



City Council

Work Session

190 Church St., NE
Cleveland, TN 37312
www.clevelandtn.gov

Agenda

Monday, August 14, 2023

1:00 PM

Municipal Building

1. SPECIAL PRESENTATIONS AND PUBLIC COMMENTS

- a. World Champion Piper Fowler
- b. Proclamation - United Way 85th Anniversary Honorary Street Naming

2. CITY MANAGER REPORT

- a. Grand Opening – Championship Disc Golf Course at Fletcher Park- Monday September 25th at 11:00 a.m.
- b. Update on RCE Bridge Grant
- c. Update on Inman Street Redevelopment
- d. Update on Phase 1 of Greenway Camera System
- e. Update on 25th Street/N. Ocoee Intersection Project – Kickoff Scheduled
- f. Annexation of Referendum - Process Presentation
- g. Update of Michigan Avenue Planning Study (MPO)
- h. Update on Tinsley Park Construction
- i. Update on Community Meetings

3. REVIEW OF 3:00 AGENDA – CITY MANAGER

4. REPORTS OF COUNCIL MEMBERS

- a. Vice Mayor Johnson
- b. Councilwoman McKenzie
- c. Councilman Estes
- d. Councilman Cassada
- e. Councilman May
- f. Councilman Hughes
- g. Councilman Webb

5. ANNOUNCEMENTS

6. ADJOURNMENT



CLEVELAND
TENNESSEE

EST. 1842

City Council

Regular Session

190 Church St., NE
Cleveland, TN 37311
www.clevelandtn.gov

Agenda

Monday, August 14, 2023

3:00 PM

Municipal Building

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE AND INVOCATION**
4. **WAIVE READING OF MINUTES**
 - a. Regular Session – July 10, 2023 (p. 1)
5. **SPECIAL PRESENTATIONS AND PUBLIC COMMENTS**
 - a. Allen Ledford with Cleveland State – Adult Education Program
6. **HEARING PETITIONS AND COMMUNICATIONS**
 - a. **Public Hearing** – To hear public comments concerning a request by Ava Castillo for consideration of an ordinance to zone about 2.10 acres, more or less, located at 4020 N. Ocoee Street, from PI Professional Institutional to CN Commercial Neighborhood Zoning District and includes Tax Map 042G Group C Parcel 036.00 (Planning Commission: Approved 7-0; 2 absent) (p. 2-3).
 - b. **Public Hearing** – To hear public comments concerning a request by Pleasant Grove Properties for consideration of an ordinance to amend PUD19 zoning ordinance development standards which is located at Sunset Dr. and includes Tax Map 042P Group J Parcel 005.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 4-5).
 - c. **Public Hearing** – To hear public comments concerning a request by B&J Properties for consideration of an ordinance to amend PUD41 to include 16 townhouses as an allowable use which is located at 443 Minnis Rd. and includes Tax Map 058 Parcels 025.02, 024.00, and 024.05 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 6-7).
 - d. **Public Hearing** – To hear public comments concerning a request by Stuart Family Properties, LLC for consideration of a plan of service, a resolution to annex, and an ordinance to zone about 13 acres, more or less, of property located on Urbane Road, from the unincorporated county to PUD46 Planned Unit Development Zoning District and includes a portion of Tax Map 042 Parcel 058.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 8-10).

- e. **Public Hearing** – To hear public comments concerning a request John and Joan Gilliland for consideration of a plan of service, a resolution to annex, and an ordinance to zone about 29.66 acres, more or less, for property located on Waterlevel Highway from the unincorporated county to CH Highway Commercial Zoning District and includes a portion of Tax Map 058K Group F Parcel 001.00 (Planning Commission: Approved 7-0; 2 absent) (p. 11-13).
- f. **Public Hearing** – To hear public comments concerning a request by the City of Cleveland for consideration of an ordinance to amend the Cleveland Municipal Code, Title 14 Zoning Ordinance, by adding Chapter 13 to Title 14 Zoning and Land Use Control, to provide regulations for short term rentals (p. 14-15).

7. CONSENT AGENDA

- a. **Final Passage - Zoning Ordinance 2023-24** – Zoning about 8.00 acres more or less, from R-3 High Density Single and Multi-Family Zoning to PUD45 Planned Unit of Development Zoning and includes Tax Map 041E Group C Parcels 006.00, 007.00, 013.00, 014.00, 015.00, and 016.00 (Planning Commission: Denied 7-0; 2 absent) (p. 16-22).
- b. **Final Passage - Zoning Ordinance 2023-27** – Zoning about 2.52 acres, more or less, located at 373 Kile Lane SW, from IL Light Industrial to R-2 Low Density Single and Multi-Family Zoning and includes Tax Map 057 Parcel 015.05 (Planning Commission: Approved 7-0; 2 absent) (p. 23-26).
- c. **Final Passage - Zoning Ordinance 2023-28** – Zoning about .22 acres, more or less, located at 1350 Wildwood Ave SE, from CH Highway Commercial to R-2 Low Density Single and Multi-Family Zoning and includes Tax Map 057L Group H Parcel 014.00 (Planning Commission: Approved 7-0; 2 absent) (p. 27-30).
- d. **Bid Report** – Fire Station #1 Bay Door Replacement (p. 31).
- e. **Resolution 2023-70** – Approving a contract with Southeast Tennessee Development District for NEPA Services for Central Avenue Sidewalk Project (p. 32-35).
- f. **Resolution 2023-71** – Authorizing the Mayor to sign contract amendment #4 with TDOT for a contract extension date for the Gaut Street Sidewalk construction project PIN 123116.01 (p. 36-41).
- g. **Resolution 2023-72** – Approving a contract with Alfred Benesch & Company for Consulting Services for the 25th Street/Peerless Road project (p. 42-44).
- h. **Resolution 2023-73** – Authorizing the Mayor to sign a contract with the Bradley County Board of Education to assist with the purchase and installation of a Rectangular Rapid Flash Beacon System installed on Parker Street for the PIE Center (p. 45-51).
- i. **Resolution 2023-74** – Authorizing participation in the Public Entities Partners Safety Partners matching grant program (p. 52-53).
- j. **Resolution 2023-75** – Authorizing the application for the 2023 Downtown Improvement Grant with the Tennessee Department of Economic and Community Development (p. 54-55).

- k. **Resolution 2023-76** - Approval of purchase agreement with Axon Enterprise, Inc for purchase of Tasers (p. 56-68).
- l. **Resolution 2023-77** - Approval of purchase agreement with Motorola Solutions, Inc for purchase of Aware Software to be used with the License Plate Reader and Avigilon Park Camera Systems (p. 69-72).
- m. **Resolution 2023-78** - Approval of a purchase agreement with Grayshift, LLC for data extraction software (p. 73-76).
- n. **Resolution 2023-79** – Authorizing the Mayor to sign agreements with property owners and with the contractor for work to be provided related to the Downtown Improvement Grant (p. 77-81).
- o. **Resolution 2023-80** – Authorizing the Mayor to sign a purchase and sale agreement for hangar N-12 from Meridian 776KC, LLC as recommended by the Airport Authority (p. 82-91).
- p. **Resolution 2023-85** – Authorizing the City Manager to take all necessary or appropriate steps to transfer all of the City’s rights, title and interest in and all of the assets of Cleveland Utilities and the assumption of liabilities of Cleveland Utilities to the Cleveland Utilities Authority (p. 92-99)
- q. **Resolution 2023-86** – Authorizing the Mayor to sign a grant contract with Tennessee Agriculture Enhancement Program (TAEP) Grant for community tree planting project (p. 100-116).
- r. **Reappointment** – *Utility Board* - Debbie Melton for an additional 4-year term to expire 06/2027.
- s. **Reappointment** – *Utility Authority* - Debbie Melton for an additional 4-year term to expire 06/2027.
- t. **Appointment** - *Airport Authority* – Mark Fidler for a 5-year term to expire September 2028.
- u. **Motion** – Initiation of Inman Street Streetscape Project (p. 117-118).
- v. **Motion** – Approving the Emergency Repair process, if deemed necessary for repair of the concrete bridge rail at 20th Street/Keith Street (p. 119).

8. UNFINISHED BUSINESS

9. REPORTS OF COUNCIL MEMBERS

- a. Vice Mayor Johnson
- b. Councilwoman McKenzie
- c. Councilman Estes
- d. Councilman Cassada
- e. Councilman May
- f. Councilman Hughes
- g. Councilman Webb

10. NEW BUSINESS AND ORDINANCES

- a. **Ordinance 2023-26** – Abandoning a section of unopened right-of-way located between Pugh St. NE and Lang St NE (Planning Commission: Approved 7-0; 2 absent) (p. 120-123).
- b. **Zoning Ordinance 2023-29** – Concerning a request by Ava Castillo for consideration of an ordinance to rezone about 2.10 acres, more or less, located at 4020 N. Ocoee Street, from PI Professional Institutional to CN Commercial Neighborhood Zoning District and includes Tax Map 042G Group C Parcel 036.00 (Planning Commission: Approved 7-0; 2 absent) (p. 124-126).
- c. **Zoning Ordinance 2023-30** – Concerning a request by Pleasant Grove Properties for consideration of an ordinance to amend PUD19 development standards which is located on Sunset Dr. and includes Tax Map 042P Group J Parcel 005.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 127-136).
- d. **Zoning Ordinance 2023-31** – Concerning a request a request by B&J Properties for consideration of an ordinance to amend PUD41 to include 16 townhouses as an allowable use which is located at 443 Minnis Rd. and includes Tax Map 058 Parcels 025.02, 024.00, and 024.05 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 137-144).
- e. **Resolution 2023-81** – Concerning a request by Stuart Family Properties LLC for consideration of a Plan of Service for about 13 acres, more or less, for property located on Urbane Rd., and includes a portion of Tax Map 042 Parcel 058.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 145-154).
- f. **Resolution 2023-82** – Concerning a request by Stuart Family Properties LLC for consideration of a resolution to annex about 13 acres, more or less, for property located on Urbane Rd., and includes a portion of Tax Map 042 Parcel 058.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 155-171).
- g. **Zoning Ordinance 2023-32** – Concerning a request by Stuart Family Properties LLC for consideration of an ordinance to zone about 13 acres more or less, located on Urbane Road from unincorporated county to PUD46 Planned Unit of Development Zoning District and includes a portion of Tax Map 042 Parcel 058.00 (Planning Commission: Approved 6-0; 1 recused, 2 absent) (p. 164-171).
- h. **Resolution 2023-83** – Concerning a request John and Joan Gilliland for consideration of a plan of service for about 29.66 acres, more or less, for property located at Waterlevel Highway and includes a portion of Tax Map 058K Group F Parcel 001.00 (Planning Commission: Approved 7-0; 2 absent) (p. 172-182).

- i. **Resolution 2023-84** – Concerning a request by John and Joan Gilliland for consideration of a resolution to annex about 29.66 acres, more or less, of property located at Waterlevel Hwy and includes a portion of Tax Map 058K Group F Parcel 001.00 (Planning Commission: Approved 7-0; 2 absent) (p. 183-193).
- j. **Zoning Ordinance 2023-33** – Concerning a request by John and Joan Gilliland for consideration of an ordinance to zone about 29.66 acres, more or less, for property located on Waterlevel Highway from unincorporated county to CH Highway Commercial Zoning District and includes a portion of Tax Map 058K Group F Parcel 001.00 (Planning Commission: Approved 7-0; 2 absent) (p. 194-195).
- k. **Discussion of Ordinance 2023-34** – Concerning a request by the City of Cleveland for consideration of an ordinance to amend the Cleveland Municipal Code, Title 14 Zoning Ordinance, by adding Chapter 13 to Title 14 Zoning and Land Use Control, to provide regulations for short term rentals (p. 196-203).
- l. **Ordinance 2023-35** – Amending the Cleveland Municipal Code Title 5, Chapter 7, Hotel/Motel Tax, Section 5-703, to amend the rate from 4% to 3.5% (p. 204-205).
- m. **Motion** – Approving staff to proceed with publishing a special notice concerning annexation by referendum and to set a public hearing for September 25 to begin the approval process (p. 206).

11. ANNOUNCEMENTS

- a. The next City Council meeting will be held on Monday, August 28, 2023.

12. ADJOURNMENT