

**CITY OF CLEVELAND**  
**CITY COUNCIL MEETING**  
**FEBRUARY 3, 2020**  
**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 Senior Council Member Bradley Greene 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 City Council approved the agenda of the February 3, 2020 City Council Meeting.

**APPOINTMENT OF MAYOR PRO TEM – KEVIN STANLEY**

Council Member Bradley Greene informed due to the resignation of Council Member Annie Sutton the Mayor Pro Tem position would need to be appointed to the next council member in line to hold the position.

Ms. Sutton was appointed as Mayor Pro Tem for 2020, but resigned her seat as Council Member Ward 2 to run for Mayor. The city will hold a special election to fill the position of mayor due to the resignation of Shan Ash.

On motion by Nan Bowen, seconded by Bradley Greene, in favor - Kevin Stanley, the City Council voted to appoint Council Member Kevin Stanley as Mayor Pro Tem for 2020.

Council Member Bradley Greene turned the meeting over to Mayor Pro Tem Kevin Stanley.

**2020-05 – CALL FOR SPECIAL ELECTION RESOLUTION – VACANT SEAT COUNCIL MEMBER WARD 2**

Mayor Pro Tem Kevin Stanley explained the city will hold a special election to fill the vacant seat left by the resignation of Annie Sutton for Council Member Ward 2.

Qualifying for the seat will be held March 30 through April 1, 2020 and the special election will be held May 19, 2020.

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council approved resolution 2020-05 - Call for a Special Election to fill the vacant Council Member seat of Ward 2.

**APPROVAL TO REMOVE ANNIE SUTTON FROM CITY OF CLEVELAND BANKING ACCOUNTS**

On motion by Bradley Greene, seconded by Nan Bowen, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to remove Annie Sutton from the City of Cleveland banking accounts.

**2020-06 AMENDMENT TO GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM – 1<sup>ST</sup> CONSIDERATION**

The City has an active pension plan for city employees through the Georgia Municipal Employees Benefit System (GMEBS).

GMEBS sent a restated plan to comply with new IRS standards to ensure continued tax-favored treatment for members on the plan. The changes is an amendment to the original ordinance and will require two public hearings.

On motion by Bradley Greene, seconded by Nan Bowen, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve the first consideration of the amendments to the Georgia Municipal Employees Benefit Plan – 2020-06.

**CHIEF RICKY PRUITT – FIRE DEPARTMENT**

Chief Ricky Pruitt, Fire Department, was not available to present his report due to being out on a fire call. Mr. Tom O’Bryant submitted his reported in his stead.

The department reported 101 calls for January 2020, with 45 within the city, 56 in the county with 16 of those calls being outside the automatic aid area. The White County Fire Department assisted the city with 4 calls.

Mr. O’Bryant presented the City Council with an opportunity to apply for a grant through the Georgia Firefighter Standards and Training Council. The grant would be used to replace much needed turn-out gear for the city’s firefighters. Chief Pruitt is proposing to replace five sets and has received three quotes with the lowest being \$7005.00. The City would be responsible for 10% of the costs. The City has applied and received this grant in the past.

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to apply for the Georgia Firefighter Standards and Training Council Grant for new turn-out gear for the Cleveland Fire Department.

**CHIEF JOHN FOSTER – POLICE DEPARTMENT**

Chief John Foster, Police Department, submitted class requests for Officer Darius Dorsey – DUI Training; Lt. Donna Sims – Investigation and TACT Training; Chief John Foster and Officer Raymond Rutledge - Fentanyl Training. There are no fees for the training.

On motion by Bradley Greene, seconded by Nan Bowen, and carried unanimously, Mayor Pro Tem Stanley and the City Council approved the class request for the officers in the police department.

**CHIEF JOHN FOSTER – POLICE DEPARTMENT - continued**

Chief John Foster presented the oath of a Cleveland Police Officer for new officer Juan Trevino, Jr. Mayor Pro Tem Stanley signed the oath. Chief Foster informed Officer Trevino is fluent in Spanish and will be an asset to the City.

The City Council planned to discuss the terms of the RedSpeed agreement to install speed monitoring cameras in school zones. The company had addressed concerns noted by the city attorney, but there were still a few unanswered questions. It was recommended the City Council table the discussion until all questions are answered.

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to table the discussion of the RedSpeed agreement until all questions and concerns are addressed.

**2020-07 – ENFORCEMENT OF SPEED LIMITS IN SCHOOL ZONES ORDINANCE – 1<sup>ST</sup> CONSIDERATION**

An ordinance must be in place in order for the city to contract for automated traffic safety devices. The ordinance does not specifically state a company to contract with, but rather gives the city the authority to have the devices installed and use as a speed deterrent and to apply penalties to those that are found to be in violation of the speed zones.

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve the first consideration of 2020-07 Enforcement of Speed Limits in School Zones Ordinance.

**GRANT KEENE – CITY ATTORNEY**

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

**TOM O'BRYANT – CITY ADMINISTRATOR**

**1. Substation Lease – Lynn Stovall**

- a. The City owns the property known as the police substation located on the courthouse square. The City leased the property to Nadine Wardenga in 2016 for a retail shop. Ms. Wardenga closed her store and terminated her lease in December 2019.
- b. The City has had five inquiries into leasing the property to utilize the property as for retail or services.
- c. Lynn Stovall made the first contact and has reviewed the lease terms. She has agreed to lease the property. She plans to have a retail business in the building.
- d. It is recommended that the City Council approve the lease for the substation to Lynn Stovall for a retail business.

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve the lease agreement between the City and Lynn Stovall for use of the substation on the square for retail use.

**TOM O'BRYANT – CITY ADMINISTRATOR - continued**

**2. Review of Water/Sewerage Rates to Address Required Wastewater Plant Upgrades**

- a. The City operates the City Utilities - Water and Sewer Departments - as enterprise funds. These departments operate from the revenue collected from the sale of water and sewer services. (SPLOST and grant funds have help pay for some of the capital projects for water and sewer.) This also includes any debt service owed by the city for large construction related projects.
- b. When needed the City Council has reviewed water and sewer rates as system improvements and expansion have been anticipated and planned, and established rates to cover the cost of operations and debt service.
- c. The City recently renewed its NPDES permit for its wastewater discharge into Tesnatee Creek. The new permit includes new environmental standards for the removal of phosphorus and the testing of nitrates/nitrites. The current Lemna pond system will not meet the standards established by Georgia EPD. A plant upgrade is required to meet the new environmental standards. As the city addresses the plant upgrade, it is also good planning to request in increase in the city's wastewater discharge. The increase in the discharge will allow the city to provide wastewater services for future growth. Members of City Council and staff toured several wastewater plants to better understand the best way to address the plant upgrade meeting environmental standards and future growth.
- d. The City requested bids for the plant upgrade design and the project was awarded to Rindt McDuff. They are in the process of designing the plant.
- e. The technology to address the environmental standards and expansion is very costly. The City will need to seek long term financing to construct the plant upgrade from the Georgia Environmental Finance Authority (GEFA). GEFA provides long term loans for water, wastewater and solid waste management infrastructure. The City currently has two loans with GEFA for the expansion of the Truelove Road (US 129 South) sewer line project and the US 129 North project. The debt service for these loans are part of the operations and management of the enterprise fund for the Water and Sewer Department, which is funded by water and sewer revenue.
- f. As the City prepares for the wastewater plant upgrade, an application from GEFA for long-term financing for the construction of the plant will require a review of city water and sewer rates to ensure that enterprise revenue is sufficient to cover the cost of the upgrade.
- g. A review of existing rates has been conducted by city staff to determine if rates can cover the lending for the plant upgrade in addition to current operations.
- h. Staff has prepared information for City Council to review and consider that includes; a comparison of rates for the City of Cleveland to other surrounding utilities; and, proposed incremental rate increases that will address the coverage of the proposed debt service. These rates will potentially be the rate structure the City presents in its application to GEFA. Instead of one large rate increase to address the debt this structure proposes incremental increases over a three-year period.
- i. Staff requests that City Council review this rate information with further discussion planned and potential action for the March City Council meetings.

**TOM O'BRYANT – CITY ADMINISTRATOR - continued**

Nan Bowen stated she felt the city is being considerate and cautious for the citizens in having the rate increases throughout a few years rather than one lump sum. Bradley Greene asked if the proposed rates would cover the new debt. Mr. O'Bryant answered the rate structure should cover the new debt for the wastewater plant. The state is requiring a state of the art facility. The rate structure can be adjusted if the debt is not covered.

The Council will continue to review the rate structure and use for agencies that provide lending.

**NEW BUSINESS**

1. On motion by Bradley Greene, seconded by Nan Bowen, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve the class requests for Charlie LaVelle and Sheena Wright for Court Clerk Recertification.
2. On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve closing City Hall on March 24, 2020 so that all staff can assist with the special election.
3. On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to approve the minutes of January 6 and January 13, 2020.
4. Public comments –  
Bill Huff, White County Historical Society, informed the historic courthouse is being treated for termites on the west side of the building. The door, door frame and awning have been replaced due to termite damage. The east side will also be treated for termites at a later date.  
Annie Sutton expressed her appreciation and pleasure with working with the council throughout the years and she looks forward in continuing to serve the city. Ms. Sutton reminded the City Council February is Black History Month and invited them to attend the program at the White County Historic Courthouse Thursday, February 6, 2020.  
Beth Truelove thanked city staff for assisting with the first annual Groundhog Day event at Freedom Park. There is always caution when live animals are involved in an event. Ms. Truelove informed Yonah the Groundhog did not see his shadow and called for an early spring. Hopefully, the event will continue. It is good exposure for the city. The badger picked the San Francisco 49ers to win the super bowl.

**OLD BUSINESS**

There was no old business to discuss.

**ADJOURNMENT**

On motion by Nan Bowen, seconded by Bradley Greene, and carried unanimously, Mayor Pro Tem Stanley and the City Council voted to adjourn the City Council Meeting of February 3, 2020 at 7:00 p.m.

Signatures next page

**VACANT**

Office Vacant/open Seat      Mayor

  
\_\_\_\_\_  
Kevin Stanley,      Council Member  
   Ward No. 3  
   Mayor Pro Tem

  
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Nan Bowen,      Council Member  
   Ward No. 1

  
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Bradley Greene,      Council Member  
   Ward No. 4

**VACANT**

Office Vacant/open Seat      Council Member  
   Ward No. 2

ATTEST:   
\_\_\_\_\_  
Connie Tracas,      City Clerk

