

CITY OF CLEVELAND
CITY COUNCIL MEETING
NOVEMBER 8, 2021
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

Mayor Turner read the request of Family Promise to be removed from the agenda so that they may prepare for the re-zoning hearing.

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 and to remove item number four –Rezoning requests – Family Promise- requesting a rezoning from B-II Highway Commercial Business to R-II Multi Family Residential – 403 W. Kytile Street – Tax Map and Parcel C01C-113 at the request through email, of Shaun Sosebee – Treasurer of Family Promise of White & Habersham.

2021-23 AMENDMENT TO ZONING ORDINANCE – SHORT-TERM RENTAL –

1ST CONSIDERATION

Mayor Turner asked Mr. Tom O'Bryant to present the proposed amendment to the Zoning Ordinance. Mr. O'Bryant informed the Planning and Zoning Board met November 4, 2021 to discuss the new zoning classification and use for Short-Term Rentals or vacation rentals. The amendment will allow for the proposed use in R-I residential districts.

- Section 64-121 R-I residential district – add (b) (7) Short-Term (or vacation) Rentals in accordance with the Short-Term Rental Ordinance and other city codes.

Mr. O'Bryant explained the zoning classification must be in place before the ordinance is enacted. Mr. O'Bryant informed there were no public comments nor did the Planning and Zoning Board add any additional comments or information. The members of the Planning and Zoning Board voted unanimously to approve the zoning classification.

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 first consideration of 2021-23 Amendment to Zoning Ordinance – Short Term Rental by adding Section 64-121 R-I residential district (b) (7) Short-Term (or vacation) Rentals in accordance with the Short-Term Rental Ordinance and other city codes.

CHIEF RICKY PRUITT – FIRE DEPARTMENT

Chief Ricky Pruitt, Fire Department, presented the department statistics for October 2021.

The department responded to 81 calls – 44 within the city and 37 were outside the city limits. 2 – fire related; 35 medical related, including vehicle accidents; 2 hazardous conditions with no fire; 15 – service calls; 23 good intent calls and 4 – fire alarms or false alarms

Mayor Turner thanked the department for their hard work and had received high praise from Scott Masters in how the crew handled an automobile accident. Chief Pruitt appreciate the compliment and added his department was first on scene.

Chief Pruitt informed his department responded to an overdose in the parking lot at city hall. The man was given two doses of norcan before he was able to be revived. Norcan is a drug to offset the effects of certain drugs.

CHIEF JEFF SHOEMAKER – POLICE DEPARTMENT

Chief Jeff Shoemaker, Police Department, was unable to attend. Major Aaron Weiland presented the department statistics for October 2021.

The department reported 2677 activities for October 2021 which include 538 public assist; 1220 premises checks; 26 field interviews; 71 incident reports; 27 accident reports; 114 investigative/supplemental reports; 361 administrative duties; 88 citations; 208 warnings; 24 warrants; and 0 juvenile reports.

Mayor Turner asked about the speed limit signs that records the speed of oncoming traffic. Major Weiland explained the signs only records speed and does not take pictures or send information to issue tickets. The signs are strictly for public awareness of the speed coming into town. The department has received good feedback from citizens and have received suggestions for problem traffic areas.

Nan Bowen added Truett McConnell University has asked for a speed reduction in the area. The speed signs can record data that can be used to present to GDOT for review of speed limits and school zones.

GRANT KEENE – CITY ATTORNEY

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

TOM O'BRYANT – CITY ADMINISTRATOR

Tom O'Bryant, City Administrator, presented the public works department statistics for October 2021. The statistics are activities outside of day-to-day job duties.

The department recorded 114 activities which include meter change outs, meter inspections, final read and lock meters, water leaks, etc.

The department dealt with two large leaks. One leak was located on the Truett campus and Truett maintenance is making repairs. The second leak was a two-inch line near the Hood/Campbell/Liberty/Helton road area. The leak required a boil water notice which has now been lifted as all test came back clear.

NEW BUSINESS

1. Beth Truelove, White County Chamber of Commerce, is requesting the city provide extra city services for the Christmas in the Mountains parade to be held December 4, 2021. The event will require the assistance of police, fire and sanitation services. Ms. Truelove informed the GDOT permit is contingent on a plan from local police and fire agencies of how roads will be blocked for traffic during the event. Major Weiland is working with Ms. Truelove on the plan. Ms. Truelove expressed her appreciation to all local agencies for their cooperation. On motion by Rebecca Yardley, seconded Bradley Greene, in favor Nan Bowen and Kevin Stanley, and carried unanimously, the Mayor and Council voted to approve to provide police, fire, and sanitation services at the Christmas in the Mountains Parade contingent on GDOT issuing a permit to use state routes.
2. Public comments – Mayor Turner took time to congratulate the 2nd grade, 4th grade, and 5th grade football teams that will be playing in the Super Bowl in Dawsonville on Saturday. Judy Lovell informed the Roy Head American Legion will hold a Veterans ceremony at Freedom Park November 11, 2021 at 11:11 a.m. Ms. Lovell explained the reason the American Legion is named after Roy Head. Roy Head was the first soldier in Georgia killed in World War I. There is also a bridge named after Mr. Head on Highway 129 North. Mayor Turner expressed his appreciation to all veterans and their service.

OLD BUSINESS

1. The Mayor and Council discussed the request of Vineyard RV park to provide sewer services outside the city limits. The city had issued a list of questions to be answered by the developer and Mr. Sudderth feels they have answered all questions of the council. Mayor Turner expanded on one question by asking if the developer would be willing to hire an independent engineer as Mr. Sudderth has been consulting with Brian Rindt who is the city's engineer. Mr. Sudderth answered it would not be a problem and had only contacted Mr. Rindt due to his association with the city.

OLD BUSINESS - continued

RV park continued – Mr. Kevin Stanley informed he spoke with Mr. Rindt at great length and found the original proposal, submitted to the county, included a waste disposal area. Mr. Stanley asked White County Commissioner Terry Goodger of the zoning requests and what was presented. Mr. Goodger informed the commissioners only voted on the zoning change and not how they developed the property.

Mr. Stanley expressed that the developer did not want to go through the process required by EPD which could take up to eighteen months. Mr. Stanley informed the city is in its own review from EPD for the sewer plant. To make changes due to a discharge increase or the type of discharge entering the system, could put the city back several months in the review process. Mr. Stanley learned the developer would have invested approximately \$300,000 on the septic system, but is now looking at least a two or three million dollars to build a lift station, pretreatment station and run the lines. There is a huge probability the group hits rock at or near the bypass and the cost to bore through rock is running \$2300 per linear foot. Mr. Sudderth stated that was something they would have to consider down the road. Mr. Stanley asked if there was any other down the road expansions. Mr. Sudderth answered no expansions planned. Mr. Sudderth has installed septic as a part of his family business and is aware of the possibility of rock. This development is for he and his wife to work for 10 to 15 years before retiring.

Mr. Stanley asked about the first meeting when Mr. Sudderth stated he was not prepared to answer the council questions. Mr. Stanley asked if Mr. Sudderth was pushed to be on the agenda. Mr. Sudderth stated he was advised to get on the city's agenda and to speak with each council member individually.

Ms. Rebecca Yardley informed she has been researching and doing her own due diligence on the subject. Ms. Yardley requested to inquire on three points found in city minutes.

- February 13, 2017, the minutes records the comments of Fire Chief Ricky Pruitt concerning extending the distance of the city limits from the central fire station. Chief Pruitt explained at the time of the annexation to Truelove Road, the state did not want a fire station more than 3 ½ to 4 miles from the station. Now, Chief Pruitt informed, the state will allow up to five miles before having to build additional stations.
- December 8, 2003 – Mr. Rindt discussed the sewer requests of Woodlands Camp. The Woodlands Camp pump station is designed. The station and line will be owned and operated by Woodlands Camp but will require a trustee to take over the station and line if the camp defaults ownership. Mr. Rindt informed that it would be easier if the City acts as the trustee. Rush Mauney asked if others could tie onto the line. Mr. Rindt answered that if other residents tied onto the line that the City would have to take over without Woodlands Camp defaulting. Edward Young stated that the City would commit to being the trustee for the Woodlands Camp pump station and line if Woodlands Camp defaults ownership. The City will not be responsible for maintaining the pump or the line while it is under the care of Woodlands Camp.

Ms. Yardley stated her concern if the RV park developers defaulted on the maintenance of the lift station and line, the citizens of Cleveland will be obligated to the maintenance of the project.

OLD BUSINESS - continued

Mr. Sudderth asked what Ms. Yardley meant by defaulting and she answered the group could default by allowing others to connect to the line and/or not maintaining the line or lift station.

- January 14, 2014 – the city council issued a moratorium on sewer services outside the city limits. Ms. Yardley asked if the moratorium had been lifted and Mr. O'Bryant answered not during his time of employment and have not read any motions of the moratorium being lifted before his employment.

(A brief history of industrial park line – the county had received a grant to develop an industrial park. The county asked the city to participate and allow the park to connect to the city's sewerage system. At the time, Mr. Rindt was engineering the line for the county and not yet the city engineer. The industrial park did not develop as planned and the commissioners asked the city to release so many gallons per day to allow for developers to create business on the Hwy 129 south corridor. Each developer submitted an application, which was reviewed and approved by the city council, and received an allocation based on the use of the business. By allowing this, businesses like Jacky Jones Ford was able to locate in the area. The city attempted to encourage other businesses to expand or develop by annexing the DOT right-of-way south to Truelove Road. The project did not go as planned and very few have annexed to receive city sewer services.)

Bradly Greene would not recommend allowing the connection of sewer outside the city limits. Mayor Turner asked if the city denied sewer to North East Georgia Physicians Group. The answer was yes due to not being in the city limits.

Mr. Greene asked Mayor Turner what were his thoughts on the project. Mr. Greene feels Mayor Turner has not expressed an opinion on the matter.

Mayor Turner responded that infrastructure is important in the county and though the White County Water and Sewage Authority offers water services, it does not offer sewer services. Mayor Turner feels the city should look at offering sewer outside the city limits and believes the county should work with the city to achieve this goal. Nan Bowen countered the suggestion of Mayor Turner by informing many city residents do not have sewer services and the city should concentrate on those needs first before looking outside the city. Mr. Greene agreed the need is to concentrate on city residents and businesses.

Mr. Sudderth asked the council to consider the benefits by the added tourist and money spent in Cleveland. Mr. Sudderth explained it will be a nightmare to install septic. Mr. Greene stated there were too many unanswered questions concerning the development and surrounding properties. Mrs. Sudderth stated they would prefer sewer and do not consider themselves a small business. The group are receiving reservations for campsites and have not broken ground.

Rebecca Yardley asked if a motion can be brought to the table as per the minutes. Mayor Turner asked the clerk to read the minutes of October 11, 2021 which states:

On motion by Nan Bowen, seconded by Bradley Greene, in favor – Rebecca Yardley and Kevin Stanley and carried unanimously, the Mayor and City Council voted to postpone the decision of the sewer connection request of Vineyard RV until November 8, 2021. The motion included providing a list of questions to Vineyard RV at the November 1, 2021 City Council Meeting.

OLD BUSINESS - continued

Mr. Sudderth asked what Ms. Yardley meant by defaulting and she answered the group could default by allowing others to connect to the line and/or not maintaining the line or lift station.

- January 14, 2014 – the city council issued a moratorium on sewer services outside the city limits. Ms. Yardley asked if the moratorium had been lifted and Mr. O'Bryant answered not during his time of employment and have not read any motions of the moratorium being lifted before his employment.

(A brief history of industrial park line – the county had received a grant to develop an industrial park. The county asked the city to participate and allow the park to connect to the city's sewerage system. At the time, Mr. Rindi was engineering the line for the county and not yet the city engineer. The industrial park did not develop as planned and the commissioners asked the city to release so many gallons per day to allow for developers to create business on the Hwy 129 south corridor. Each developer submitted an application, which was reviewed and approved by the city council, and received an allocation based on the use of the business. By allowing this, businesses like Jacky Jones Ford was able to locate in the area. The city attempted to encourage other businesses to expand or develop by annexing the DOT right-of-way south to Truelove Road. The project did not go as planned and very few have annexed to receive city sewer services.)

Bradly Greene would not recommend allowing the connection of sewer outside the city limits. Mayor Turner asked if the city denied sewer to North East Georgia Physicians Group. The answer was yes due to not being in the city limits.

Mr. Greene asked Mayor Turner what were his thoughts on the project. Mr. Greene feels Mayor Turner has not expressed an opinion on the matter.

Mayor Turner responded that infrastructure is important in the county and though the White County Water and Sewage Authority offers water services, it does not offer sewer services. Mayor Turner feels the city should look at offering sewer outside the city limits. Nan Bowen countered the suggestion of Mayor Turner by informing many city residents do not have sewer services and the city should concentrate on those needs first before looking outside the city. Mr. Greene agreed the need is to concentrate on city residents and businesses.

*and work
w/ county*

Mr. Sudderth asked the council to consider the benefits by the added tourist and money spent in Cleveland. Mr. Sudderth explained it will be a nightmare to install septic. Mr. Greene stated there were too many unanswered questions concerning the development and surrounding properties. Mrs. Sudderth stated they would prefer sewer and do not consider themselves a small business. The group are receiving reservations for campsites and have not broken ground.

Rebecca Yardley asked if a motion can be brought to the table as per the minutes. Mayor Turner asked the clerk to read the minutes of October 11, 2021 which states:

On motion by Nan Bowen, seconded by Bradley Greene, in favor – Rebecca Yardley and Kevin Stanley and carried unanimously, the Mayor and City Council voted to postpone the decision of the sewer connection request of Vineyard RV until November 8, 2021. The motion included providing a list of questions to Vineyard RV at the November 1, 2021 City Council Meeting.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor Nan Bowen and Rebecca Yardley, the Mayor and Council voted to deny the request for city sewer services outside the city limits to Vineyard RV Park.

OLD BUSINESS – continued

2. The minutes of October 4 and October 11, 2021 were signed.

EXECUTIVE SESSION

On motion by Rebecca Yardley, seconded by Bradley Greene, in favor – Nan Bowen and Kevin Stanley and carried unanimously, the Mayor and Council voted to enter into an executive session to discuss personnel at 7:10 p.m.

RETURN TO COUNCIL MEETING

On motion by Rebecca Yardley, seconded by Kevin Stanley, in favor – Nan Bowen and Bradley Greene and carried unanimously, the Mayor and Council voted to return to the City Council Meeting at 7:52 p.m. Mr. O'Bryant invited all who stayed back to the council meeting room.

No further business was discussed.

ADJOURNMENT

On motion by Rebecca Yardley, seconded by Bradley Greene, in favor – Nan Bowen and Kevin Stanley and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of November 8, 2021 at 7:33 p.m.



Josh Turner Mayor

ABSENT

Kevin Stanley Council Member
Ward 3



Nan Bowen Council Member
Ward 1
Mayor Pro Tem

ABSENT

Bradley Greene Council Member
Ward 4



Rebecca Yardley Council Member
Ward 2

ATTEST:



Connie Tracas City Clerk

