

BE IT REMEMBERED THAT THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE MET IN A REGULAR SESSION THIS MONDAY, FEBRUARY 22, 2021 AT 3:00 P.M. AT THEIR REGULAR MEETING PLACE IN THE CLEVELAND MUNICIPAL BUILDING. PURSUANT TO GOVERNOR LEE'S EXECUTIVE ORDER 71, THIS MEETING WAS CONDUCTED ELECTRONICALLY AND LIVE STREAMED ON THE CITY'S FACEBOOK PAGE IN ORDER TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE. DURING AND PRIOR TO THE MEETING, ANY QUESTIONS OR COMMENTS WERE SUBMITTED TO THE CITY MANAGER'S OFFICE.

Present and presiding was Mayor Kevin Brooks. Also present were Councilmen Bill Estes, Tom Cassada, David May, Jr., Dale Hughes, Ken Webb, Vice Mayor Avery Johnson and Councilwoman Marsha McKenzie. Others in attendance were: City Manager Joe Fivas; Shawn McKay, Assistant City Manager/CFO; Christy Brandon, Assistant City Clerk; Corey Divel, Assistant to the City Manager/Communications Coordinator/Downtown Coordinator/Senior Planner; Beverley Lindsey, Executive Assistant; City Attorney John Kimball and Kris Miller, IT Director. Following the Pledge of Allegiance to the American Flag and prayer by Pastor Micah Nicolaus with Broad Street United Methodist Church, the following business was then entered into:

WAIVE READING OF MINUTES

Vice Mayor Johnson moved that the City Council of the City of Cleveland waive the reading of the minutes of the Regular Session of the City Council held on February 8, 2021 and approve them as written. The motion was seconded by Councilman May; and upon roll call, the motion unanimously passed.

SPECIAL PRESENTATIONS AND PUBLIC COMMENTS

Mr. Fivas stated two items have been added to the agenda under new business. First, a change order for the Blythe to Blythe Sidewalk Fencing project. Secondly, the RFP for 266 Inman Street.

HEARING PETITIONS AND COMMUNICATIONS

There were none.

CONSENT AGENDA

Councilman Hughes moved to approve the following items from the Consent Agenda:

- **Final Passage - Ordinance 2021-04** – heretofore passed on first reading February 8, 2021 and found in Minute Book 30, Page 144; amending Section 8-315 of the Municipal Code related to Certificates of Compliance for existing Liquor Stores.
- **Final Passage - Ordinance 2021-05** – heretofore passed on first reading February 8, 2021 and found in Minute Book 30, Page 146; to abandon several unopened rights-of-way located within the block bounded by 4th Street Se, 6th Street SE, King Edwards Ave SE and Cincinnati Ave SE (Planning Commission: Approved 8-0; 1 absent).
- **Motion** – Approval of Greenway Pavilion/Stage Rental Fees/Agreement.



City of Cleveland Parks and Recreation
Greenway pavilion/stage rental agreement

- If event size is more than 350 people, rental cost of Greenway Park is \$1,000.00.
*setup-only days are \$100
- If my event will be open the public, I agree to contact Peggy Hathcock for an event permit. (423) 479-1913 or phathcock@clevelandtn.gov
- Stage equipment pricing for events less than 350 people (initial next to your choice):
 - \$100 stage fee (per day) – I will bring my own equipment _____
 - \$300 stage equipment fee (6 hours or less) – I will use the City’s equipment _____
 - \$600 stage equipment fee (all day) – I will use the City’s equipment _____
- If expected event size is more than 350 people per day, the City of Cleveland will provide an adequate number of portable toilets (standard and ADA units) for the patrons of my event.
- I agree to provide an adequate number of trash receptacles for my event. Parks and Rec personnel will be onsite periodically to empty trash receptacles.
- No food trucks are allowed on the grass.
- The City of Cleveland Parks department does not provide electricity for anything other than the sound equipment on the stage. Vendors will need to bring their own generators.
- The City of Cleveland Parks department does not provide water (for bounce houses, rides, event displays, etc). Foam machines are not allowed.
- It is the permit holder’s responsibility to return the park to the condition it was in prior to the permitted event. This includes removal of temporary event signage. All damage evident on premises after event will be considered to have resulted from event and I agree to forfeit my \$500 event permit deposit.

Applicant

Date

For rental date(s): _____

The motion to approve the consent agenda was seconded by Councilman Webb; and upon roll call, the consent agenda unanimously passed.

UNFINISHED BUSINESS

No unfinished business.

REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Hughes asked for everyone to remember his nephew who was being sent to Tennova for Covid and pneumonia. Secondly, Cleveland has been a Tree City for twenty-nine years. The last year has been difficult due to Covid and played a part in the Tree Board not doing things they usually do, like Arbor Day. Dan Hartman has done wonderful work with the Tree Board and congratulations to Dan for leading us to thirty years as a Tree City.

Councilman Webb stated he had additional addresses for Mr. Fivas concerning litter in the rights-of-way. Mr. Fivas stated yes, he will reach out to our contact with Bradley County and implement ideas that we can. Secondly, he has received numerous calls concerning the lights at the pickleball courts and asked for an update. Councilman Hughes added at one time we applied for a grant to help with the lighting. Mr. Fivas replied unfortunately, we were not successful in receiving the grant. He has spoken with several Councilmembers and it appears lighting is a high priority. The pickleball courts are complete and phase 2 was the lighting portion. We can obtain

options, like Cleveland Utilities, bidding now and see what the cost is and give options on how to pay for it. It can be fast-tracked to see the cost and that can be started this week. Councilman May stated he believes the entire Council received calls concerning the lighting. They are concerned with summertime. We are always trying to meet a deadline or fast-track something. Councilman Cassada stated he would like to add it to new business. Mr. Fivas stated yes, we will start the process this week and it would take a few weeks to receive those back, so possibly the March 22 meeting. Councilman Webb added at that time we can move into the decision on how to fund it. Mr. Fivas stated yes.

Vice Mayor Johnson stated he received several calls as well concerning the pickleball courts and anything we can do to help move the project along.

Councilwoman McKenzie thanked the City Council for the confidence in her to join the Council. She then commended the car lot on South Lee Highway that is cleaning up the area and improving the area. Also, the new businesses that have built along South Lee Highway. She is glad to see it growing and getting better. Secondly, the Christmas lights this year were very nice and adds an inviting atmosphere.

Councilman Estes stated the trees in the buffer zone at Avery Johnson Park that Dan Hartman chose, look great. It adds so much. Mr. Hartman came to his house to look at some trees and told him he needed to apply for Tree Sanctuary. If you have ten unique trees in your yard you can apply to the Tennessee Urban Forestry Counsel to become a Tree Sanctuary. It would be good for the public to be aware and something they can be apart of. Next, CDBG has been awarded additional funds and Cathy Andrews will be presenting a plan of service before us soon. If you have ideas, city-wide, please let staff know. Third, with the Build our Future, we have soccer being played at several parks, but it is more than Greater Cleveland Soccer Association, there is a whole soccer community. He asked that they are kept in mind when discussing facilities. Lastly, he appreciates the email updates on codes and traffic in the Historic District.

Councilman Cassada stated he had emailed the Councilmembers concerning sidewalks and how to connect the communities together. We have people walking down Georgetown Road, which is unsafe. This is not an overnight fix but would like to see a six to seven-year plan put in place to earmark funds to set aside for sidewalks. We need to be proactive concerning sidewalks and we need to enforce our existing sidewalk provisions. Councilman Estes added give our Planning Department courage to enforce provisions in PUDs. Councilman Cassada continued this isn't a quick fix but we need a plan, even up to ten years. Secondly, Commissioner Tim Mason with Bradley County Sheriff's Department is a good connection for litter pickup. Third, he appreciates the pickleball lighting discussion. Lastly, the Museum. He is on the Board and it has been brought to his attention today that they are having issues. He asked if a committee could be formed to help develop a plan with the air conditioning and roof issues. Covid has really put them in a bad position. He would like Mr. Fivas, Mr. McKay, Councilman May, and himself on the committee to look and help them develop a plan and possibly step-up and help. Councilman May stated we have helped them, in several ways. Mr. Fivas stated he would suggest himself, Bryan Turner, Mr. McKay and Councilman Cassada try to work something out. Councilman Cassada stated he would like to bring something back before the Council. Councilman Estes stated at one time he was on the Board. It's not just what can we do about the roof. We don't need to send good money after bad. This is not just one-time. We fix it, we can either take control of it, we purchase it, there are too many things that you are not bringing up here that we have done for them. Councilman Cassada stated he feels they are turning a curve. They are looking at lighting right now. Councilman Estes stated they need to open their books and let us see all this, as he wasn't convenience. As a member of the Board, you see that monthly. Councilman Cassada replied yes, but he sees a turn somewhat where they are at. Ms. Rymer, a founding body of the museum, is not willing to put money into it, due to mismanagement but has offered to provide to pay for a consultant and let the museum know what they need to do to get on the right track. They are not where they need to be, but they are

trying to be more efficient and get on the right path. Mr. Fivas stated the study group can look at short-and long-term fixes. Councilman Cassada agreed and bring the books and the consultant’s recommendation. Not sure what to do about the roof leaking but they have cut staff and Ms. Rymer has stepped in as Director.

Councilman May inquired about the status of the burnt building on Worth Street. Mr. Fivas stated the building is in bankruptcy and at one time there was an interested buyer, so the city backed off. Now, staff is working with the estate administrator and we will start in a direction as far as we can’t wait anymore. Councilman May added he understands some homeless people are there and it is not a safe structure for them.

NEW BUSINESS AND ORDINANCES

The following Ordinance was then presented in full:

ORDINANCE 2021-06

AN ORDINANCE OF THE CITY OF CLEVELAND, TENNESSEE TO AMEND THE 2020-2021 BUDGET FOR THE CITY OF CLEVELAND, TENNESSEE.

BE IT ORDAINED by the City Council of the City of Cleveland that the City of Cleveland, Tennessee budget for fiscal year 2020-2021 be amended according to the attached amendment.

BE IT FURTHER ORDAINED by the City Council of the City of Cleveland, Tennessee that all ordinances in conflict with the provisions of this ordinance are hereby repealed. This Ordinance shall take effect from and after its final passage, the public welfare of the City of Cleveland requiring it.

APPROVED AS TO FORM:

/s/John F. Kimball
 City Attorney

 Kevin Brooks, Mayor

 Shawn McKay, City Clerk

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
GENERAL FUND				
Tax Revenues:	41,700,000	41,775,000	75,000	In Lieu of Tax
Licenses & permits:	1,283,300	1,283,300	0	
Intergovernmental:	5,137,800	5,182,800	45,000	State Highway Grant
Charges for services:	1,035,600	1,045,660	10,060	Contracted Svcs-CPD
Fines & forfeits:	637,700	450,200	(187,500)	Traffic/Parking Fines
Interest income:	225,000	30,000	(195,000)	Decrease Interest Income
Miscellaneous:	46,500	862,023	815,523	Cares, Misc Insur Reimb
Public Enterprise Revenue:	303,500	303,500	0	
Subtotal:	50,369,400	50,932,483	563,083	
Other Funding Sources:	2,923,806	2,923,806	0	
Total revenues	53,293,206	53,856,289	563,083	
Legis. & Judicial	465,230	465,233	3	Work Session
Administration	858,100	828,779	(29,321)	Salaries, EAP
Codes Enforcement	259,200	259,200	0	
Fleet	738,200	738,200	0	
Forestry & Landscaping	805,600	818,446	12,846	Donations
Jetport	265,050	321,050	56,000	Contracted Svcs-North Development
Human Resources	412,769	422,494	9,725	EAP
Finance	1,311,250	1,311,250	0	
Information Technology	921,000	921,000	0	
Development & Engineering	1,644,400	1,649,100	4,700	Office Exp
Police	11,696,680	11,798,047	101,367	Extra Duty Contracted Svcs, Equipment
Animal Control	595,810	595,810	0	
Fire	10,890,900	10,897,408	6,508	Various Donations
PW Operations	2,661,150	2,677,280	16,130	Paving Materials
Street Lighting & Signals	1,623,500	1,623,500	0	
Parks & Recr.	1,152,050	1,211,692	59,642	Waterville, Donations
College Hill Rec Center	460,600	460,600	0	
Cleveland Comm Center	422,400	422,400	0	
Tinsley Park	368,500	318,500	(50,000)	Salaries
Appropriations	1,358,900	1,363,900	5,000	Main Street Projects
Subtotal:	38,911,289	39,103,859	192,600	
Transfers	14,340,325	14,740,325	400,000	Insurance Trust Acct.
Total expenditures	53,251,614	53,844,214	592,600	
Increase (use) of fund balance	41,592	12,075	(29,517)	

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
SPECIAL REVENUE FUNDS:				
Solid Waste Mgmt. Fund				
Revenues	2,882,000	2,872,000	(10,000)	Decrease Interest
Transfers from Other Funds	950,000	950,000	0	
Total Rev. & Transfers In	3,832,000	3,822,000	(10,000)	
Expenditures	3,931,750	4,078,455	146,705	Equipment
Increase (Use) of Fund Balance:	(99,750)	(256,455)	(156,705)	
State Street Aid Fund				
Revenues	1,440,000	1,430,000	(10,000)	Decrease Interest
Transfers from Other Funds	0	0	0	
Total Rev. & Transfers In	1,440,000	1,430,000	(10,000)	
Expenditures	1,202,853	1,302,853	100,000	Equipment
Transfers Out	0	0	0	
Total Expenditures & Transfers:	1,202,853	1,302,853	100,000	
Increase (Use) of Fund Balance:	237,147	127,147	(110,000)	
Cleveland Public Library Fund				
Revenues	793,600	793,600	0	
Transfers from Other Funds	673,600	673,600	0	
Total Rev. & Transfers In	1,467,200	1,467,200	0	
Expenditures	1,480,700	1,480,700	0	
Increase (Use) of Fund Balance:	(13,500)	(13,500)	0	

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
Drug Enforcement Trust Fund				
Revenues	9,600	23,600	14,000	Fines
Transfers from Other Funds	0	0	0	
Total Rev., Transfers & Other Fin.	9,600	23,600	14,000	
Expenditures	18,600	28,600	10,000	Seized Vehicle
Increase (Use) of Fund Balance:	(9,000)	(5,000)	4,000	
E-Ticketing Grant				
Revenues	0	0	0	
Transfers from Other Funds	0	0	0	
Total Rev., Transfers & Other Fin.	0	0	0	
Expenditures	0	26,786	26,786	Materials-CPD/Court
Increase (Use) of Fund Balance:	0	(26,786)	(26,786)	

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
Community Dev. Block Grant				
Revenues	739,000	1,088,621	349,621	Carryover Funds, COVID Funds
Transfers from Other Funds	30,000	30,000	0	
Total Rev., Transfers & Other Fin.	769,000	1,118,621	349,621	
Expenditures	375,000	1,098,578	723,578	Carryover Projects
Increase (Use) of Fund Balance:	394,000	20,043	(373,957)	
MPO Fund				
Revenues	178,100	178,100	0	
Transfers from Other Funds	44,500	44,500	0	
Total Rev., Transfers & Other Fin.	222,600	222,600	0	
Expenditures	299,800	299,800	0	
Increase of Fund Balance:	(77,200)	(77,200)	0	

City of Cleveland, Tennessee FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
School Food Service Fund				
Revenues	3,849,320	3,849,320	0	
Transfers from Other Funds	0	0	0	
Total Rev. & Transfers In	3,849,320	3,849,320	0	
Expenditures				
Expenditures	3,849,320	3,849,320	0	
Transfer to Other Funds	0	0	0	
Total Expenditures & Transfers:	3,849,320	3,849,320	0	
Increase (Use) of Fund Balance:	0	0	0	
School General Fund				
Revenues	45,024,913	45,024,913	0	
Transfers from Other Funds	5,432,000	5,432,000	0	
Total Rev. & Transfers In	50,456,913	50,456,913	0	
Expenditures				
Expenditures	50,385,394	50,385,394	0	
Transfer to Other Funds	555,519	555,519	0	
Total Expenditures & Transfers:	50,940,913	50,940,913	0	
Increase (use) of Fund Balance:	(484,000)	(484,000)	0	

City of Cleveland, Tennessee FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
CAPITAL OUTLAY FUNDS:				
Capital Improv. Program Fund				
Revenues	0	10,436,983	10,436,983	FY20 Carryover - various projects
Transfers & Other Fin.	1,450,000	1,450,000	0	
Total Rev., Transfers & Other Fin.	1,450,000	11,886,983	10,436,983	
Expenditures				
Expenditures	1,450,000	16,415,082	14,965,082	FY20 Carryover - various projects
Transfers to Other Funds	0	0	0	
Total Expenditures & Other Uses	1,450,000	16,415,082	14,965,082	
Increase (Use) of Fund Balance:	0	(4,528,099)	(4,528,099)	
Sales Tax Capital Projects Fund				
Revenues	4,088,000	4,160,000	72,000	Increase Revenue Est.
Total Rev., Transfers & Other Fin.	4,088,000	4,160,000	72,000	
Expenditures				
Expenditures	3,816,000	7,423,909	3,607,909	FY20 Carryover - various projects
Total Expenditures & Other Uses	3,816,000	7,423,909	3,607,909	
Increase (Use) of Fund Balance:	272,000	(3,263,909)	(3,535,909)	
THDA Home Grant				
Revenues	0	252,942	252,942	FY20 Carrover
Transfers from Other Funds	0	0	0	
Total Rev. & Transfers In	0	252,942	252,942	
Expenditures				
Expenditures	0	252,942	252,942	FY20 Carryover
Increase (Use) of Fund Balance:	0	0	0	

City of Cleveland, Tennessee FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
Blythe Diabetes Grant				
Revenues	0	150,000	150,000	Grant - Yr 2
Total Rev., Transfers & Other Fin.	0	150,000	150,000	
Expenditures				
Expenditures	0	150,000	150,000	Sidewalk Improvements
Transfer to Other Funds	0	0	0	
Total Expenditures & Other Uses	0	150,000	150,000	
Increase (Use) of Fund Balance:	0	0	0	
CCS Capital Funds				
Revenues	0	3,235,237	3,235,237	Bond Proceeds
Transfers from Other Funds	0	0	0	
Total Rev., Transfers & Other Fin..	0	3,235,237	3,235,237	
Expenditures				
Expenditures	0	0	0	
Increase (Use) of Fund Balance:	0	3,235,237	3,235,237	

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
Internal Service Funds:				
Health Insurance Trust Fund				
Revenues	5,009,533	5,009,533	0	
Transfers from Other Funds	0	450,000	450,000	General Fund Tfr
Total Rev., Transfers & Other Fin..	5,009,533	5,459,533	450,000	
Expenditures	4,647,774	4,647,774	0	
Increase (Use) of Fund Balance:	361,759	811,759	450,000	
Debt Service Fund:				
Revenues	221,400	168,270	(53,130)	Decrease Interest
Transfers and Other Fin.	9,548,297	10,586,328	1,038,031	Refunding
Total Rev., Transfers & Other Fin..	9,769,697	10,754,598	984,901	
Expenditures	10,279,456	11,011,416	731,960	Refunding
Increase (Use) of Fund Balance:	(509,759)	(256,818)	252,941	
Enterprise Funds:				
Storm Water Management Fund				
Revenues	1,622,700	1,622,700	0	
Transfers from Other Funds	0	0	0	
Total Rev., Transfers & Other Fin..	1,622,700	1,622,700	0	
Expenditures	1,394,910	2,299,571	904,661	Drainage-Candles Lane, Peerless & 25th
Increase (Use) of Fund Balance:	227,790	(676,871)	(904,661)	

City of Cleveland, Tennessee				
FY2021 Budget Amendment - Feb. 2021				
	ORIGINAL BUDGET	February 2021 Amendment	INCREASE (DECREASE)	EXPLANATION
Fiduciary Funds:				
Meller Estate/Animal Shelter Trust Fund				
Revenues	500	500	0	
Transfers from Other Funds	0	0	0	
Total Rev., Transfers & Other Fin..	500	500	0	
Expenditures	0	0	0	
Increase (Use) of Fund Balance:	500	500	0	

Councilman Webb moved that Ordinance 2021-06 be approved on first reading. The motion was seconded by Councilman Hughes; and upon roll call, unanimously passed.

Councilman May moved to approve change order #1 with East TN Construction Services, Inc. for the Blythe to Blythe Sidewalk Fence project, increasing the contract amount \$4,623 to upgrade the fence gate opening system specified in the bid specifications. The motion was seconded by Councilman Cassada; and upon roll call, unanimously passed.

Mr. Fivas stated staff is working to develop a Request for Proposals for the potential ability to move the property into a private development hands and the best way is to open it up for everyone through the RFP process. We have draft language that we are still tweaking. We are not asking the Council to approve it at this time, but we are asking that once we have a finalized version of the RFP then we can start advertising, if you allow us to move forward. Councilman May moved to declare 266 Inman Street surplus property and to allow staff to move forward with the process of advertising, once the RFP is finalized. The motion was seconded by Councilman Estes. Councilman Estes then stated he loved the RFP, that we are getting quotes for the asbestos, but what if we do not get three quotes. Mr. Fivas stated yes, we probably need to tweak it some, possibly just two quotes. Councilman Estes stated yes this is packaged very well. Upon roll call, the motion unanimously passed.

Councilman Cassada moved to fast-track bids for lighting at the Pickleball Courts and report back at the March 22 meeting. The motion was seconded by Councilman Hughes; and upon roll call, unanimously passed.

ANNOUNCEMENTS

Mayor Brooks announced the following:

- The next City Council meeting will be held on Monday, March 8, 2021.

There being no future business the meeting was adjourned at 3:45 p.m.

Mayor

City Clerk