

CITY OF CLEVELAND
CITY COUNCIL MEETING
AUGUST 2, 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

On motion by Rebecca Yardley, seconded by Bradley Greene, in favor – Nan Bowen and Kevin Stanley, and carried unanimously, the Mayor and City Council approved the agenda for the August 2, 2021 City Council Meeting.

2021-16 RESOLUTION TO ADOPT 2021 MILLAGE RATE

Mayor Josh Turner presented Resolution 2021-16 for the public review, discussion and adoption of the 2021 Millage Rate.

Mr. O'Bryant explained the millage, proposed for 2021, reflects the rollback rate to show taxation on property taxes approximately the same as 2020. The digest grew in the past year and the city feels the millage rate is appropriate at this time.

Mayor Turner asked the City Council to consider the recommendation and asked for comment. The City Council did not have comments on the proposed millage rate. Mayor Turner asked for public comment.

Ms. Tedi Boling, resident, expressed her opposition of the millage rate. Ms. Boling was pleased with the rollback, but felt it should be more of a decrease. Ms. Boling stated the evaluation of homes in the Campbell St, Hood, and Helton Road is greatly inflated and laughable. She does not understand why the city would value homes at \$230,000 to \$240,000. She owns a home, with no garage, on one acre and the value has been inflated. Ms. Boling informed she voted for Mayor Turner, but did not vote for the other (this may be in reference to the special election and Ms. Boling did not realize Ms. Yardley was not the incumbent).

Ms. Boling continued to lament on the city not taking care of its citizens and the homes were seriously over-inflated and urged the council to rollback even further to the 2019 evaluations of property. The increase in value has caused her mortgage to increase. Ms. Boling mentioned her struggles with COVID and the recent passing of her mother. The Mayor and Council expressed their condolences. Ms. Boling informed she has more to say, but will wait until the public comment section under New Business.

There were no further public comments.

2021-16 RESOLUTION TO ADOPT 2021 MILLAGE RATE - continued

Mayor Turner asked the Council to consider adopting the 2021 Millage Rate and if approved authorize the Mayor to sign.

On motion by Bradley Greene, seconded by Kevin Stanley, in favor – Nan Bowen and Rebecca Yardley, and carried unanimously, the Mayor and Council voted to approve Resolution 2021-16 and adopt the 2021 Millage Rate at 5.918 with a 12.082 rollback for the local option sales tax. Mayor Turner received authorization to sign the millage rate documents to be submitted to the White County Tax Commissioner and the State of Georgia.

DAVID MURPHY -WHITE COUNTY PUBLIC SAFETY DIRECTOR
2021-17 HAZARD MITIGATION PLAN

David Murphy, White County Public Safety Director, came before the Mayor and Council to request the adoption of Resolution 2021-17 of the multi-jurisdictional Hazard Mitigation Plan between White County and the cities of Cleveland and Helen.

Mr. Murphy provided an overview of the plan.

- A mitigation plan establishes a broad local vision and guiding principles for reducing hazard risk, and proposes specific mitigation actions to eliminate or reduce identified vulnerabilities.
- Vision statement – “Protect the public health, safety, quality of life, environment, and economy of White County by reducing the long-term risk of damage and loss to known hazards through coordinated planning, partnerships, capacity building, and implementation of effective risk reduction measures.”
- Outcomes of the plan – protect life and property; minimize economic loss; enhance community resiliency and sustainability; reduce burden on local governments and taxpayers; break the cycle of repetitive disaster damages; speed disaster recovery and redevelopment; integrate hazard mitigation with other local planning and decision-making activities; comply with federal and state requirements, and to qualify for additional grant funding.
- 2021 update objectives – enhance the mitigation strategy; improve plan maintenance procedures to increase resilience; and conduct widespread public outreach and stakeholder involvement.
- Plan contents – Section 1: Introduction; Section 2: County Profile; Section 3: Hazard Profile; Section 4: Hazard Mitigation Strategies; Section 5: Maintenance/Implementation; and Appendices which includes graphics and maps.
- Identified hazards – Thunderstorms; winter storms, flooding, tornado, drought, wildfire, tropical cyclone, hazardous materials event, dam failure, transportation event, terrorism, and communications failure which includes cyber threats.
- Hazard Mitigation Strategies – Planning and outreach, local plans and regulations, education and awareness programs, structure and infrastructure projects, and natural systems protection
- Mitigation strategies – purchase and install weather monitoring stations, purchase and install NOAA weather radios in schools, daycares, recreation facilities, nursing homes, and public buildings; update emergency plans, purchase generators for critical facilities, encourage citizens to sign up for emergency alerts, and public education and strategies.

DAVID MURPHY -WHITE COUNTY PUBLIC SAFETY DIRECTOR
2021-17 HAZARD MITIGATION PLAN - continued

Mr. Murphy informed the county held numerous planning sessions with staff from the county and the cities of Cleveland and Helen. The county held two public hearings before formally approving the plan.

Mr. Murphy explained the plan must be update and this is his third update since he became public safety director. The State and Federal governments require the plan is in place to receive disaster relief or grants. The county is currently working to mitigate four disasters and has just completed and closed the disaster damage caused by hurricane Irma. The county is currently working to mitigate COVID-19.

Bradley Greene thanked Mr. Murphy and his staff for their hard work on the project and felt it was precise and to the point.

On motion by Rebecca Yardley, seconded by Kevin Stanley, in favor Nan Bowen and Bradley Greene, and carried unanimously, the Mayor and City Council approved Resolution 2021-17 Hazard Mitigation Plan between White County and the Cities of Cleveland and Helen.

CHIEF JEFF SHOEMAKER – POLICE DEPARTMENT

1. Chief Shoemaker explained his department continues to deal with a glitch in the computer software system reporting statistics, but is able to present the stats for June 2021. The department reported 2346 activities for June 2021 – 694 public assist; 850 premises check; 1 field interview; 62 incident reports; 23 accident reports; 115 investigative/supplemental; 290 administrative duties; 105 citations; 183 warnings; 23 warrants, and there were no juvenile incidents reported.
2. Chief Shoemaker asked the council to declare three police cars as surplus so that he may trade in or sell to go towards a purchase of a new vehicle.

Surplus vehicles: 2013 Chevrolet Impala Vin: 2G1WD5E35D1110947 mileage 119986
 2011 Chevrolet Impala Vin: 2G1WD5EM6B1231945 mileage 91379
 2010 Chevrolet Impala Vin: 2G1WD5EM9B1142368 mileage 94121

Rebecca Yardley asked if the vehicles were currently in service. Chief Shoemaker answered no, all the equipment has been removed from the vehicles, but added they could be used to run locally.

On motion by Bradley Greene, seconded by Nan Bowen, in favor – Rebecca Yardley and Kevin Stanley, and carried unanimously, the Mayor and City Council voted to surplus 2013 Chevrolet Impala Vin: 2G1WD5E35D1110947 mileage 119986; 2011 Chevrolet Impala Vin: 2G1WD5EM6B1231945 mileage 91379; and 2010 Chevrolet Impala Vin: 2G1WD5EM9B1142368 mileage 94121.

3. Chief Shoemaker presented a quote to purchase a 2021 Dodge Durango Pursuit from Jacky Jones Ford in the amount of \$34,181.00. Ms. Yardley asked if Chief Shoemaker issued a request for proposals in obtaining prices for a new vehicle. Chief Shoemaker answered no, but will if necessary. He presented this quote due to the vehicle being available and onsite. Akins Ford in Winder holds the state contract and Chief Shoemaker felt it was important to purchase locally if possible. The delivery time for a vehicle through state contract is February or March 2022.

CHIEF JEFF SHOEMAKER – POLICE DEPARTMENT - continued

On motion by Kevin Stanley, seconded by Bradley Greene, in favor Nan Bowen and Rebecca Yardley, and carried unanimously, the Mayor and City Council approved the purchase of a 2021 Dodge Durango Pursuit from Jacky Jones Ford in the amount of \$34,184.00. The vehicle will be purchased from SPLOST V funds. The trade-ins or sell of the surplus vehicles will alleviate the costs of another vehicle purchase from the general fund.

GRANT KEENE – CITY ATTORNEY

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

TOM O'BRYANT – CITY ADMINISTRATOR

Mr. Tom O'Bryant, City Administrator, presented Ordinance 2021-18 Short Term Rentals.

Mr. O'Bryant explained there has been an interest in allowing short-term vacation rentals within the city. The current regulations are very restrictive to location and feels this ordinance will allow for more areas to provide this use for tourist and travelers.

Regulations for Short-Term Rentals in the City of Cleveland, first consideration

- a. While the City continues to grow as a community it is also becoming a destination for visitors and tourist.
- b. The City currently allows lodging use at hotel/motel properties in the B-2 Highway Commercial District, and at "tourist homes" in the R-2 residential district (provided they are located on a major thoroughfare. The language in the current city code is very limited and needs to be updated to reflect the nature of lodging, including extended stay, and the use of properties for vacation rental.
- c. Staff developed a draft regulation and presented it to the Planning Commission and to the public for review, input and comment. The resulting draft is presented to city council for consideration and adoption.
- d. The proposed regulation for short-term rentals allows such use in all residential districts where single family homes currently exist. Apartments are not allowed to be used for short-term rental.
- e. The proposed ordinance designates ownership and responsible managing agents for short-term rental for management, operation and maintenance of any proposed for short-term rental use.
- f. The owner of a short-term rental will be required to obtain a short-term rental permit from the city, which also include a business license and certificate of taxing authority from the city. An annual renewal of the short-term rental permit is required.
- g. All properties utilized for short-term rental will require code compliance verification and inspection for occupancy, safety codes for ingress and egress, and fire safety. Participating properties will include posting information for guest identifying safety, maintenance and city rules and requirements for the short-term rental use.
- h. Properties will have occupancy limits based on the number of bedrooms, parking requirements, adherence to city noise and nuisance requirements, use of the property during the day, and trash and sanitation.
- i. The regulation includes sections for addressing enforcement, violations and penalties.
- j. Staff request the Mayor and Council for first consideration of the proposed regulation for short-term rentals in the City of Cleveland.

TOM O'BRYANT – CITY ADMINISTRATOR - continued

Mr. O'Bryant informed the ordinance was created with the input from the Planning and Zoning Board and the public that attended the planning work session. Mr. O'Bryant stated members of the public brought beneficial ideas to the development of the ordinance.

Bradley Greene asked if all information and required parking must be in place before permitting for vacation use. Mr. O'Bryant answered yes, the applicant must prove compliance.

Rebecca Yardley expressed her concerns of who issues the permits. Ms. Yardley feels the neighbors should have an opportunity to voice their opinion of the proposed use.

Ms. Yardley also expressed her concern of section 12-390 Standard operating requirements and conditions D. Life Safety and Sanitation 1. Short-term rentals require a site inspection by the City Building Inspector to ensure compliance of all designated bedrooms, including egress from all designated bedrooms, with all applicable safety codes. The site inspection required by this section shall be required once every five years. The inspector conducting the site inspection shall fill out and execute a document certifying that all designated bedrooms, including egress of all designated bedrooms, meet applicable safety code requirements. Such certification shall be provided on a City-approved form and shall be included in the application materials submitted to the City for a short-term rental permit. However, no Code compliance verification form shall be required if the short-term rental was previously issued a permit from the City and the City has on file a Code compliance verification form that is less than five years old. A new Code compliance verification form shall be submitted to the City upon the expiration of five years from the date of the original Code compliance verification form. Failure to provide a new Code compliance verification form prior to the expiration of a previously submitted Code compliance verification form shall be grounds for revocation of the short-term rental permit.

Ms. Yardley's concern is if the ownership changed and the new owner made modifications that may not meet standards, there is no way to know until the five-year inspection is required.

Nan Bowen stated there is a requirement for a new permit in change of ownership in which Ms. Yardley agreed, but no provision for a new inspection if the home is modified.

Mayor Turner asked Grant Keene if he had comments to the ordinance. Mr. Keene had suggested the ordinance is consistent throughout with the terminology for vacation short term rentals and to expand the definition of vacation/vacation short term rentals.

Mayor Turner asked the council to consider with the comments made incorporated into the ordinance. The City Council did not make a motion to accept Ordinance 2021-18 Short Term Rentals for a first consideration.

NEW BUSINESS

1. On motion by Rebecca Yardley, seconded by Nan Bowen, in favor Kevin Stanley and Bradley Greene and carried unanimously, the Mayor and City Council approved and signed the minutes of July 12, 2021.
2. Public comments: Tedi Boling informed she bought her home in Cleveland in 2017 and it was peaceful and quiet. Ms. Boling stated she feels the area has a lot to be desired. She has called city hall many times and never sees improvements to downtown. Ms. Boling was in property management and she feels the downtown buildings are embarrassing and not a tourist attraction. She added that Cabbage Patch was not a tourist attraction and was not even in the city. Mr. Greene informed Babyland was in the city. Ms. Boling retorted she is entitled to her opinion and uses her power to vote.

Ms. Boling stated the city streets are faded and probably not up to code and full of graffiti. She feels the city needs to be divided into pie slices and repairs made. She informed "where I work, is not like Cleveland." Ms. Boling complained about the drainage on city streets and also Main Street and Hwy 115. She claimed she was told there was no right of way for Campbell Street and then told it was 20 feet. Ms. Boling has issues with those that have dirt driveways and the mud running into the road. She also takes issue with flooding on Main Street that causes the street to be closed during rain events. Ms. Boling stated the city needs to better stewards and she will help with creating petitions.

Ms. Boling informed of a large tree at the corner of Hwy 115 and Campbell Street stating it will kill someone if it fell. She said it will be someone's problem; DOT or power company.

Ms. Boling complained about a dip in the road on Campbell Street, potholes not being maintained, and the streets not being striped.

Ms. Boling plans to attend more meetings and would like the city to start the telephone meetings again. She feels the current facility will not hold the public if there is a hot topic for the public to attend. She believes the city needs more infrastructure. She wants to be a happy citizen and voted for anyone that was not in office. Ms. Boling asked who represented her ward and Rebecca Yardley informed she did and that she would be glad to meet with her and offered her business card with contact information. Ms. Boling informed she voted for Ms. Yardley. Mayor Turner informed the full City Council and Mayor represents all of Cleveland and are voted at large.

Mayor Turner asked Ms. Judy Lovell if she had a historic fact to share.

Ms. Lovell responded by relaying the story of the shortest term mayor. In 1931 Doc Head was elected Mayor. At the September 5 Council Meeting, Mayor Head expectantly resigned, leaving Mayor Pro Tem Jim Davidson as the new mayor. Mayor Davidson immediately called for a special election to be held September 15. Mayor Davidson was mayor for ten days.

OLD BUSINESS

There was no old business to report.

ADDITIONAL COMMENTS

Mr. O'Bryant informed the first meeting in September will fall on Labor Day and asked the council's wishes on when to meet. Both Mayor Turner and Nan Bowen will be out of town on September 13. Mr. O'Bryant will follow up with the Mayor and Council to schedule a called meeting for September.

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 August 2, 2021 at 7:17 p.m.



Josh Turner Mayor



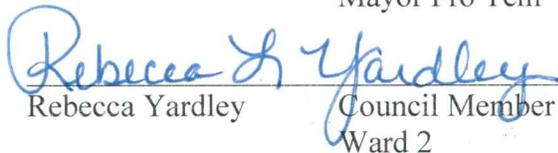
Kevin Stanley Council Member
Ward 3



Nan Bowen Council Member
Ward 1
Mayor Pro Tem



Bradley Greene Council Member
Ward 4



Rebecca Yardley Council Member
Ward 2

ATTEST:



Connie Tracas City Clerk

