss the special events permit application submitted by Chick-Fil-A. After reviewing the application and the map for traffic flow and in light of the amount of problems for the last event, he refused to approve the event and is leaving it to the council decide. If the council approves the results of the event would be on them.

Chief Foster informed he has explained to Chris Liberatore, owner of Chick-Fil-A, he would need to obtain a permit from the Department of Transportation. Mr. Liberatore submitted a map showing the proposed traffic flow and the restriction of use of state route lanes on South Main Street. Chief Foster explained the chamber has always had to receive a DOT permit for the parades throughout the years. You must provide a map of the area affected, detour options, and an operations plan. Mr. Liberatore argued he is not closing streets like a parade and Chief Foster countered the event would impede the flow of traffic and affect lanes and DOT would require a permit. The last event caused a traffic nightmare and Chief Foster had to keep officers over hours to work to maintain traffic flow. The officers had to divert traffic to around the square to move back towards Chick-Fil-A for the promotional event.

The permit states approximately 75 cars every fifteen minutes. In Chief Foster's opinion, it is not possible to move that many cars in fifteen minutes. The last promotion was whatever the customer ordered, they would receive free at the next promotion. Customers were ordering more than usual to redeem at the later event. Chief Foster informed Mr. Liberatore has requested off duty officers to work the event, but Chief Foster said it would take 5 off duty officers to direct traffic through the streets as presented on the map provided by Mr. Liberatore. Chief Foster did not think the businesses along South Bell St would be happy about closing the road for traffic due to this all day event, particularly the owners of Ace Hardware. Chief Foster expressed his opinion that the dining room needs to be open to the public. Other restaurants in town have opened their dining areas with no problems. Chief Foster believes the dining is not open because it is cheaper for the business to operate by not having to staff indoors and not having to sanitize.

Mayor Turner asked how the new plan differed from the last event. Mr. Liberatore presented his plan for the event. He had submitted a traffic flow plan that would have a one-way in and a one-way out from CFA. He is asking West Underwood, South Bell Street, and McDonald Street is closed to incoming traffic and only be used for exiting traffic and the center lane of state route 129 be used to move traffic. He explained he plans to hold an event, of some kind, every month. He feels he has a better plan for the next event and admits everything was chaotic at 4:00 p.m. His crew knows what to expect and have planned accordingly but having more staff, including volunteers from other stores and employees spouses. He realizes the crew did not keep up with cooking orders which caused the excessive amount of vehicles beginning at 4:00 p.m.

CHIEF JOHN FOSTER – POLICE DEPARTMENT - continued

Mr. Liberatore plans to have signs made to show the flow of traffic. The traffic would go through the drive-thru or for curbside pick-up. There will be no deliveries made during the day of the event. Chief Foster expressed his concerns of the time change and officers being out at the event in the dark for five-hours. He requested cones and portable lighting for safety.

Chief Foster informed the city received numerous complaints from other businesses in the area of customers not being able to get to their business. Clipper, McDonald's, Zaxby's, and Subway all made complaints. Mr. Liberatore stated he can reach out to C.E.R.T. and the Sheriff's office for assistance.

Rebecca Yardley stated the permit application requires a DOT permit and asked if it had been filed. Mr. Liberatore answered no due to a misunderstanding of his conversation with Chief Foster. Mr. Liberatore did not feel his event was shutting down a road.

Ms. Yardley asked why should the city be compelled to step outside the ordinance when the application was not filed within the thirty-day time period. Mr. Liberatore answered he has been working with Chief Foster during this time.

Ms. Yardley asked if cones and signs can be borrowed from White County. Chief Foster answered the city can borrow from White Co. EMA and informed the city has not been able to purchase adequate cones, signs or lighting due to budget constraints.

Ms. Yardley questioned the proposed 2500 cars that would be coming through the business. Mr. Liberatore estimated a 10% increase in participation in the event.

Bradley Greene asked about closing South Bell Street. Chief Foster feels it would be important to close South Bell Street for traffic control.

Ms. Yardley asked if other businesses were contacted and Mr. Liberatore answered yes. Ms. Yardley feels it is more important to contact businesses to gather input on the impact this sort of event creates.

Mr. Greene stated he will not support the event if it requires cutting off traffic on South Bell Street. Chief Foster questioned is the event safe for the public and DOT needs to weigh in if the event will impede the flow of traffic.

Mayor Turner asked why the council was just receiving as the application was submitted October 15th. Chief Foster explained the permit is distributed to department heads to make assessments to what would need to be required for a safe event. Chief Foster reviewed and refuse to approve due to the impact on businesses, citizens, and public safety. The council has the option to override his decision.

Beth Truelove stated, in defense of the business, there is a workforce shortage as the unemployment rate is 2.6% in the county.

CHIEF JOHN FOSTER – POLICE DEPARTMENT – continued

Chief Foster expressed concerns about shortage in the workforce. Carl Dann, employee of Chick-Fil-A, informed they plan to borrow employees from other stores, working overtime, and some spouses of employees may work during the event.

Chief Foster reiterated the need to open the dining room. Mr. Liberatore explained corporate does not want the dining rooms opened and he employees a lot of students from Truett McConnell University and is worried about the spread of COVID. Chief Foster responded any interaction can spread COVID. Chief Foster stated his officers have been working since the pandemic began and have been put in all sorts of situations with public interaction and only one officer has tested positive, was out for ten days, and returned to work with no problems. Mr. Liberatore stated he's dealing with seventeen year olds and not professionals.

Ms. Yardley asked about designated parking for curbside pickup. Mr. Liberatore answered it was marked at the last event, but everything crashed at four. The CFA crew struggled with making food due to the volume of customers.

Chick-Fil-A corporate does not condone these sort of events, but Mr. Liberatore feels it brings the community together and is like a party atmosphere. He does not like promotions with strings attached, it discourages the customer.

Mayor Turner summed it up by stating a DOT will need to be applied for and submitted to the city. Nan Bowen noted the November 10th event date and stated there is no way this can be resolved before the date and suggested a postponement until December if all the permits were in place.

Ms. Yardley expressed her appreciation for what Chick-Fil-A is trying to do, but this is about public safety.

The Mayor and City Council took no action on the permit application submitted by Chick-Fil-A for the November 10, 2020 event.

TOM O'BRYANT – CITY ADMINISTRATOR

1. Status of North Georgia Hardwoods

- a. City fire and building officials worked with the staff from North Georgia Hardwoods to restore power to the back of the facility where the fire did not impact their operations and they can provide some product production.
- b. The company is currently meeting with their insurance and loss adjustment teams to determine their re-building requirements and schedule. It will take some time to re-build.
- c. The company is determining how many employees will stay at the site working, where they can distribute some employees to other company locations, and how best to assist those who may temporarily laid off with job placement and unemployment assistance services. The White County Chamber of Commerce is coordinating with Hardwoods and the Georgia Department of Labor for assistance services.

TOM O'BRYANT – CITY ADMINISTRATOR - continued

- d. The local community has been very supportive in providing/donating basic office equipment and materials to help keep their current of operation open.
- e. City staff is working with North Georgia Hardwoods to expedite their recovery efforts and re-building of their facilities.

2. Repairs to city water/sewer system from storm damage (from Hurricane Delta)

- a. The heavy rains and flooding from Hurricane Delta caused damage to the city water and sewer system.
- b. A large waterline on the south side of the system, located at Gateway Rehabilitation Center, was washed out and created a break that impacted the south side of the system. A boil water alert was required for the break. The repair was made and service restored. BacT test came back clear and the boil water alert was lifted the following day.
- c. A sanitary sewer system manhole was washed out at 1801 Highway 129 South (behind Anytime Fitness). The manhole only had one connection (Anytime Fitness). The business shut down their service and provide portable toilets for its customer.
- d. Public works had Appalachian Grading make the emergency repair. The company built the manhole back up and provided additional sub-surface support to keep it stable and prevent this type of damage to reoccur. The contractor also built support around the manhole to keep any initial water and wash away from the area. It held up very well in the most recent storm.

3. Palmour-Young Pavilion – naming and signage

- a. Both City Council members John Palmour and Ed Young were very devoted to making the park a great atmosphere for families to gather and relax and picnic.
- b. In early 1989 Darlene Broadway and Beth Chambers-Nelson came before the council requesting the council consider constructing a city park at the property owned by woodman of the World. The council agreed to the project and committed \$10, 000 to the project with the condition of a community match of donations or in-kind services. The council developed a parks and recreation board which consisted of Mrs. Dot Black, Mrs. Pam Dixon, Mr. Richard Crumley, Mr. Joe Brown, Mrs. Beth Chambers-Nelson, Mrs. Darlene Broadway, Dr. Don Robbins, Mr. John Palmour, and Mr. Edward Young. The community came together and held fund raisers, one being a production of “A Womanless Wedding” starring residents like Lanier Chambers, Bill White, Joe Campbell, Richard Kelly and others. The group also held a wheelchair basketball tournament in which the Cleveland Globberollers played the Georgia Stokers, a wheelchair team that played against the Atlanta Hawks and Falcons.
- c. Legacy bricks have been placed at the park to honor those that held a position on the park and rec board for Cleveland.
- d. Staff and council members have informally discussed how best to thank these two council members and memorialize their love and service to the citizens of Cleveland and the community at large.
- e. It is recommended to name the pavilion at City Park the Palmour-Young Pavilion. It is further recommended that a sign be installed on the pavilion with the name.

TOM O'BRYANT – CITY ADMINISTRATOR - continued

- f. Staff obtained a cost estimate for the sign from Owens Welding in the amount of \$3,475.00. It is recommended that the proposed sign be designed and purchased for the pavilion at City Park.

Mayor Turner asked if the pavilion had been named in the past, but learned it had not.

Ms. Yardley asked if this was the only quote, questioning the amount of money for the sign. Mr. O'Bryant informed it was the only quote. The city tries to purchase as much as possible from local businesses. Ms. Yardley is concerned about the repairs needed at the park. Mr. O'Bryant stated the city has plans to make the repairs and there is a budget item for repairs. There is a plan to get a cost from a contractor to dig out roots and old concrete so the city crews can apply new dirt and wood chips in the area. The goal was to wait until the request to reserve the pavilion slowed down, but right now there are parties scheduled in November.

Ms. Yardley asked for the dimensions of the sign, but they were not available.

Kevin Stanley stated this wasn't a quote for a stamped lettered sign, but would be a work of art.

On motion by Kevin Stanley, seconded by Bradley Greene, in favor – Nan Bowen and Rebecca Yardley, and carried unanimously, the Mayor and Council voted to approve naming the pavilion at Woodman City Park the Palmour-Young Pavilion.

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 purchase of the Palmour-Young Pavilion sign from Owens Welding in the amount of \$3475.00.

4. Reminder Street Clean-Up scheduled for November 13, 2020

- a. In October City Council recommended to have a street clean up day in November. It was set by city council for November 13, 2020. City Hall will be closed on this day and staff will work with public works to clean up streets and right of ways throughout the city.
- b. After the recent impacts of hurricane Zeta this day is more important than ever.

NEW BUSINESS

1. Mayor Turner asked for a motion to approve the minutes of October 5th and 13. He asked the minutes of October 21st be postpone until an item mentioning a subject discussed in executive session be removed.

On motion by Nan Bowen, seconded by Rebecca Yardley, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the minutes of October 5 and 13, 2020 were approved. The minutes of October 21, 2020 were postpone until corrections are made.

2. Public comments – there were no public comments

OLD BUSINESS

There was no old business to discuss

ADJOURNMENT

On motion by Rebecca Yardley, seconded by Nan Bowen, in favor – Kevin Stanley and Bradley Greene, and carried unanimously, the Mayor and Council adjourned the City Council Meeting of November 2, 2020 at 7:41 p.m.

Josh Turner
Josh Turner, Mayor

Kevin Stanley
Kevin Stanley, Council Member
Ward 3
Mayor Pro Tem

Nan Bowen
Nan Bowen, Council Member
Ward 1

Bradley Greene
Bradley Greene, Council Member
Ward 4

Rebecca Yardley
Rebecca Yardley, Council Member
Ward 2

Attest: Connie Tracas
Connie Tracas, City Clerk

