

**CITY OF CLEVELAND  
CITY COUNCIL MEETING  
FEBRUARY 12, 2018  
MINUTES**

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**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 7:00 p.m.

**COUNCIL MEMBERS PRESENT:** Nan Bowen, Kevin Stanley, and Bradley Greene. Annie Sutton was absent.

**APPROVAL OF AGENDA**

On motion by Nan Bowen, seconded by Bradley Greene, in favor – Kevin Stanley and carried unanimously, the Mayor and Council approved the agenda for the February 12, 2018 City Council Meeting with the addition of the banner variance requests from Sam's Sweets and Treats.

**BRIAN RINDT – CITY ENGINEER**

Brian Rindt, City Engineer, presented the bids for the refurbishment of the Warrior Water Tank.

On Tuesday, January 30<sup>th</sup>, 2018 at 9:00 AM, the City held the bid opening during which bids were opened and read aloud for the Water Tank Rehabilitation Project.

During the advertisement to bid period RMA distributed bid packages to nine (9) general contractors. At the bid opening there were six (6) contractors that submitted bids.

The results are as follows:

<u>Contractor</u>	<u>Total of Base Bid Lump Sum Prices</u>
Tank Pro Inc., Northport, AL	\$236,087.00
Southeastern Tank and Tower, Inc., Lake Park, Ga.	\$238,450.00
Classic Protective Coatings, Inc., Menomonie, WI	\$549,675.00
Phoenix Fabricators and Erectors, Inc., Avon, IN.	\$261,518.00
Utility Service Co., Inc., Perry, GA	\$285,900.00
TankRehab.com, LLC, Jacksonville, FL	\$202,000.00

The total of the base bid lump sum prices includes a \$15,000.00 allowance for unforeseen field conditions and similar or allowance for any owner initiated miscellaneous work. Should there be no unforeseen field conditions or owner initiated miscellaneous work, the total of the base bid lump sum prices would be reduced by \$15,000.00.

RMA reviewed and analyzed all the bids and prepared the certified bid tabulation.

Additionally, as part of this process we reviewed all the documents submitted with the TankRehab.com, LLC bid and found that all required forms, including referrals, were submitted and properly completed resulting in a responsive bid.

Their bid package included information describing the firm's experience for current and completed projects with project costs ranging from \$100,000.00 to \$990,000.00.

**BRIAN RINDT – CITY ENGINEER - continued**

RMA contacted several references for both current and completed projects, with all referrals unanimous stating that: 1. The work performed was in accordance with the contract documents, 2. The quality of the work meet the requirements of the contract document and 3. All work performed was in a timely manner and within the contract time.

In addition to the base bid items, the bid also included several additive alternates. The alternates and the TankRehab.com, LLC pricing for these items are as follows:

<u>Additive Alternate Item</u>	<u>Additive Alternate Bid Amount</u>
Install lightning protection	\$6,500.00
Install balcony floor weep holes	\$500.00
Caulk interior roof seams	\$4,000.00
Install foundation sealant	\$1,500.00
Replace riser manway	\$6,000.00
Replace overflow system	\$25,000.00

As a reminder, the additive alternates listed were based on the recommendations outlined in the tank evaluation report prepared by Liquid Engineering Corporation in February of 2005.

We reviewed the additive alternates with Ricky Hunt and based on his input, RMA recommends the City award the following two additive alternates.

<u>Additive Alternate Item</u>	<u>Additive Alternate Bid Amount</u>
Install balcony floor weep holes	\$500.00
Replace riser manway	\$6,000.00

Based on our review of the contractor's bid documents and all referrals providing positive responses to our inquiries, we recommend the City award the Water Tank Rehabilitation Project to TankRehab.com, LLC for the total of the base bid lump sum prices of \$202,000.00 plus the two recommended additive alternates that would result in the total awarded amount \$208,500.00.

The city has the option to include the other additive alternate items during the course of repairs. The option to replace the overflow system will be determined once the city has an opportunity to locate and observe the condition of the system.

Debbie Gilbert, White County News, questioned the high bid and was schooled on the process of bidding and the right of a business to bid an amount they deem fit to cover the costs of a project.

In anticipation of the repairs, Ricky Hunt ran a test of water pressure and availability by shutting the Warrior Tank down for a few days and everything checked out okay.

A notice of award needs to be approved by the city council and signed by Mayor Ash. On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley, and carried unanimously, the Mayor and Council voted to award TankRehab.com, LLC the contract to repair the Warrior Tank with the noted additive alternate items at \$208,500. Mayor Ash was given authorization to sign the notice of award.

**CHIEF JOHN FOSTER – POLICE DEPARTMENT**

Chief John Foster, Police Department, presented the statistics for January 2018 and the first week of February 2018.

The department reported an increase in arrests during the month of January and a decrease in accidents and juvenile complaints.

Chief Foster presented a comparison of January 2017 and January 2018 crime statistics based on the type of crime.

Part 1 Crime Statistics - aggravated assault and burglaries were down from 2017, but larceny increased by 163.64% from 2017 to 2018. The majority of the larceny crimes are committed at Wal-Mart.

Part 2 Crime Statistics – most part 2 crimes decreased. An increase has been reported for narcotics, forgery/counterfeiting, fraud, and vandalism.

Chief Foster reported an increase in arrest from 13 (January 2017) to 21 (January 2018). The peak time for crimes being committed has been consistently between the hours of 8:00 a.m. to 12 midnight with the highest crime rate peak at 3:00 p.m. It is also shown as the highest peak time for accidents.

Mr. Rindt asked about the discrepancy of the amount of traffic stops to citations and warnings issued. Chief Foster answered there may have been those that received more than one ticket.

Bradley Greene noted the efforts of keeping drugs out of the city. Chief Foster agreed his officers and Drug Task Force are doing a very good job. Mayor Ash expressed his appreciation for the good work by the police department.

Chief Foster has received three bids for the purchase of a new police vehicle. The vehicle was approved in the 2017/2018 budget. The department will purchase a Ford Explorer from Jacky Jones Ford for \$25,868.00.

**GRANT KEENE – CITY ATTORNEY**

Mr. Keene informed the city has hit an obstacle in getting the legislation for the increase in compensation of the mayor and council through the state legislation. The city has been informed by Lori Brill, Deputy Legislative Council, the state legislation should not act on an item which can be adopted through home rule for the increase in compensation.

Mr. Keene contacted Susan Moore, GMA Attorney, and she concurred the state should not act. Mr. Keene recommended approaching another state representative. Mr. O'Bryant informed taking that approach will get the city the same answer from the legislative council.

Mr. O'Bryant will follow up and review the options for the city to move forward with the change in compensation.

**2018-02 AMENDMENT TO CODE OF ORDINANCES – Article II City Council; Division 2 Meetings; Section 2-52 Meetings (a) Regular Meetings – 1<sup>st</sup> consideration to change city council meeting time to 6:30 p.m.**

The Mayor and Council reviewed 2018 amendment to the code of ordinances to change the city council meeting time from 7:00 p.m. to 6:30 p.m.

Debbie Gilbert asked why the time is being changed. Mayor Ash answered it is to try to accommodate those that work all day and to give a little extra time for council meetings and discussions.

On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Bradley Greene and carried unanimously, the Mayor and Council voted to approve the first consideration of 2018-02 AMENDMENT TO CODE OF ORDINANCES – Article II City Council; Division 2 Meetings; Section 2-52 Meetings (a) Regular Meetings –to change city council meeting time to 6:30 p.m.

**2018-03 – ATLANTA GASLIGHT FRANCHISE ORDINANCE – 1<sup>ST</sup> CONSIDERATION**

The Mayor and Council reviewed the draft ordinance to require franchise fees from Atlanta Gaslight for the use of the city's road right-of-ways. The draft ordinance will be submitted to Atlanta Gaslight for review before the final adoption

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley and carried unanimously, the Mayor and Council approved the first consideration of 2018-03 Atlanta Gaslight Franchise Ordinance.

**2018-04 – PROPERTY MAINTENANCE ORDINANCE – 2<sup>ND</sup> PUBLIC HEARING AND 1<sup>ST</sup> CONSIDERATION**

Mr. Tom O'Bryant presented the Property Maintenance Ordinance for the second public hearing and first consideration.

Similar to the first public hearing, Mr. O'Bryant explained the city has been contemplating the ordinance since last year and has realized the need for the ordinance for a variety of reasons. The housing stock in Cleveland is aging and for various reasons owners are not able or willing to improve the living conditions. The enactment of the ordinance may help the city apply for different funding to assist with repairs, such as the Community Development Block Grant (CDBG).

The city primarily receives complaints of living conditions at multi-family residential developments. The ordinance would apply to all housing and commercial buildings. In the past, it has been difficult to enforce housing conditions and this ordinance will address bringing conditions up to code. The city's intent is to have safe housing which will increase the value and tax base. The ordinance is a supplement to the international building codes already in place and will strengthen the city's position in enforcement.

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley and carried unanimously, the Mayor and Council approved the first consideration of 2018-04 Property Maintenance Ordinance.

### **TOM O'BRYANT – CITY ADMINISTRATOR**

Tom O'Bryant, City Administrator, gave an update on the progress of NextSite 360.

The NextSite team will be representing Cleveland at several events including the West Florida Idea Exchange, Gulf South Idea Exchange, and the Carolinas Conference and Deal Making. This is an opportunity to market Cleveland and White County for businesses and developers.

Mr. Andy Camp visited and reviewed the area and noted the activity areas from White County to Blairsville. Mr. O'Bryant asked the activity areas are reevaluated to include North Hall into White County. The reevaluation showed a lot of activity from North Hall into White County, with a functional population of 100,000.

### **NEW BUSINESS**

1. Public Comments – Beth Truelove, WC Chamber of Commerce President, referred back to the NextSite information and stated there are many residents, including herself, from North Hall that prefer to shop in White County.  
Dean Dyer is glad to see the mayor and council considering a time change for meetings, although he would prefer 6:00.
2. Sam Pomianowski, Sam's Sweet and Treats, is requesting a variance to have a temporary banner for an extended amount of time. Due to a financial hardship, he is requesting to have a temporary banner until May. Chief Foster stated his department is constantly addressing sign issues and the city has an ordinance for a reason. The requested extension exceeds the time period allowed by the city for temporary banners.  
On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley and carried unanimously, the Mayor and Council approved the following:
  - The temporary banner variance is for **30** days. Variance will end March 14, 2018.
  - The temporary banner must remain in good condition (no tearing, folding, mildew, etc.)
  - All other temporary banners and placards must be removed immediately

### **OLD BUSINESS**

1. The minutes of January 20185 were signed.

### **EXECUTIVE SESSION – PERSONNEL AND REAL ESTATE**

On motion by Nan Bowen, seconded by Kevin Stanley, in favor – Bradley Greene, and carried unanimously, the Mayor and Council voted to enter into an executive session to discuss personnel issues and real estate at 7:56 p.m.

### **RETURN TO COUNCIL MEETING**

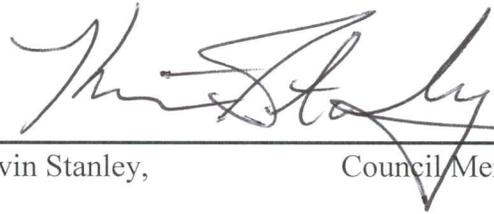
On motion by Bradley Greene, seconded by Nan Bowen, in favor Kevin Stanley, and carried unanimously, the Mayor and Council voted to return to the council meeting at 8:30 p.m. On motion by Bradley Greene, seconded by Nan Bowen, in favor – Kevin Stanley and carried unanimously, the Mayor and Council approved the employment contract between the City and Tom O'Bryant, City Administrator.

**ADJOURNMENT**

On motion by Bradley Greene seconded by Nan Bowen, in favor – Kevin Stanley and carried unanimously, the Mayor and Council voted to adjourn the City Council Meeting of February 12, 2018 at 8:32 p.m.



Shan Ash, Mayor



Kevin Stanley, Council Member



Nan Bowen, Council Member



Bradley Greene, Council Member

**(ABSENT)**

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Annie Sutton, Council Member

ATTEST:



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Connie Tracas, City Clerk

