

BE IT REMEMBERED THAT THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE MET IN A REGULAR SESSION THIS MONDAY, SEPTEMBER 25, 2023 AT 3:00 P.M. AT THEIR REGULAR MEETING PLACE IN THE CLEVELAND MUNICIPAL BUILDING.

Present and presiding was Mayor Kevin Brooks. Also present were Vice Mayor Avery Johnson, Councilmen Bill Estes, David May, Tom Cassada, Dale Hughes, Ken Webb, and Councilwoman Marsha McKenzie.

Others in attendance were City Manager Joe Fivas; Shawn McKay, Assistant City Manager/CFO; Sue Zius, Administrative Coordinator; Beverley Lindsey, Assistant to the City Manager; Christy Brandon, Assistant City Clerk; City Attorney John Kimball; Police Chief Mark Gibson; Interim Fire Chief Rock Eulo; Kris Miller, IT Director; Jonathan Jobe, Director of Development and Engineering; Tommy Myers, Public Works Director; Kim Miller, Human Resource Director; Patti Pettitt, Parks and Recreation Director; Robert Varnell, Planning and Community Development Director; Gideon Ratcliff with Mix104.1; Cathy Andrews, CDBG Coordinator; Doug Berry with the Chamber of Commerce; Lawrence Armstrong, NAACP; Marie Tucker; Terry Goldston; Michell Goldston; Paulette Pugh; Jeremiah Million; Hal Taylor; Julie Fivas; Joan David; Gwillen Lowe; William Rogers; RaSharon King; Sharon Marr with Mainstreet Cleveland; Marle Scully; Brian Easterner; Joshua Goode; Micah Smith; Christy Goza; Nathan Cates; Seth Sumner; Dustin Tommey and Tim Siniard with the *Cleveland Daily Banner*.

Following the Pledge of Allegiance to the American Flag and prayer by Vice Mayor Johnson, 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 September 11, 2023 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**

Mayor Brooks stated we heard from Lawrence Armstrong, President of the Bradley County NAACP during today's Work Session and they have asked to be on today's Regular Session agenda as well. Vice Mayor Johnson stated he still had a lot of questions and would like to come together to discuss and bring a recommendation to the Council. If he still doesn't have the information, we can work that out. We can have a better understanding of what specific items, everything that is on the list. As far as leaving the City Manager out of the process, he doesn't think that we need to do that. We need a clear understanding of what the issues are. Vice Mayor Johnson moved that we get a committee together to meet with Mr. Armstrong and whoever else Mr. Armstrong would like to meet with us. That is his recommendation. Mayor Brooks stated the motion fails for lack of a second. Mayor Brooks then stated he understands Mr. Fivas has accepted a meeting with Mr. Armstrong, which would not require a vote of the Council. Is that acceptable Vice Mayor? Vice Mayor Johnson stated yes. Mr. Armstrong stated yes, with the City Attorney as well. Mr. Kimball stated he was okay to attend but it would be good if a Councilmember attended, as his job is to give the Council legal advice. I cannot answer private citizens' questions. Mayor Brooks added if two Councilmembers are present, it will become a public meeting. Mr. Kimball stated yes. Mayor Brooks asked Mr. Armstrong if Mr. Fivas, Mr. Kimball and Vice Mayor Johnson be present for the meeting. Mr. Armstrong agreed. He continued just to put clarity with the situation, the purpose of the recusal that we have asked for is that the NAACP received several personnel complaints. These complaints were made towards Mr. Joe Fivas. In order to find a resolution to these complaints, we need Mr. Fivas to be out of the process so we can get the information. Now, mind you as I am standing here as the NAACP, there is only one African American complaint. There are many others that are not African American. I am saying to you this issue is bigger than what I am standing here before you. I may not be addressing the issue properly, as Councilman Estes mentioned earlier, maybe

not the proper platform to go to but the documents we need or requested may have to go through another open records request. Just to give you a snapshot there are accusations of city leadership being bias and unfair treatment, policy of hiring new employees not followed by the City Manager, City Manager not being trustworthy and making false statements, being very passive aggressive, realigning city employees without HR input causing hostile work environments. These were the issues brought before the NAACP. I did not want to disclose information about what I call “in-house dirty laundry”. I am standing before you trying to resolve these things without getting into the details. Without the recusal of the City Manager as a part of this process it’s not going to be any better for the City of Cleveland. I am open to whatever the recommendation is by the City Council, but I am making you aware of allegations and things that are taking place. Again, these are not from the minority community, there are several complaints, and we are trying to address the concerns, that is why we are before you. Councilman Estes thanked Mr. Armstrong and the NAACP and is encouraged if these allegations are against someone, that person be in the room. If it is about Mr. Fivas, I am encouraged that he will be in the room. Councilman Cassada stated he did speak to Mr. Armstrong and when the discussion got to personnel issues, I told him I couldn’t talk about those, it would have to be Mr. Fivas. Mr. Fivas stated I am glad we are getting together. I am 100% supportive and that is why I called Mr. Armstrong. I want to correct a couple of things. The meeting that was cancelled was because I had a domestic abuse issue with my sister and that’s why we didn’t meet before. But I think most importantly, if there is ever any concerns from any employee, we deal with that on a daily basis, we are always happy and willing to try to resolve those issues. I look forward to working with Mr. Armstrong to get to the bottom of what some of the concerns are and I think we are making progress and appreciates bringing these issues to our attention. That was my attempt to try to meet with him before and obviously it didn’t happen. Now it sounds like we are back on track and appreciate that.

### HEARING PETITIONS AND COMMUNICATIONS

Mayor Brooks stated there are no hearing petitions and communications.

### CONSENT AGENDA

Councilman May moved to approve the following items from the Consent Agenda. The motion was seconded by Councilman Estes; and upon roll call, unanimously passed. Mayor Brooks stated the final passage of Zoning Ordinance 2023-41 has been delayed until the next meeting.

- a. **Final Passage - Zoning Ordinance 2023-37** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 319; Concerning a request by Amaero Advanced Materials & Manufacturing Inc. for consideration of an ordinance to zone about 13.22 acres, more or less, of property located on Innovation Drive from IL Light Industrial Zoning District to IH Heavy Industrial Zoning District and includes Tax Map 055 Parcel 046.09 (Planning Commission: Approved 9-0).
- b. **Final Passage - Zoning Ordinance 2023-38** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 320; Concerning a request by Dean Custom Homes LLC for consideration of an ordinance to zone about .13 acres, more or less, of property located on Pugh Street from CH Highway Commercial to R-2 Low Density Single and Multi-Family Zoning District and includes Tax Map 058A Group Q Parcel 013.00 (Planning Commission: Approved 9-0).
- c. **Final Passage - Zoning Ordinance 2023-39** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 321; Concerning a request by Don Jacobsen for consideration of an ordinance to zone about .25 acres, more or less, of property located on Pugh Street from CH Highway Commercial to R-2 Low Density Single and Multi-Family Zoning District and includes Tax Map 058A Group Q Parcels 019.00 and 020.00 (Planning Commission: Approved 8-1).

- d. **Final Passage - Zoning Ordinance 2023-40** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 322; Concerning a request by Don Jacobsen for consideration of an ordinance to zone about .26 acres, more or less, of property located on High Street from CH Highway Commercial to R-2 Low Density Single and Multi-Family Zoning District and includes Tax Map 058A Group Q Parcel 007.00 (Planning Commission: Approved 8-1).
- e. **Final Passage - Ordinance 2023-42** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 333; Amending the Cleveland Municipal Code, Title 14, Zoning Ordinance, Chapter 2 Zoning Regulations, Section 3.4.4.E.18 to regulate surfacing of commercial parking lots (Planning Commission: Approved 9-0).
- f. **Final Passage - Ordinance 2023-43** – heretofore passed on first reading September 11, 2023 and found in Minute Book 31, Page 334; Amending the Cleveland Municipal Code, Title 14, Zoning Ordinance, Chapter 2, Zoning Regulations, Sections APP-C-82 (I), 3.4.1 Drives, driveways, and sidewalks, APP-C-125(f), 3.1.F, 6.2.1, and 6.2.2 to remove reference to Public works director and replace with Planning Director or designee (Planning Commission: Approved 9-0).
- g. **Surplus Property** – Declaring certain vehicles as surplus and to be used by the Police and Fire Departments for training exercises and to declare an electric bike as surplus and to be sold on GovDeals.

**TO: Mayor and City Council**  
**FROM: Kristi Powers, Budget/Purchasing Coordinator**  
**DATE: September 25, 2023**  
**RE: Surplus Property**

**SUMMARY:**

Fleet Management has requested the assets listed below to be declared surplus property.

To be used by the Police and/or Fire Departments for training:

- 2006 Ford Crown Victoria VIN 2FAHP71WX6X110287
- 2006 Ford Crown Victoria VIN 2FAHP71W16X110288
- 2000 Ford Crown Victoria VIN 2FAFP71W2YX214590
- 2008 Ford Crown Victoria VIN 2FAFP71V38X146324
- 2004 Ford Crown Victoria VIN 2FAHP71WX4X166050

To be sold on GovDeals:

- 700C Hyper E-Ride City Electric Bike (Abandoned Property)  
S/N: KK21A08652

**COMMITTEE FINDINGS:**

None.

**FISCAL ANALYSIS:**

None.

**RECOMMENDATION:**

City staff recommends approval of this item.

- h. **Resolution 2023-100** – Authorizing the Mayor to sign the FY2024-2025 MPO grant contract.

**RESOLUTION 2023-100**

**WHEREAS**, the City has received the attached MPO grant contract from the Tennessee Department of Transportation, (hereafter “TDOT”); and

**WHEREAS**, the grant contract is identified as:

Beginning date: October 1, 2023  
 End Date: September 30, 2025  
 Agency Tracking Number: 40100-51090  
 Grantee Edison Vendor ID #: 4062  
 Total Grant Contract Amount: \$755,012.00

**WHEREAS**, the City Council desires to enter into the attached grant contract with TDOT, and to further authorize the Mayor to execute this grant contract on behalf of the City of Cleveland.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cleveland, Tennessee, in regular session assembled, that the City Council does hereby approve of the attached grant contract with TDOT, and it further authorizes the Mayor to execute the same on behalf of the City of Cleveland.

This 25<sup>th</sup> day of September 2023

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

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 Kevin Brooks, Mayor

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 Shawn McKay, City Clerk

- i. **Resolution 2023-101** - Authorizing the City to purchase of equipment for the IT Department (Scissor Lift to maintain greenway cameras and lighting) through the Master Intergovernmental Cooperative Purchasing Agreement #020923-TER between Terex USA, LLC and Sourcewell.

**RESOLUTION 2023-101**

A RESOLUTION AUTHORIZING THE CITY OF CLEVELAND TO PURCHASE EQUIPMENT, PRODUCTS, OR SERVICES THROUGH A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING CONTRACT #020923-TER, AS AMENDED, WHICH IS ADMINISTERED BY SOURCEWELL, A STATE OF MINNESOTA LOCAL GOVERNMENT AGENCY AND SERVICE COOPERATIVE.

WHEREAS *Tennessee Code Annotated* § 12-3-1205 provides that any municipality may participate in, sponsor, conduct, or administer a “cooperative purchasing agreement” for the procurement of any supplies, services, or construction with one (1) or more other local governments in accordance with an agreement entered into between the participants, including governmental entities outside this state; and

WHEREAS, the Master Intergovernmental Cooperative Purchasing Agreement (“MICPA”) to provide equipment products or services between Terex USA, LLC (“Company”) and Participating Entities in cooperation with Sourcewell, a State of Minnesota local government agency and service cooperative, on behalf of Participating Entities, which may include the City of Cleveland, Tennessee, meets the authorized public bidding requirements for the State of Tennessee and allows governmental purchases of equipment, products or services pursuant to this MICPA at discounted contract prices, as permitted by *Tennessee Code Annotated* § 12-3-1205; and

WHEREAS, the City of Cleveland is authorized to participate in this Master Intergovernmental Cooperative Purchasing Agreement provided that it adopts a resolution accepting the terms of the Contract and the City of Cleveland as a participant acquires and maintains documentation that the purchasing entity that procured the bid complied with the purchasing requirements for the City of Cleveland pursuant to *Tennessee Code Annotated* § 12-3-1205; and

WHEREAS, the City Manager has determined that the Master Agreement shall be construed in accordance with and governed by the laws of the State in which the City of Cleveland exists as a participating agency and that the City of Cleveland has registered with Sourcewell which allows the City of Cleveland to enter into this MICPA and which is intended to allow the City of Cleveland to meet applicable legal requirements and facilitate access to the Master Agreement and the Company under Contract #020923-TER, as amended, held by Sourcewell as required by *Tennessee Code Annotated* § 12-3-1205 (a)(1).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE that the City of Cleveland be and is hereby authorized to purchase equipment, products or services as a participating public agency under MICPA Contract #020923-TER, as amended, held by Sourcewell as required by *Tennessee Code Annotated* § 12-3-1205 (a)(1) through Sourcewell to be used by the City of Cleveland.

APPROVED AS TO FORM:

/s/John F. Kimball  
City Attorney

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Kevin Brooks, Mayor

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Shawn McKay, City Clerk

- j. **Resolution 2023-102** - Authorizing the City to purchase of equipment for the IT Department (Trailer to tow the Scissor Lift) through the Master Intergovernmental Cooperative Purchasing Agreement #09299-MNR between Townmaster, LLC and Sourcewell.

**RESOLUTION 2023-102**

A RESOLUTION AUTHORIZING THE CITY OF CLEVELAND TO PURCHASE EQUIPMENT, PRODUCTS, OR SERVICES THROUGH A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING CONTRACT #092922-MNR, AS AMENDED, WHICH IS ADMINISTERED BY SOURCEWELL, A STATE OF MINNESOTA LOCAL GOVERNMENT AGENCY AND SERVICE COOPERATIVE.

WHEREAS *Tennessee Code Annotated* § 12-3-1205 provides that any municipality may participate in, sponsor, conduct, or administer a “cooperative purchasing agreement” for the procurement of any supplies, services, or construction with one (1) or more other local governments in accordance with an agreement entered into between the participants, including governmental entities outside this state; and

WHEREAS, the Master Intergovernmental Cooperative Purchasing Agreement (“MICPA”) to provide equipment products or services between Monroe Townmaster, LLC (“Company”) and Participating Entities in cooperation with Sourcewell, a State of Minnesota local government agency and service cooperative, on behalf of Participating Entities, which may include the City of Cleveland, Tennessee, meets the authorized public bidding requirements for the State of Tennessee and allows governmental purchases of equipment, products or services pursuant to this MICPA at discounted contract prices, as permitted by *Tennessee Code Annotated* § 12-3-1205; and

WHEREAS, the City of Cleveland is authorized to participate in this Master Intergovernmental Cooperative Purchasing Agreement provided that it adopts a resolution accepting the terms of the Contract and the City of Cleveland as a participant acquires and maintains documentation that the purchasing entity that procured the bid complied with the purchasing requirements for the City of Cleveland pursuant to *Tennessee Code Annotated* § 12-3-1205; and

WHEREAS, the City Manager has determined that the Master Agreement shall be construed in accordance with and governed by the laws of the State in which the City of Cleveland exists as a participating agency and that the City of Cleveland has registered with Sourcewell which allows the City

of Cleveland to enter into this MICPA and which is intended to allow the City of Cleveland to meet applicable legal requirements and facilitate access to the Master Agreement and the Company under Contract #092922-MNR, as amended, held by Sourcewell as required by *Tennessee Code Annotated* § 12-3-1205 (a)(1).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE that the City of Cleveland be and is hereby authorized to purchase equipment, products or services as a participating public agency under MICPA Contract #092922-MNR, as amended, held by Sourcewell as required by *Tennessee Code Annotated* § 12-3-1205 (a)(1) through Sourcewell to be used by the City of Cleveland.

APPROVED AS TO FORM:

/s/John F. Kimball  
City Attorney

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Kevin Brooks, Mayor

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Shawn McKay, City Clerk

- k. **Resolution 2023-103** – Authorizing the Mayor to sign a grant contract with the Tennessee Department of Safety and Homeland Security for community-based traffic safety enforcement and education.

**RESOLUTION 2023-103**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE 2024 STATE OF TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY DRIVER SAFETY AWARENESS GRANT**

**WHEREAS**, the State of Tennessee Department of Safety and Homeland Security through the Tennessee Highway is sponsoring competition for federal grant funds to be distributed statewide from the National Highway Traffic Safety Administration for the 2023-2024 Federal Fiscal Year. Grant funding is available for traffic safety programs, public awareness campaigns, impaired driving, highway safety education, occupant protection, speed enforcement as well as pedestrian and bicycle safety; and

**WHEREAS**, the City Council of the City of Cleveland, Tennessee desires to authorize City staff to accept the grant funding, and authorize the Mayor to sign the same, as well as to execute any other documents or take any other actions which may be necessary or appropriate to implement the grant awarded to the City by the Tennessee Department of Safety and Homeland Security.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cleveland, Tennessee that the Mayor and City staff be authorized to sign and accept the grant with the State of Tennessee Department of Safety and Homeland Security on behalf of the City of Cleveland for the grant described herein.

**BE IT FURTHER RESOLVED** by the City Council of the City of Cleveland that the Mayor is authorized to execute any other documents or take any other actions which may be necessary or appropriate to implement the grant if the same is awarded to the City by the Tennessee Department of Safety and Homeland Security.

Adopted this 25<sup>th</sup> day of September 2023.

APPROVED AS TO FORM:

/s/John F. Kimball  
City Attorney

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Kevin Brooks, Mayor

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Shawn McKay, City Clerk

- 1. **Resolution 2024-104** – Authorizing the Mayor to sign an agreement with S&ME for Phase 1 Environmental Site Assessments for various former Whirlpool properties.

**RESOLUTION 2023-104**

**A RESOLUTION APPROVING OF A PROFESSIONAL SERVICES AGREEMENT WITH S&ME, INC. FOR PHASE I ENVIRONMENTAL SITE ASSESSMENTS FOR VARIOUS FORMER WHIRLPOOL PROPERTIES**

**WHEREAS**, the City Manager is recommending to the City Council that the City enter into a professional services agreement with S&ME, Inc. to provide Phase I Environmental Site Assessments for various former Whirlpool parcels; and

**WHEREAS**, City staff is still finalizing the terms and conditions of the agreement with S&ME, Inc.; and

**WHEREAS**, the City Council desires to enter into an agreement with S&ME, Inc. once the final agreement has been agreed upon, and to authorize the Mayor to execute the professional services agreement on behalf of the City once a final agreement is received.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cleveland, Tennessee that the City Council does hereby approve of an agreement with S&ME, Inc. to provide professional services, and the City Council further authorizes the Mayor to execute the agreement on behalf of the City once a final agreement is received.

This 25<sup>th</sup> day of September 2023.

APPROVED AS TO FORM:

/s/John F. Kimball  
City Attorney

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Kevin Brooks, Mayor

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Shawn McKay, City Clerk

m. **Motion** – Authorizing staff to develop a small area plan for College Hill & Blythe-Oldfield.

**TO:** Mayor and City Council  
**FROM:** Joe Fivas, City Manager  
**DATE:** September 25, 2023  
**RE:** Request Staff to Develop a Small Area Plan for College Hill & Blythe-Oldfield

**SUMMARY:**

The City has began it’s implementation of RCE Bridge Grant and RAISE Grant. These Grant will change and positively affect the College Hill and Blythe-Oldfield neighborhoods in the future. City staff is requesting to have Council direction on developing a Small Area Plan for the College Hill and the Blythe-Oldfield neighborhoods. This plan will give us a coordinated strategic direction on what future development in College Hill & Blythe-Oldfield should look like in the future. This will include community input from all stakeholders. Dustin Tommey will be the staff liaison for this project.

**COMMITTEE FINDINGS:**

No Committee or Board action.

**FISCAL ANALYSIS:**

N/A

**RECOMMENDATION:**

City staff requests Council approval to develop an RFQ for a consultant a Small Area Plan for College Hill and Blythe-Oldfield neighborhoods.

n. **Motion** – Modification of Authorize Positions.

**TO:** Mayor and City Council  
**FROM:** Joe Fivas, City Manager  
**DATE:** September 25, 2023  
**RE:** Modification of Authorized Positions

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**SUMMARY:**

In our Authorized Positions, modify Director of Parks & Recreation to Level 124. Change one Facility Maintenance I position into a Facility Maintenance III (position. No pay change associated with this level change.

**COMMITTEE FINDINGS:**

No Committee or Board action.

**FISCAL ANALYSIS:**

N/A

**RECOMMENDATION:**

In our Authorized Positions, modify Director of Parks & Recreation to Level 124. Change one Facility Maintenance I (105) position into a Facility Maintenance III position (109).

**UNFINISHED BUSINESS**

There was no unfinished business.

**REPORTS OF COUNCIL MEMBERS**

Councilman Cassada thanked City Staff for participating in the District 3 meeting. Also, the Nature Park Walk is being cleaned up today. Lastly, he is looking forward to a report on Jim Sharp Park at the next meeting. The public inspires us to move the City forward and thanks to Mr. Bennett in the Overbrook Subdivision who brought it to his attention there was not a playground in the 3<sup>rd</sup> District. Residents that live in the community are what moves us forward.

Councilman May asked Mr. Fivas to fast-track the traffic issue on Julian Drive relating to the need for a stop sign.

Councilman Hughes had no report at this time.

Councilman Webb discussed the Disc Golf course and had a photo of Chad Payne and his children at Fletcher Park this morning. This is what it is about, quality of life in the City of Cleveland. They were excited about the new Disc Golf Course.

Vice Mayor Johnson inquired about the wetlands off Candies Lane and if the mowing crews could cut back some overgrowth away from the walking path. Mr. Fivas stated yes, Public Works will be bringing in heavier equipment to work on overgrowth in some areas.

Councilwoman McKenzie had no report at this time.

Councilman Estes thanked Mr. Fivas for looping him in on the Soccer information. He then thanked Chief Gibson for the extra police presence at school crossings. It really helps the walkers. Lastly, he toured the First Tennessee Building. It was encouraging and it is a radical game changer for the City Schools.



**NEW BUSINESS AND ORDINANCES**

Micah Smith addressed the City Council concerning the Tee It Up for the Troops event on Veteran's Day, November 11 from 2-7p.m. We are asking for a Special Occasion Beer Permit for the fundraising event to support Veteran's. It will be a ticketed event along 1<sup>st</sup> Street with music and microbrewing samples. Mr. Kimball stated they are here today asking for a beer permit on public property. The Beer Board can not issue a permit without the Council's approval. Councilman Estes moved to authorize the Beer Board to issue a Special Occasion Permit for Tee It Up for the Troops event on November 11. The motion was seconded by Councilman May. Councilman Cassada asked if the local restaurants along 1<sup>st</sup> Street were contacted to use their permit. Mr. Smith stated yes, the issue is occupancy capacity, and this event will be held in the street. Councilman Cassada stated the downtown businesses could be affected. He is committed but asked if it could be done without alcohol. We have to be cautious. Mr. Smith stated this is a fundraising model, Foam of the Brave, for the organization. Ross Tarver with Tarver Distributing stated he spoke with Mr. Smith concerning the event. No one is more concerned about underage drinking and over consumption than himself. As Cleveland continues to grow, we have to be responsible, and believe more residents expect things like this as we grow as a community. We have huge downtown development plans. Downtown residents can walk to this event. Wonderful things are happening in the downtown community, and he thinks more of these types of activities are going to be expected from our community. He asks for the Council support for this event. Councilman Cassada thanked Mr. Tarver and stated he is still concerned for downtown businesses. Councilman Hughes added he agrees, downtown businesses could be affected. Mayor Brooks stated we have a model where this is working with downtown businesses and also encourages downtown events. Upon roll call, Councilman Estes, Councilman May, Councilman Cassada, Councilman Webb, and Vice Mayor Johnson voted aye. Councilman Hughes and Councilwoman McKenzie voted no. The motion carries 5:2.

Christy Goza addressed the Council concerning the Witches, Wine & Spirits Stroll event to be held on October 28 for the Breast Cancer Awareness fundraiser. Local businesses have calibrated together to have a contained event along 1<sup>st</sup> Street; when streets are blocked and businesses are open with live entertainment, people will wander. This Special Occasion Beer Permit would allow people to enjoy entertainment on the street, legally. Upon roll call, Councilman Estes, Councilman Cassada, Councilman May, Councilman Webb, and Vice Mayor Johnson voted aye. Councilman Hughes and Councilwoman McKenzie voted no. The motion carries 5:2.

**ANNOUNCEMENTS**

Mayor Brooks announced the following:

- a. City Offices will be closed Monday, October 9, 2023 in observance of Columbus Day.
- b. The next City Council meeting will be held on Monday, October 23, 2023.
- c. The District 1 Community meeting will be held on October 19 at the Museum Center at 7 p.m.

**ADJOURNMENT**

There being no further business, Mayor Brooks adjourned the meeting at 4:02 p.m.

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Mayor

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City Clerk