

BE IT REMEMBERED THAT THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE MET IN A REGULAR SESSION THIS MONDAY, JANUARY 12, 2026 AT 3:00 P.M. AT THEIR REGULAR MEETING PLACE IN THE CLEVELAND MUNICIPAL BUILDING.

Present and presiding was Mayor Kevin Brooks. Also present was Vice Mayor Ken Webb, Councilwoman McKenzie, Councilmen Bill Estes, Tom Cassada, David May, Duane Goff, and Dan Moore.

Others in attendance were City Manager Joe Fivas; Shawn McKay, Assistant City Manager/CFO; City Attorney John Kimball; Christy Brandon, Assistant City Clerk; Sue Zius, Administrative Coordinator; Beverley Lindsey, Assistant to the City Manager; Police Chief Mark Gibson; Fire Chief Chris Bates; Jonathan Jobe, Assistant City Manager/Development and Recreation; Kris Miller, IT Director; Tommy Myers, Assistant City Manager/Transportation and Environmental Services; Cathy Andrews, CDBG Coordinator; Hal Taylor and Jodi Riggins with Cleveland City Schools; Doug Berry with the Chamber of Commerce; Tim Rader; JA Graham; Bill Sanders; Anthony Cacon; Chris Edmonds; Caden Payne; and Tim Siniard with the *Cleveland Daily Banner*.

Following the Pledge of Allegiance to the American Flag and prayer by Vice Mayor Webb, the following business was then entered into:

WAIVE READING OF MINUTES

Vice Mayor Webb 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 December 8, 2025 and approve them as written. The motion was seconded by Councilman May; and upon roll call, the motion carried 7-0.

SPECIAL PRESENTATIONS AND PUBLIC COMMENTS

Mayor Brooks asked if anyone would like to address the Council. Bill Sanders, who lives on Pleasant Grove Road, is a developer and owns the property near Exit 20 stated he wanted to be sure everyone is aware what they are planning to build on the 40 acres across from the Road Department, warehouse and other office buildings. Also, to clear up rumors, there will not be a mental hospital built on the property.

Joy Graham, who lives on Pleasant Grove Road stated she is concerned about traffic and what kind of commercial businesses will be across from her. If it is a warehouse, that is one thing but is worried about what is going to be placed across the street.

Mike Kindle, who works with the developer stated the developer has plans to build warehouses with commercial/industrial type uses. The preliminary designs are for three smaller warehouse buildings to fit on the site. Typically, for this size of warehouse, the traffic could have 20-30 trucks a day. Mayor Brooks asked about roadway improvement and the angle of the sharp curve. Mr. Fivas stated it is a county road, and we are happy to talk to the county about making improvements.

HEARING PETITIONS AND COMMUNICATIONS

Mayor Brooks stated today's meeting is being held as a public hearing to hear public comments concerning a request by Sam Bruner for consideration of a Plan of Service, a resolution to annex, and an ordinance to zone about 92.47 acres, more or less, of property located along Pleasant Grove Rd. from CH/FAR to PUD 72 and includes Tax Map 056 Parcel 002.00 (Planning Commission: Approved 9-0). Robert Varnell stated this annexation request and zone for a PUD, it is a mixed-use development, which includes language that guides both commercial and residential development. We don't have a site plan yet, so it will be through the process again. Mayor Brooks asked if anyone would like to speak in favor of the request. No one spoke.

Mayor Brooks asked if anyone would like to speak in opposition to the request. No one spoke. Mayor Brooks declared the public hearing to be closed.

Mayor Brooks stated today's meeting is being held as a public hearing to hear public comments concerning a request by Teofil Kurochka on behalf of Cleveland Church of Evangelical Faith for consideration of an ordinance to zone about 2.94 acres, more or less, of property located along Baldwin Street NE from CH Highway Commercial zoning district to CG General Commercial zoning district and includes Tax Map 065D Group E Parcels 13.00, 16.00, and 018.00 (Planning Commission: Approved 9-0). Robert Varnell stated staff has reviewed this and one thing General Commercial zoning has is a lesser rear setback. The church is working on an addition that will be connected to the primary structure and working through the process with them, general commercial option protects the surrounding properties better. Staff and Planning Commission recommends the rezoning. Mayor Brooks asked if anyone would like to speak in favor of the request. No one spoke. Mayor Brooks asked if anyone would like to speak in opposition to the request. No one spoke. Mayor Brooks declared the public hearing to be closed.

Mayor Brooks stated today's meeting is being held as a public hearing to hear public comments concerning a request by Bent Tree Development for consideration to amend PUD 65 to remove townhomes as an allowable use and replace with single family homes as an allowable use (Planning Commission: Approved 9-0). Robert Varnell stated we had quite a bit of discussion on the original request. The original developer has sold the development, and the new developer wishes to do single family residential. The infrastructure improvements on 20th Street remain. The 50' undisturbed buffer where planting have to be disturbed because of stormwater does remain and this is a reduction of total units, by roughly thirty units from the original request, going from townhomes to single family. The original requirements in the PUD do remain with this new version. Both staff and Planning Commission recommends approval. Mayor Brooks asked if anyone would like to speak in favor of the request. No one spoke. Mayor Brooks asked if anyone would like to speak in opposition to the request. No one spoke. Mayor Brooks declared the public hearing to be closed.

CONSENT AGENDA

Mayor Brooks stated the Consent Agenda has been presented to the Council. Councilman May moved to approve the following items from the Consent Agenda. The motion was seconded by Councilman Estes. Upon roll call, the motion passed 7-0.

- **Final Passage - Zoning Ordinance 2025-63** – heretofore passed on first reading December 8, 2025 and found in Minute Book 32, Page 734; Concerning a request by Mitchell Maloney for consideration of an ordinance to zone about .73 acres, more or less, of property located at T.L. Rogers St. NE from CH Highway Commercial to R-2 Low Density Single and Multi-Family Zoning District (Planning Commission: Approved 8-0; 1 absent).
- **Final Passage - Ordinance 2025-67** – heretofore passed on first reading December 8, 2025 and found in Minute Book 32, Page 736; Concerning a request by Spring Creek Community Developers II for consideration of an ordinance to amend PUD 8 to change the use for lots 3 and 4 from commercial to residential and allow for parking to be shared across the development (Planning Commission: Approved 8-0; 1 absent).
- **Resolution 2026-01** – Authorizing the Mayor to sign contract amendment #7 with TDOT relating to the Gaut Street Sidewalk Improvements (PIN 123116.01).

RESOLUTION 2026-01

WHEREAS, the City has received the attached Amendment #7 from the Tennessee Department of Transportation (hereafter "TDOT") for the project described below; and

Project: Various Streets in Cleveland
 Agreement Number: 170087
 Project Identification Number (PIN): 123116.01
 Federal Project Number: TAP/STP-M-9203(23)

State Project Number: 06LPLM-F3-056

WHEREAS, the City Council desires to enter into the attached Amendment #7 with TDOT, and to further authorize the Mayor to execute this agreement 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 Amendment Number 7 from the Tennessee Department of Transportation for the project described herein, and it further authorizes the Mayor to execute the same on behalf of the City of Cleveland.

This 12th day of January 2026

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-02** – Sourcewell Cooperative Agreement to purchase public safety software and equipment from Miovision.

RESOLUTION 2026-02

A RESOLUTION AUTHORIZING THE CITY OF CLEVELAND TO PURCHASE EQUIPMENT, PRODUCTS, OR SERVICES THROUGH A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING CONTRACT #030425-MIO, 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 Miovision Technologies US, LLC (“Company”) and Participating Entities in cooperation with Sourcewell, a State of Minnesota local government 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 #030425-MIO, 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 #03025-MIO, 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

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-03** – Authorizing the Mayor to sign contract amendment #3 with TDOT related to Resurfacing and Safety on Paul Huff Parkway and Stuart Road (PIN 130477.00).

RESOLUTION 2026-03

WHEREAS, the City has received the attached contract amendment #3 from the Tennessee Department of Transportation, (hereafter “TDOT”) for the project described below; and

Project: Resurfacing and Safety on Paul Huff Parkway N.W. and Stuart Road N.E.

Agreement Number: 200153
Project Identification Number: 130477.00
Federal Project #: STP-M-NH-9203(26)
State Project #: 06LPLM-F3-082

WHEREAS, the City Council desires to enter into the attached contract amendment #3 with TDOT for the project described, and to further authorize the Mayor to execute this contract amendment 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 contract amendment #3 with TDOT for the project described herein, and it further authorizes the Mayor to execute the same on behalf of the City of Cleveland.

This 12th day of January 2026.

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-04** – Accepting the donation of the American 250 Monument to be placed located in First Street Square.

RESOLUTION 2026-04

A RESOLUTION ACCEPTING THE DONATION OF A MONUMENT FROM THE OCOEE CHAPTER NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION AND THE COLONEL BENJAMIN CLEVELAND CHAPTER, TENNESSEE SOCIETY, SONS OF THE AMERICAN REVOLUTION

WHEREAS, the City of Cleveland, Tennessee is named after Colonel Benjamin Cleveland; and

WHEREAS, in 2013 the Colonel Benjamin Cleveland Chapter, Tennessee Society, Sons of the American Revolution and Sculptor Joshua D. Coleman graciously offered to donate a statue of Colonel Benjamin Cleveland to the City of Cleveland; and

WHEREAS, the City Council accepted the donation of the statute of Colonel Benjamin Cleveland by Resolution 2013-23 passed on April 22, 2013, and the statute of Colonel Benjamin Cleveland is now located in First Street Square, and

WHEREAS, by Public Chapter 384 passed in 2019, the Tennessee General Assembly established a Commission to “plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, and recognize Tennessee’s integral role in that event and the impact of its people on the nation’s past, present and future”; and

WHEREAS, by Public Chapter 966 passed in 2024, the Tennessee General Assembly funded a direct appropriation grant of \$2,145,000 to the Tennessee State Museum, the Commission’s administrative attachment, to fulfill the mission of Public Chapter 384, including re-granting funding to Tennessee organizations to support America 250 project initiatives; and

WHEREAS, the Ocoee Chapter of the National Society Daughters of the American Revolution and the Colonel Benjamin Cleveland Tennessee Society, Sons of the American Revolution Chapter (hereafter jointly referred to as “the donors”) have jointly worked together and submitted a grant application to the Tennessee State Museum for an America 250 project; and

WHEREAS, in October of 2024, the donors were notified by the Executive Director of the Tennessee State Museum that the Ocoee Chapter of the National Society Daughters of the American Revolution was selected from among the Tennessee America 250 Grant applicants to receive Signature Program status and funding for its American 250 project; and

WHEREAS, representatives from the Ocoee Chapter of the National Society Daughters of the American Revolution made a presentation to the City Council about their grant project at the City Council’s meeting held on December 8, 2025; and

WHEREAS, the America 250 project that has been approved for grant funding by the Tennessee State Museum would involve the installation of a monument next to the Colonel Benjamin Cleveland statue in First Street Square, which monument would contain the names of individuals from Bradley County who served the United States in the American Revolution; and

WHEREAS, the monument would be donated to the City by the donors and would be installed by the donor’s monument company at no cost to the City, with an estimated installation date in the fall of 2026; and

WHEREAS, once installed, the monument will be owned by the City and maintained by the donors, with the understanding that should the City ever desire to remove the monument then ownership of the monument would revert back to the donors unless the monument is relocated to another location by mutual agreement of the City and the donors; and

WHEREAS, the City Council of the City of Cleveland appreciates the donors’ proposed gift of the American 250 monument to the City, and the City desires to accept the same under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cleveland, Tennessee, does hereby accept the donation of the above referenced monument from the donors under the terms and conditions described herein.

Approved this 12th day of January 2026.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-05** – Authorizing the Mayor to sign an Interlocal Agreement with Bradley County in connection with the annexation of a parcel of property located on Strawberry Lane.

RESOLUTION 2026-05

WHEREAS, the City has presented Bradley County with the attached Interlocal agreement between the City and the County in connection with the annexation of a parcel of property owned by Daniel L. Smith, which parcel is located on Strawberry Lane, and which is generally described as Tax Map 058B Group C Parcel 007.00 as described in the interlocal agreement; and

WHEREAS, the Bradley County Commission approved of this Interlocal agreement at its voting meeting on December 15, 2025; and

WHEREAS, the City Council desires to approve of this Interlocal Agreement with Bradley County; and

WHEREAS, the City Council further desires to authorize the Mayor to execute the Interlocal agreement with Bradley County 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 Interlocal Agreement between the City of Cleveland and Bradley County.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Interlocal agreement on behalf of the City.

This 12th day of January 2026.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Final Passage - Zoning Ordinance 2025-37** – heretofore passed on first reading July 28, 2025 and found in Minute Book 32, Page 471; Concerning a request by Daniel Smith for consideration of an ordinance to zone about .34 acres, more or less, for property located at Strawberry Lane NE from FAR/unincorporated county to R-2 Low Density Single and Multi-Family Zoning District and includes Tax Map 058B Group C Parcel 007.00 (Planning Commission: Approved 7-0; 2 absent).
- **Resolution 2026-06** – Authorizing the Mayor to sign an Interlocal Agreement with Bradley County in connection with the annexation of property located on Frontage Road.

RESOLUTION 2026-06

WHEREAS, the City has presented Bradley County with the attached Interlocal agreement between the City and the County in connection with the annexation of a parcel of property owned by Bruner One, LLC, which parcel is located on Frontage Road, and which is generally described as Tax Map 014 Parcels 055.00 and 056.01 as described in the interlocal agreement; and

WHEREAS, the Bradley County Commission approved of this Interlocal agreement at its voting meeting on December 15, 2025; and

WHEREAS, the City Council desires to approve of this Interlocal Agreement with Bradley County; and

WHEREAS, the City Council further desires to authorize the Mayor to execute the Interlocal agreement with Bradley County 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 Interlocal Agreement between the City of Cleveland and Bradley County.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Interlocal agreement on behalf of the City.

This 12th day of January 2026.

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Final Passage - Zoning Ordinance 2025-55** – heretofore passed on first reading October 27, 2025 and found in Minute 32, Page 625; Concerning a request by Pryor Bacon/Sam Bruner for consideration of an ordinance to zone about 5.75 acres, more or less, for property located at Frontage Rd. from FAR/unincorporated to CH Highway Commercial and includes Tax Map 014 Parcels 055.00 and 056.01 (Planning Commission: Approved 9-0).
- **Resolution 2026-07** – Authorizing staff to submit an application for the 2026 Local Parks and Recreation Grant to support the development of a competitive indoor swimming pool within the planned Indoor Sports, Events, and Aquatics Center at Hardwick Farms (50/50 City match up to \$3.5 million).

RESOLUTION 2026-07

A RESOLUTION AUTHORIZING STAFF TO MAKE APPLICATION TO THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION’S LOCAL PARKS AND RECREATION FUND (LPRF) GRANT PROGRAM FOR FUNDING ASSISTANCE IN THE AMOUNT OF THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) TO SUPPORT THE DEVELOPMENT OF A COMPETITIVE INDOOR SWIMMING POOL

WHEREAS, the City of Cleveland, Tennessee, recognizes the importance of providing quality recreational and athletic facilities that enhance the quality of life for residents and visitors alike; and

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) administers the Local Parks and Recreation Fund (LPRF) grant program to assist local governments in the acquisition and development of public park and recreation facilities; and

WHEREAS, the City of Cleveland desires to apply for LPRF grant assistance in the amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) to support the construction of a 25-yard, 10-lane competitive indoor swimming pool within the planned Indoor Sports, Events, and Aquatics Center at Hardwick Farms; and

WHEREAS, the City agrees to provide the required local match equal to at least Three Million Five Hundred Thousand Dollars (\$3,500,000) in capital funding, resulting in a total project investment of no less than Seven Million Dollars (\$7,000,000); and

WHEREAS, the proposed project will serve as a significant community asset by expanding recreational opportunities, supporting youth and competitive athletics, promoting wellness, and contributing to economic activity through sports tourism; and

WHEREAS, the City Council finds it to be in the public interest to authorize staff to prepare and submit the necessary grant application and related documents to TDEC in pursuit of this funding opportunity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cleveland, Tennessee, in regular session assembled, that:

1. City staff are hereby authorized and directed to prepare and submit an application to the Tennessee Department of Environment and Conservation’s Local Parks and Recreation Fund grant program requesting \$3,500,000 in grant funds to support the development of a competitive indoor swimming pool at Hardwick Farms.
2. The City commits to providing matching funds (50/50) in an amount up to \$3,500,000 from approved capital sources to fulfill the grant requirements.
3. The Mayor is authorized to execute all necessary documents, assurances, and agreements on behalf of the City of Cleveland to complete the grant application and, if awarded, to administer the project in compliance with all applicable regulations.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage, the public welfare requiring it.

APPROVED this 12th day of January, 2026.

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-08** – Authorizing staff to submit an application for the Creative Placemaking Grant through the Tennessee Arts Commission (75/25 City match up to \$7,500).

RESOLUTION 2026-08

A RESOLUTION AUTHORIZING STAFF TO APPLY FOR THE
TENNESSEE ARTS COMMISSION’S 2026 CREATIVE PLACEMAKING GRANT

WHEREAS, the Tennessee Arts Commission provides Creative Placemaking Grants to support projects that use arts, culture, and design to enhance community development and public spaces; and

WHEREAS, the City of Cleveland recognizes the value of incorporating local arts and cultural expression into the city’s ongoing community and economic development efforts; and

WHEREAS, City staff have identified an opportunity to apply for grant funding through the Tennessee Arts Commission’s Creative Placemaking program to support local placemaking initiatives that advance community identity, aesthetics, and engagement; and

WHEREAS, the grant program requires a local match commitment, which may be met through cash and/or in-kind contributions; and

WHEREAS, the Tennessee Arts Commission Creative Placemaking Grant requires a four-to-one (4:1) cash or in-kind match, and operates on a reimbursement basis, requiring the grantee to incur eligible project expenses upfront prior to reimbursement upon completion of reporting requirements;

WHEREAS, the City Council of the City of Cleveland finds it to be in the community’s best interest to authorize city staff to pursue this grant opportunity and to provide a match not to exceed \$7,500.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cleveland, Tennessee, in regular session assembled, that:

1. City staff are hereby authorized to prepare and submit an application to the Tennessee Arts Commission for the Creative Placemaking Grant in an amount up to Thirty Thousand Dollars (\$30,000).
2. The City Council hereby authorizes a local match for this grant not to exceed Seven Thousand Five Hundred Dollars (\$7,500), which may consist of cash and/or in-kind contributions as permitted by the grant guidelines.
3. The Mayor, City Manager, or their designee is authorized to execute all necessary application documents and, if awarded, to take all required actions to implement the grant in accordance with applicable rules and procedures.

APPROVED this 12th day of January, 2026.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Resolution 2026-09** – Approving Policies and Procedures relating to the implementation of Tax Increment Financing by the Industrial Development Board.

RESOLUTION 2026-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE, APPROVING POLICIES AND PROCEDURES RELATING TO THE IMPLEMENTATION OF TAX INCREMENT FINANCING TRANSACTIONS THAT MAY BE UNDERTAKEN BY THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF BRADLEY AND THE CITY OF CLEVELAND, TENNESSEE

WHEREAS, the City Council (the “Governing Body”) of Cleveland, Tennessee (the “City”), has met pursuant to proper notice; and

WHEREAS, the Governing Body, in coordination with Bradley County, Tennessee (the “County”), has previously caused the incorporation, pursuant to Sections 7-53-101 *et seq.* of the Tennessee Code Annotated (the “Act”), of The Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee (the “Board”); and

WHEREAS, pursuant to the Act, the Board is authorized to issue tax increment incentives to pay or finance certain eligible costs relating to types of projects identified in the Act; and

WHEREAS, such debt would be secured solely by incremental property tax revenues generated by such projects; and

WHEREAS, prior to undertaking any tax increment financing as to any project located in the City, the Board has requested the Governing Body to approve policies and procedures relating to the consideration and issuance of tax increment financings; and

WHEREAS, the Governing Body desires to adopt the Tax Increment Incentive Program Policies and Procedures, a copy of which has been submitted by the Board to the Governing Body, attached hereto as Exhibit A (the “Policies and Procedures”); and

WHEREAS, the adoption of the Policies and Procedures, pursuant to Section 9-23-107 of the Uniformity in Tax Increment Financing Act of 2012, is for the purpose of providing guidance to applicants for tax increment financing as to the Governing Body’s consideration and administration of tax increment financing transactions undertaken by the Board as to projects within the City; and

WHEREAS, the Policies and Procedures will further the public purposes of the Governing Body by promoting economic development in the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cleveland, as follows:

RESOLVED, that the Governing Body hereby approves and adopts the Policies and Procedures, and further

RESOLVED, that it is in the best interest of the Governing Body to adopt the Policies and Procedures for the purpose of providing guidance to applicants for tax increment financing as to the procedure the Governing Body intends to use in the consideration and administration of tax increment financing transactions described in economic impact plans submitted by the Board to the City.

Adopted this 12th day of January, 2026.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

- **Surplus Property** – Declaring 2 vehicles as surplus property to be used for training or sold on GovDeals.

TO: Mayor and City Council
FROM: Kristi Powers, Budget/Purchasing Coordinator
DATE: January 12, 2026
RE: Surplus Property

SUMMARY:

Fleet Management requests the following assets be declared surplus. These items will either be used for training or sold on GovDeals.

- 2010 Mazda 3
- 2007 Ford Crown Victoria 2FAHP71W57X114460

COMMITTEE FINDINGS:

None.

FISCAL ANALYSIS:

None.

RECOMMENDATION:

City staff recommends approval of this item.

- **Motion** – Council 2026 Calendar.

TO: Mayor & City Council
FROM: Joe Fivas, City Manager
DATE: January 12, 2025
RE: City Council Annual Calendar

SUMMARY:

City staff recommends this City Council meeting calendar from Jan 1st to December 31st, 2026. The calendar would include a meeting every 2nd and 4th Monday for every month, except May. In May, the Council meeting would be on Monday, May 18th, and not May 11th. This is due to the Memorial Day holiday and our budget schedule.

STAFF RECOMMENDATION:

City staff recommends to approve this City Council meeting calendar from Jan 1st to December 31st, 2026. The calendar would include a meeting every 2nd and 4th Monday for every month, except May. In May, the Council meeting would be on Monday, May 18th, and not May 11th. This is due to the Memorial Day holiday and our budget schedule.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS OF COUNCIL MEMBERS

Councilman May stated it is the first meeting of the new year, and we have a lot of projects going and Happy New Year.

Councilman Goff wished everyone a Happy New Year.

Vice Mayor Webb had no report at this time.

Councilman Moore had no report at this time.

Councilwoman McKenzie had no report at this time.

Councilman Estes encouraged all to drive by the new apartments going in at Lewis/Benton Pike. They have moved a lot of dirt. Also, the new Engineering Building at Lee University, the footers are in and it will go up very quickly. It is going to be a good spring for the Second District.

Councilman Cassada had no report at this time.

Mayor Brooks wished everyone a Happy New Year. He then thanked city staff who assisted him with the State of the City address. It is astonishing the number of projects we have completed and the number of projects in the pipeline.

NEW BUSINESS AND ORDINANCES

The following Resolution was then presented in full:

- **Resolution 2026-11** – Concerning a request by Sam Bruner for consideration of a Plan of Service for about 92.47 acres, more or less, of property located along Pleasant Grove Rd. from CH/FAR to PUD 72 and includes Tax Map 056 Parcel 002.00 (Planning Commission: Approved 9-0).

RESOLUTION 2026-11

**A RESOLUTION APPROVING A PLAN OF SERVICES FOR A PROPOSED
ANNEXATION OF TERRITORY INTO THE CITY OF CLEVELAND BY OWNER
CONSENT**

PLEASANT GROVE EXIT 20 (056 002.00)

WHEREAS, the City of Cleveland, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries by owner consent; and

WHEREAS, a Plan of Services for the territory proposed for annexation by owner consent has been reviewed by the Cleveland Municipal Planning Commission; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

NOW THEREFORE BE IT RESOLVED by the City of Cleveland, Tennessee as follows:

- A. That a public hearing is hereby held at 3:00 pm on January 20, 2026, at the Cleveland Municipal Building, 190 Church St NE, on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

Beginning at the northeast corner of the lands of Price Cemetery, as recorded in BCORD deed book 213 page 59, thence with the northern line of the lands of Price Cemetery in a northwesterly direction 285 feet, more or less, to the northwest corner of the lands of Price Cemetery; thence with the western line of the lands of Price Cemetery in a southwesterly direction 530 feet, more or less, to a point where the western line of the lands of Price Cemetery intersect the existing city limits; thence with the existing city limits in a southwesterly direction 137 feet, more or less, to a point where the existing city limits intersects the northern right of way of Pleasant Grove Rd; thence with the existing city limits and crossing Pleasant Grove Rd in a southwesterly direction 101 feet, more or less, to a point in the southern right of way of Pleasant Grove Rd; thence with the existing city limits and the southern right of way of Pleasant Grove Rd in a westerly direction 471 feet more or less, to the north west corner of the lands of Ruhani LLC, as recorded in BCROD deed book 325 page 821, said point also being a corner of the existing city limits; thence with the existing city limits and crossing Pleasant Grove Rd in a northerly direction 50 feet, more or less, to the southeast corner of the lands of Sand Sto LLC, as recorded in BCROD deed book 2111 page 858; thence leaving the existing city limits and with the eastern line of the lands of Sand Sto LLC in a northeasterly direction 417 feet, more or less, to the northeast corner of the lands of Sand St LLC; thence with the northern line of the lands of Sand Sto LLC in a northwesterly direction 411 feet, more or less, to the northwest corner of the lands of Sand Sto LLC, said point also being the northeast corner of the lands of Trotter's Place Inc, as recorded in BCROD deed book 1282 page 533, said point also being a corner of the existing city limits; thence with the northern line of the lands of Trotter's Place Inc and the existing city limits in a northwesterly direction 295 feet, more or less, to the northwest corner of the lands of Trotter's Place Inc, said point also being a corner of the existing city limits and being a point in the eastern right of way of Withrow Rd, said point also being a corner of the lands of John and Bobbie Brewer, as recorded in BCROD deed book 2238 page 359; thence leaving the existing city limits and with the eastern right of way of Withrow Rd in a northeasterly direction 391 feet, more or less, to the southern corner of the lands of Kim and Brad Duckett, as recorded in BCORD deed book 2942 page 974; thence with the eastern line of the lands of Duckett in a northeasterly direction 950 feet, more or less, to the northeast corner of the lands of Duckett, said point also being the southwest corner of a tract of the lands of Thomas Cunningham, ass recorded in BCROD deed book 353 page 583, said point also being a corner of the lands of Brewer; thence with the southern line of the lands of Cunningham in a southeasterly direction 1327 feet, more or less, to the southeast corner of the lands of Cunningham; thence with the eastern line of the lands of Cunningham in a northeasterly direction 315 feet, more or less, to the northeast corner of the lands of Cunningham, said point also being the southeast corner of the lands of Christy Watson, as recorded in BCORD deed book 3005 page 704; thence with the eastern line of the lands of Watson in a northeasterly direction 330 feet, north or less, to the northeast corner of the lands of Watson, said point also being the southeast corner of the lands of Eben DeArmond Jr Trustee, as recorded in BCROD deed book 2284 page 421; thence with the eastern line of the lands of DeArmond in a northeasterly direction 668 feet, more or less, to the northeast corner of the lands of DeArmond, said point also being the southwest corner of the lands of Clifford Swafford, as recorded in BCROD deed book 1681 page 987; thence with the southern line of the lands of Swafford in a southeasterly direction 748 feet, more or less, to the northwest corner of the lands of Exit 20 Auto Mall Inc, as recorded in BCROD deed book 2164 page 575, said point also being a corner of the

existing city limits; thence with the western line of Exit 20 Auto Mall, Inc and the existing City Limits in a southerly direction 1472 feet, more or less, to the northwest corner of the lands of Crown Land Holdings LLC, as recorded in BCROD deed book 2575 page 275; thence with the western line of Crown Land Holdings LLC and the existing city limits in a southwesterly direction 814 feet, more or less, to the northwest corner of the Interchange Dr right of way; thence with the existing city limits and the western right of way of Interchange Dr in a southwesterly direction 376 feet, more or less, to a corner of the existing city limits; thence leaving the right of way of Interchange Dr and with the existing city limits in a northwesterly direction 410 feet, more or less, to the point of beginning.

B. That a copy of this Resolution shall also be published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Cleveland, and by publishing notice of the Resolution at or about the same time in the Cleveland Daily Banner, a newspaper of general circulation in such territory and the City of Cleveland.

C. That notice of the time and purpose of a public hearing on the proposed annexation by owner consent and the Plan of Services shall be published in a newspaper of general circulation in the City of Cleveland not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk



**DECEMBER 9, 2025
PLEASANT GROVE RD – EXIT 20
ANNEXATION ANALYSIS
PLAN OF SERVICE
CITY OF CLEVELAND, TENNESSEE**

The City of Cleveland, Tennessee is pursuing the annexation of approximately 92.47 acres located at Pleasant Grove Road – Exit 20 as described in this report, along with a corresponding plan of service and zoning plan for the area. The area is inside the existing Urban Growth Boundary (UGB). The proposed annexation is proposed to occur in 2026.

This report begins with a brief overview of the annexation process and the report then turns to a proposed Plan of Services (POS) for the annexation area. The services described are those that would be necessary for the City to provide under Tennessee law. This area is proposed to receive city services in accordance with the POS.

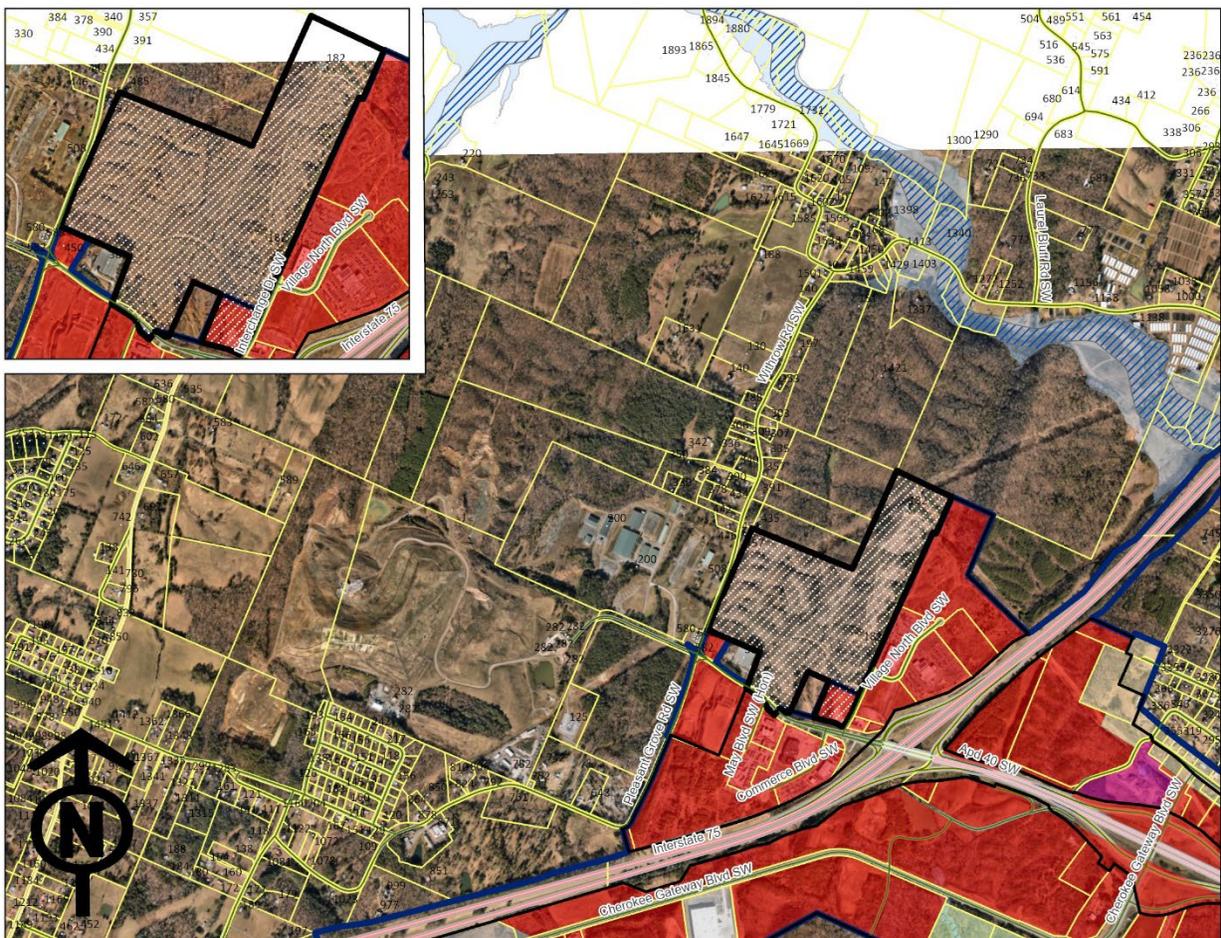
Introduction

Public Chapter 1101 (PC 1101), adopted as Tennessee law in 1998, required cities to work cooperatively with other local governments to determine an urban growth boundary (UGB) in which annexations could occur. Cleveland has a twenty-nine square mile UGB that was based on a study of urbanization and service requirements in a fifty square mile urban fringe area. The UGB was amended in January 2010, expanding it near I-75 Exit 20 and in the vicinity of the new airport site near Dry Valley Road. Cleveland can annex property within its UGB by resolution.

PC 1101 Section 19 requires a “Plan of Services” (POS) prior to annexation and these services must include: police and fire protection: water, electrical and sanitary sewer services; solid waste collection; road and street construction and repair; recreational facilities and programs; street lighting; and zoning services. Public Chapter 225 adopted by the Tennessee General Assembly and signed by Governor Bredesen on June 2, 2003, amended TCA 6-51-102 to include impact on school attendance zones.

The property consists of 1 parcel, approximately 96.47 acres total (92.47± to be annexed). The annexation would zone the property as PUD Planned Unit of Development. The property is currently vacant other than a cell tower structure toward the back of the property. The property is described as Tax Map 056 Parcel 002.00.

Pleasant Grove – Exit 20 Annexation Map



Legal Description

Beginning at the northeast corner of the lands of Price Cemetery, as recorded in BCORD deed book 213 page 59, thence with the northern line of the lands of Price Cemetery in a northwesterly direction 285 feet, more or less, to the northwest corner of the lands of Price Cemetery; thence with the western line of the lands of Price Cemetery in a southwesterly direction 530 feet, more or less, to a point where the western line of the lands of Price Cemetery intersect the existing city limits; thence with the existing city limits in a southwesterly direction 137 feet, more or less, to a point where the existing city limits intersects the northern right of way of Pleasant Grove Rd; thence with the existing city limits and crossing Pleasant Grove Rd in a southwesterly direction 101 feet, more or less, to a point in the southern right of way of Pleasant Grove Rd; thence with the existing city limits and the southern right of way of Pleasant Grove Rd in a westerly direction 471 feet more or less, to the north west corner of the lands of Ruhani LLC, as recorded in BCROD deed book 325 page 821, said point also being a corner of the existing city limits; thence with the existing city limits and crossing Pleasant Grove Rd in a northerly direction 50 feet, more or less, to the southeast corner of the lands of Sand Sto LLC, as recorded in BCROD deed book 2111 page 858; thence leaving the existing city limits and with the eastern line of the lands of Sand Sto LLC in a northeasterly direction 417 feet, more or less, to the northeast corner of the lands of Sand St LLC; thence with the northern line of the lands of Sand Sto LLC in a northwesterly direction 411 feet, more or less, to the northwest corner of the lands of Sand Sto LLC, said point also being the northeast corner of the lands of Trotter's Place Inc, as recorded in BCROD deed book 1282 page 533, said point also being a corner of the existing city limits; thence with the northern line of the lands of Trotter's Place Inc and the existing city limits in a northwesterly direction 295 feet, more or less, to the northwest corner of the lands of Trotter's Place Inc, said point also being a corner of the existing city limits and being a point in the eastern right of way of Withrow Rd, said point also being a corner of the lands of John and Bobbie Brewer, as recorded in BCROD deed book 2238 page 359; 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Plan of Services

1. Police Protection

Patrolling, radio responses to calls and other routine police services using the City’s personnel and equipment will be provided on the effective date of the annexation.

2. Fire Protection

This location falls outside our response parameters of NFPA 1710. NFPA Standard 1710 establishes an 80 second “turnout time” and 240 second “travel time” (together, 320 seconds or 5 minutes and 20 seconds “response time”). Drive time alone to this proposed property from our nearest fire station is roughly 6 minutes or 360 seconds. NFPA 1710 also requires that a full alarm assignment at a fire suppression incident, that the standard is 8 minutes (480 seconds) which cannot be accomplished currently due to staffing and station locations. We would **not** be able to service the following annexation request with our current staffing and station locations.

3. Domestic Water, Sanitary Sewer Service, and Fire Hydrants

A. Domestic Water--- Domestic water service is presently available to these parcels via a 12” water main along the north side of Pleasant Grove Rd SW. See Figure 1 – Water Service.

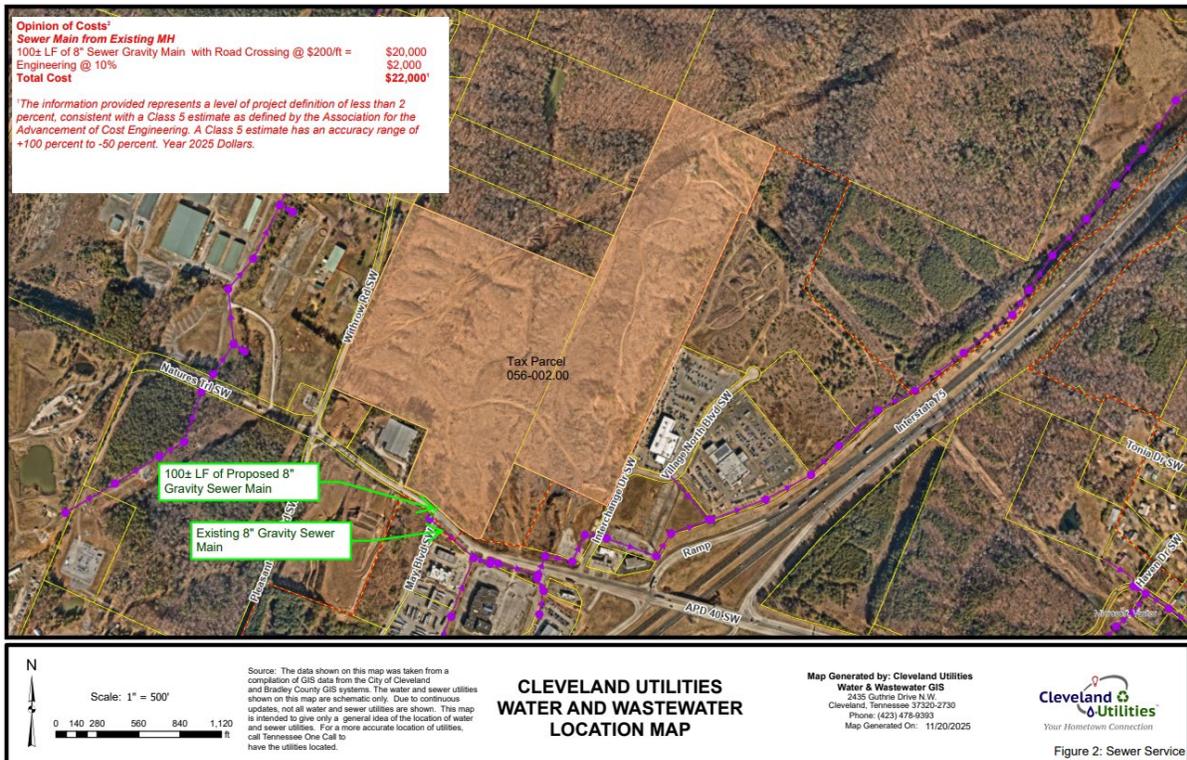
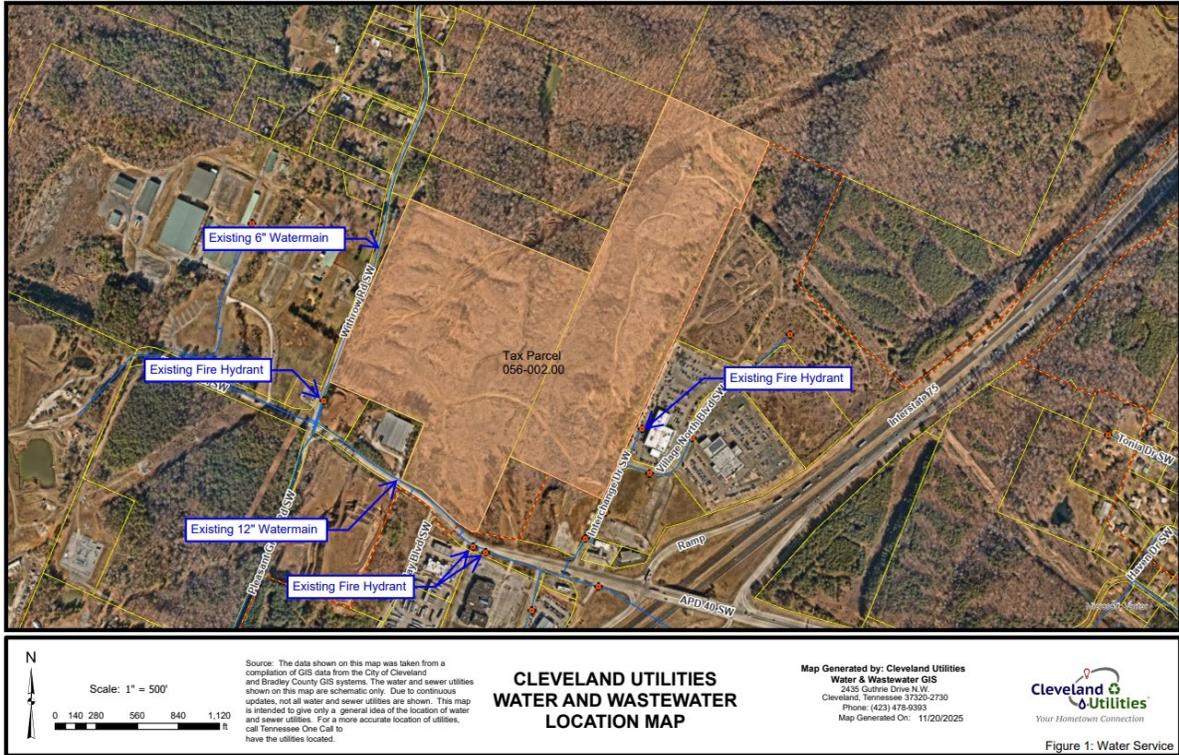
B. Sanitary Sewer--- Sewer service is across Pleasant Grove Rd from the parcel. Approximately 100LF of new gravity sewer main will be installed across Pleasant Grove Rd to serve the parcel. The Opinion of Probable Cost is \$22,000. This work can be completed in eight years. See Figure 2 –Sewer Service.

C. Fire Protection--- There is an existing fire hydrant along the east side of the parcel and at the southeastern corner of the parcel along Pleasant Grove Rd SW. See Figure 1 – Water Service.

SUMMARY OF COSTS¹

Location	Domestic Water	Sanitary Sewer	Fire Protection	Total
Pleasant Grove Rd Tax Parcel 056-002.00	\$0	\$22,000	\$0	\$22,000

¹ The information provided represents a level of project definition of less than 2 percent, consistent with a Class 5 estimate as defined by the Association for the Advancement of Cost Engineering. A Class 5 estimate has an accuracy range of +100 percent to -50 percent.



4. Electric Service

Cleveland Utilities Electric has electric power available along the southern portion of the proposed annexation. At this point, we are good.

5. Public Works

A. Refuse Collection

- a. Current city policies regarding residential, commercial, and industrial refuse will apply in all proposed areas per the terms of the City’s contract with Waste Connections of Tennessee, Inc.

- b. The city no longer provides curbside recycling, and this service will not be provided in the proposed areas, unless the City Council initiates a program in the future.

B. Route Collection Services

- a. Current city policies regarding residential debris, brush, and white good collections will apply in all proposed areas and will begin at the time of annexation. Each residence will be included in the City's ten route collection system. No additional equipment or manpower will be needed at this time.
- b. The current city policies regarding residential leaf collection will be provided annually for a period of approximately three months and will apply in all proposed areas.

C. Street Repair and Maintenance

- a. Emergency maintenance of city streets (i.e. repairing hazardous potholes) within the proposed areas will begin at time of annexation.
- b. Routine maintenance of local streets in the proposed areas will be scheduled on the same basis as such maintenance in the rest of the City.
- c. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such substantial improvements in the proposed areas (where identified as needed by the governing body) will be accomplished in accordance with the priorities and policies established for the entire city.
- d. It appears that no street name signs, or street striping/painting is needed at this time for the proposed areas.

D. Stormwater and Drainage Services

Emergency drainage maintenance (i.e., cleaning catch basins, unblocking tile, installing drainage tile and/or catch basins) within these areas will begin at time of annexation.

E. General Rights-of-Way Maintenance (i.e., street sweeping, snow removal)

- a. Current city policies for routine street sweeping will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.
- b. Current city policies for snow removal and salting will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.

6. Schools

Without a number for the lot count, an estimation cannot be given. The cost to the City school system is \$1121.07 per pupil per year.

7. Planning and Zoning

- A. The planning and zoning jurisdiction of the City will extend to the annexation areas upon the effective date of annexations and all

municipal planning activities will encompass the needs of the annexed areas.

- B. This property is currently FAR in the unincorporated County and CH in the City Limits. The property is proposed for a PUD Planned Unit of Development District as its post-annexation zoning.
- C. In the case of lots of record that are recorded prior to the effective date of annexation, if there are prevailing deed or subdivision restrictions on record, these deed or subdivision restrictions shall apply if in conflict with City zoning or subdivision regulations.

8. Animal Shelter

The city operates a full-time animal control program including an animal shelter. The Animal Shelter is located on Hill Street SE. Services include pick-up of stray and/or dangerous animals. These services will be available to the annexation areas on the effective date of the annexation.

9. Voting Rights and City Elections

- A. If an eligible voter's permanent place of residence is located in an annexed area, that voter is automatically eligible to vote in City elections.
- B. If an eligible voter is in the category of a property rights voter, then that voter must register at the Election Commission Office prior to voting in a City election.
- C. This annexation is expected to add approximately xx residents to the 1st City Council District.

10. Stormwater

- I. The City of Cleveland Stormwater Utility Fee is based on impervious area. The fee is billed on the Cleveland Utilities monthly water bill. For additional information or to view the Stormwater Utility Fee Credit and Adjustment Manual please visit our website at www.clevelandtn.gov/stormwater.
- II. All new development will need to adhere to the City of Cleveland Stormwater Ordinance. If there is a possibility of ponds, wetlands, and/or streams on site. A hydrological determination will be required before land disturbance activities are permitted. The study will also need to be approved by TDEC. Please provide the study and the concurrence letter from TDEC. Any modifications to a pond, wetland, or stream will require an Aquatic Resource Alteration Permit (ARAP). This permit is issued by the Tennessee Department of Environment and Conservation.

- III. The City of Cleveland is now a Qualified Local Program (QLP). All developments needing the Tennessee Department of Environment and Conservation (TDEC) Construction General Permit coverage will submit all required documentation and fees to the City of Cleveland only.

Revenue

Total revenue generated by this annexation is approximately:

\$4,611.10 per year if undeveloped

Councilwoman McKenzie moved that Resolution 2026-11 be accepted as presented. The motion was seconded by Councilman Estes; and upon roll call, the motion passed 7-0.

The following Resolution was then presented in full:

- **Resolution 2026-12** – Concerning a request by Sam Bruner for consideration of a resolution to annex about 92.47 acres, more or less, of property located along Pleasant Grove Rd. from CH/FAR to PUD 72 and includes Tax Map 056 Parcel 002.00 (Planning Commission: Approved 9-0).

RESOLUTION 2026-12

A RESOLUTION TO ANNEX CERTAIN TERRITORY UPON WRITTEN CONSENT OF THE OWNERS AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF CLEVELAND, TENNESSEE

PLEASANT GROVE EXIT 20 ANNEXATION AREA

WHEREAS, the City of Cleveland, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, this Resolution was also published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Cleveland, and by publishing notice of the Resolution at or about the same time in the Cleveland Daily Banner, a newspaper of general circulation in such territory and the City of Cleveland; and

WHEREAS, a Plan of Services for the area proposed for annexation is attached as *Exhibit A* hereto, which Plan of Services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and

WHEREAS, the proposed annexation and Plan of Services were submitted to the Cleveland Municipal Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time and purpose of a public hearing on the proposed annexation and the Plan of Services was published in a newspaper of general circulation in the City of Cleveland not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing; and

WHEREAS, a public hearing on the proposed annexation and Plan of Services was held by the governing body on January 12, 2026.

NOW, THEREFORE, BE IT RESOLVED by the City of Cleveland, Tennessee as follows:

A. That the following territory is hereby annexed and incorporated into boundaries of the City of Cleveland, to wit:

Beginning at the northeast corner of the lands of Price Cemetery, as recorded in BCORD deed book 213 page 59, thence with the northern line of the lands of Price Cemetery in a northwesterly direction 285 feet, more or less, to the northwest corner of the lands of Price Cemetery; thence with the western line of the lands of Price Cemetery in a southwesterly direction 530 feet, more or less, to a point where the western line of the lands of Price Cemetery intersect the existing city limits; thence with the existing city limits in a southwesterly direction 137 feet, more or less, to a point where the existing city limits intersects the northern right of way of Pleasant Grove Rd; thence with the existing city limits and crossing Pleasant Grove Rd in a southwesterly direction 101 feet, more or less, to a point in the southern right of way of Pleasant Grove Rd; thence with the existing city limits and the southern right of way of Pleasant Grove Rd in a westerly direction 471 feet more or less, to the north west corner of the lands of Ruhani LLC, as recorded in BCROD deed book 325 page 821, said point also being a corner of the existing city limits; thence with the existing city limits and crossing Pleasant Grove Rd in a northerly direction 50 feet, more or less, to the southeast corner of the lands of Sand Sto LLC, as recorded in BCROD deed book 2111 page 858; thence leaving the existing city limits and with the eastern line of the lands of Sand Sto LLC in a northeasterly direction 417 feet, more or less, to the northeast corner of the lands of Sand St LLC; thence with the northern line of the lands of Sand Sto LLC in a northwesterly direction 411 feet, more or less, to the northwest corner of the lands of Sand Sto LLC, said point also being the northeast corner of the lands of Trotter's Place Inc, as recorded in BCROD deed book 1282 page 533, said point also being a corner of the existing city limits; thence with the northern line of the lands of Trotter's Place Inc and the existing city limits in a northwesterly direction 295 feet, more or less, to the northwest corner of the lands of Trotter's Place Inc, said point also being a corner of the existing city limits and being a point in the eastern right of way of Withrow Rd, said point also being a corner of the lands of John and Bobbie Brewer, as recorded in BCROD deed book 2238 page 359; thence leaving the existing city limits and with the eastern right of way of Withrow Rd in a northeasterly direction 391 feet, more or less, to the southern corner of the lands of Kim and Brad Duckett, as recorded in BCORD deed book 2942 page 974; thence with the eastern line of the lands of Duckett in a northeasterly direction 950 feet, more or less, to the northeast corner of the lands of Duckett, said point also being the southwest corner of a tract of the lands of Thomas Cunningham, ass recorded in BCROD deed book 353 page 583, said point also being a corner of the lands of Brewer; thence with the southern line of the lands of Cunningham in a southeasterly direction 1327 feet, more or less, to the southeast corner of the lands of Cunningham; thence with the eastern line of the lands of Cunningham in a northeasterly direction 315 feet, more or less, to the northeast corner of the lands of Cunningham, said point also being the southeast corner of the lands of Christy Watson, as recorded in BCORD deed book 3005 page 704; thence with the eastern line of the lands of Watson in a northeasterly direction 330 feet, north or less, to the northeast corner of the lands of Watson, said point also being the southeast corner of the lands of Eben DeArmond Jr Trustee, as recorded in BCROD deed book 2284 page 421; thence with the eastern line of the lands of DeArmond in a northeasterly direction 668 feet, more or less, to the northeast corner of the lands of DeArmond, said point also being the southwest corner of the lands of Clifford Swafford, as recorded in BCROD deed book 1681 page 987; thence with the southern line of the lands of Swafford in a southeasterly direction 748 feet, more or less, to the northwest corner of the lands of Exit 20 Auto Mall Inc, as recorded in BCROD deed book 2164 page 575, said point also being a corner of the existing city limits; thence with the western line of Exit 20 Auto Mall, Inc and the existing City Limits in a southerly direction 1472 feet, more or less, to the northwest corner of the lands of Crown Land Holdings LLC, as recorded in BCROD deed book 2575 page 275; thence with the western line of Crown Land Holdings LLC and the existing city limits in a southwesterly direction 814 feet, more or less, to the

northwest corner of the Interchange Dr right of way; thence with the existing city limits and the western right of way of Interchange Dr in a southwesterly direction 376 feet, more or less, to a corner of the existing city limits; thence leaving the right of way of Interchange Dr and with the existing city limits in a northwesterly direction 410 feet, more or less, to the point of beginning.

B. That the Plan of Services for this territory which is attached as *Exhibit A* hereto is approved and the same is hereby adopted. [Plan of Service with Resolution 2026-11]

C. That the City Clerk’s office will cause a copy of this Resolution to be forwarded to the Mayor of Bradley County including the Plan of Services.

D. That a copy of this Resolution shall be sent to the Tennessee Comptroller of the Treasury and the Bradley County Assessor of Property.

E. That a copy of this Resolution, as well as the portion of the Plan of Services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district.

WHEREUPON, the Mayor affixed a signature and date thereto and directed that the same be recorded.

EFFECTIVE DATE: Be it further resolved that this Resolution shall only become effective at the time of the final passage of the ordinance zoning for the aforementioned property within the City of Cleveland.

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Councilwoman McKenzie moved that Resolution 2026-12 be accepted as presented. The motion was seconded by Vice Mayor Webb; and upon roll call, the motion passed 7-0.

The following Ordinance was then presented in full:

- **Zoning Ordinance 2026-01** – Concerning a request by Sam Bruner for consideration of an ordinance to zone about 96.47 acres, more or less, of property located along Pleasant Grove Rd. from CH/FAR to PUD 72 and includes Tax Map 056 Parcel 002.00 (Planning Commission: Approved 9-0).

ZONING ORDINANCE 2026-01

AN ORDINANCE OF THE OF THE CITY OF CLEVELAND, TENNESSEE AMENDING THE CLEVELAND MUNICIPAL CODE TITLE 14 CHAPTER 2 SO AS TO ESTABLISH A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS PLEASANT GROVE EXIT 20 PUD "72" ON PROPERTY DESCRIBED AS TAX MAP 056 PARCEL 002.00, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT; AMENDING THE ZONING PLAN AND ZONING MAP FOR PUD 72; MAKING VIOLATIONS OF THE ORDINANCE UNLAWFUL AND PROVIDING FOR PENALTIES; ESTABLISHING LISTS OF PERMITTED USES AND PROHIBITED USES; ESTABLISHING DEVELOPMENT STANDARDS AND PROCESSES AND RELATED REQUIREMENTS; STATING RESPONSIBILITY FOR COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS; PROVIDING FOR ERRORS AND OMISSIONS AND POSSIBLE FUTURE REVISIONS TO THE PUD; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS the City of Cleveland, Tennessee, hereinafter "City", desires orderly land development in furtherance of the public welfare and has adopted the Planned Unit Development, hereinafter "PUD", process as an alternative development standard whereby

to accomplish such development; and whereas it is intended that the developers of the property or any subsequent owners, shall hereinafter be referred to as "Developers" and; and whereas the City desires to establish a unique zoning district with special use restrictions and development standards for the property described herein through the adoption of this PUD, NOW THEREFORE BE IT ORDAINED:

Section 1. ZONING PLAN AND MAP AMENDMENT.

The zoning plan and map are hereby amended so as to zone the property described in Section 3 herein as "PUD 72" subject to the provisions described in each section of this ordinance. The permitted uses in the PUD 72 zoning district are those uses outlined in Section 5 of this ordinance. The development standards for the PUD 72 district are those outlined in this ordinance, including requirements for plan approval, and compliance with applicable permitting requirements.

Section 2. VIOLATIONS UNLAWFUL AND SUBJECT TO PENALTIES.

Any development or use of the property described herein in a manner contrary to the terms of this ordinance is a zoning violation and is unlawful, subject to the penalties prescribed by the Cleveland Municipal Code and the laws of Tennessee.

Section 3. PROPERTY DESCRIPTION.

PUD 72, Pleasant Grove Exit 20 (name may be revised during the platting process with approval of the Cleveland Municipal Planning, includes property generally identified as Tax Map 056 Parcel 002.00). Exhibit A will illustrate the overall Pleasant Grove Exit 20 Conceptual Plan for the subject property.

Section 4. GENERAL PROJECT DESCRIPTION AND DEVELOPMENT DENSITY.

This section is intended to provide a general description of Pleasant Grove Exit 20. The project consists of a mixture of commercial, entertainment, and residential units. One finalized a site plan, including density and specific locations for uses will be submitted to the Planning Commission and City Council for review and approval. The common open space designed within the development may include any permanent retention or detention pond areas or landscaped common area.

Section 5. PERMITTED USES AND PROHIBITED USES.

The PUD 72 Subdivision allows for the construction of residential units and commercial uses without amending this ordinance. The exact unit count and density will be approved upon further submittals by the applicant. Within the residential area, permitted uses are single family detached dwellings, townhouses, and multi-family residential. Within the commercial area, permitted uses are those consistent with the Permitted Uses in General Commercial Zoning Designation with the exception of the following uses specifically prohibited; Auto/Vehicle Parts and accessories, auto/vehicle repair and maintenance including oil changes, vehicle sales, Car Wash, Storage/mini-warehouse facilities. The site allows for one Convenience Store with gasoline pumps (this does not include gasoline pumps associated with larger free standing uses which are allowed by right). Nothing herein should be construed as prohibiting the Developer from making further refinements to the development plan of PUD 72 that would further restrict the allowable uses within a particular part of the development or from excluding a particular use from the development altogether through the operation of private restrictions or covenants. The location of particular uses within the Pleasant Grove Exit 20 development will comport with the descriptions of the constituent parts of the development which will be conceptually

described within a future Exhibit A to be approved by the Cleveland Municipal Planning Commission and Cleveland City Council. Home occupations permitted in Cleveland's zoning ordinance are allowed within the residential area unless prohibited by the Developer. There are no conditional uses within the PUD 72 district. Uses other than those described as permitted or allowed herein are prohibited. Billboards are prohibited.

Section 6. CONCEPTUAL PLAN AND RELATED REQUIREMENTS.

CONCEPTUAL PLAN.

A conceptual plan (Exhibit A) for PUD 72, Pleasant Grove Exit 20, will be prepared for submission to the Cleveland Municipal Planning Commission for consideration at a future regular meeting. The conceptual plan will consist of a site plan for the overall development. However, additional drawings, documents, and permits routinely required for a subdivision are expected for review and approval prior to construction. All development within PUD 72 must be consistent with this Conceptual Plan with regard to development standards and general layout unless subsequently modified by agreement of the Cleveland Municipal Planning Commission. Additional plans, plats, and other development-related documents and permits will be necessary to carry out the construction of this project. It is recognized that the plats and site plans for the Pleasant Grove Rd. Exit 20 development may ultimately reflect some alteration in the conceptual plan such as the exact location of each specific feature within the development. Other variations may include the width or alignment of streets, or the precise placement of buildings, but these will be generally consistent with the conceptual plan, mutually consistent with one another, and not violate any features of this ordinance as these relate to adjoining properties and infrastructure (e.g. external intersection locations and traffic improvements, buffers with external properties, etc.).

PLATS.

One or more plats will be prepared for the PUD 72 property by the Developer for approval in accordance with the City of Cleveland, Tennessee subdivision regulations. These plats will describe and dedicate public streets any other public properties; identify lots; and identify easements that are necessary for various purposes within the development such as utilities, access, maintenance, and conservation, etc. These plats shall be consistent in general layout with the conceptual site plan.

PRIVATE DEVELOPMENT DOCUMENTS.

The Developer shall prepare and implement such master covenants, restrictions, condominium association documents, common area agreements, and the like which the Developer determines are necessary to carry out the development of PUD 72 as envisioned herein. It is a requirement of this ordinance that such documents are in place and enforced by the Developer (or Developer's heirs, successors, or assigns) to the extent necessary for PUD 72 to function as described herein. This requirement must be fulfilled when 75% of the buildable lots are built within each individual section (residential and commercial). The City of Cleveland assumes no responsibility to review these documents, or to determine their adequacy to these purposes, or to enforce any of their provisions, or to otherwise be a party to them.

Section 7. DEVELOPMENT STANDARDS

The development standards for PUD 72 shall be those established in this ordinance or incorporated herein. Where development standards are not otherwise included in this ordinance, the standards shall be those in the CH zone for the commercial portion of the development and R2 for the residential portion of the development from the City of

Cleveland's zoning regulations. Requirements of the City's adopted building codes, fire codes, stormwater regulations and other ordinances affecting the development, use, and maintenance of property shall apply.

7.A Building Lot Size & Setbacks

1. Commercial Area

Commercial Lots :

Front: 50' along Pleasant Grove and Future Connector Road
30' internal w/ front parking
10' internal with rear parking
Side: 20'
Rear: 20'
Min Lot Width: 100'
Min Lot Size: 7,500 Square Feet

2. Residential Area

Single Family Detached Lots:

Front: 25'
Side: 5'
Rear: 15'
Min Lot Width: 50'
Min Lot Size: 5,000 Square Feet

3. Residential Area

Multi Family Lots:

Front: 25'
Side: 5'
Rear: 15'
Min Lot Width: 75'
Min Lot Size: 7,500 Square Feet

4. Residential Area

Townhome Lots:

Front: 25'
Side: 5'
Rear: 15'
Min Lot Width: 20'
Min Lot Depth: 90'
Min Lot Size: 1,800 Square Feet

All townhomes shall comport with townhouse regulations section of the Cleveland, TN Subdivision Regulation unless specifically noted otherwise in this PUD document.

Storage sheds and similar minor accessory structures, if allowed by the Development restrictions, shall be limited to yard areas behind the primary structure and are not to encroach within 10 feet of any property line. Covered porches, sunrooms, and other covered additions to the primary structure, if allowed by the development restrictions, are to maintain the required setbacks for the primary structure. Open patios and decks may extend to within 10 feet of a rear property line. The guidelines for approval of a minor encroachment as established within the Cleveland Zoning Ordinance may be utilized to establish variations

in setbacks subsequent to any Planning Commission approvals.

Section 7.B Sidewalks, Common Area, & Amenities

1. Sidewalks will be installed along all public and private roads, internal drives and will create direct connections to each use.

3. All other areas must comply with the sidewalk ordinance.

4. The community open space in the residential area shall be an accessible and usable, yet natural area.

5. A centralized cluster mailbox unit shall be provided, if required by the United States Postal service, and shall include a minimum of two off-street parking spaces per 50 lots. This installation must be on a private lot off of the public right-of-way.

6. A bus stop shelter shall be placed in cooperation with Cleveland City Schools. The bus stop shelter will need to be placed at the front of the residential area. This bus shelter may be combined with the mail kiosk.

7. Infrastructure Improvements will follow a developer agreement separate from this document. Such improvements will include right-of-way for a future interstate frontage road, traffic signal, and other associated improvements.

7.C Miscellaneous Standards

1. Commercial Area

(a.) The exterior facades of all structures under 10,000 square feet shall comprise 70% brick, stone, wood, composite, or fiber cement board materials (no vinyl siding on primary/front elevation except for accents such as soffits & fascia). All foundations shall be brick or stone for their entirety.

(b.) Commercial buildings will incorporate “four-sided architecture”, ensuring all sides of the building will contain consistent materials and architectural details. No blank walls are permitted. Buildings must incorporate a variety of building elements and treatments. Structures must include articulation, changes in materials or texture, windows, or other architectural features. Architectural renderings must be approved by staff through the site plan review process.

(c.) Each lot will comply with the City’s current landscape ordinance.

(d.) A Type C buffer with an 8-foot wooden fence shall be installed along the edge of the commercial area to provide screening and protection of the residential component of the PUD.

(e.) A landscape street yard no smaller than 5’ in width shall be installed along Pleasant Grove Rd. to maintain a high-quality appearance. The street yard shall include various trees and shrubs as approved through staff site plan review.

(f.) All utilities shall be placed outside of the street except for required crossings; any crossing shall be approved by the City.

(g.) Attempts shall be made to preserve existing trees along the perimeter of the development; however, the city tree preservation requirements are not otherwise applicable.

(h.) Driveway cuts along Pleasant Grove Rd. and the main internal road shall be limited to the maximum extent practicable and will be approved by the Director of Transportation and Director of Community Development or designee during the site review process. Cross connections are required between the parking lots of each commercial lot.

(i.) No signs other than monument style signs that meet the architectural requirements of the Interstate Gateway Corridor shall be permitted with the exception of one site-wide pylon sign at the main entrance.

2. Residential Area

(a.) The exterior facades of all structures shall be comprised of brick, stone, wood, composite, or fiber cement board materials (no vinyl siding on primary/front elevation except for accents such as soffits & fascia). All foundations shall be brick or stone for their entirety. No blank walls are permitted. Buildings must incorporate a variety of building elements and treatments. Structures must include articulation, changes in materials or texture, windows, or other architectural features. Individual site plans and architectural renderings are required for all single-family residential structures in the development prior to construction and all corners must be pinned by a surveyor at the foundation stage.

(b.) A minimum of two off-street parking spaces shall be provided per dwelling unit not counting the garage.

(c.) A two-inch caliper hardwood shade tree which is determined acceptable to the City's Urban Forester shall be installed in the front yard of each single-family dwelling lot or between free standing buildings for multi-unit structures. One species cannot make up more than 60% of the total.

(d.) All utilities shall be placed outside of the street except for required crossings; any crossing shall be approved by the City.

(e.) Attempts shall be made to preserve existing trees along the perimeter of the development; however, the city tree preservation requirements are not otherwise applicable.

(f.) A monument-style sign that meets the architectural standards of the Interstate Gateway Corridor must be placed at any main entrance into a residential area.

Section 8. COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS.

The Developer, and its assigns or successors in title, is responsible for obtaining all federal, state, and local permits required for the construction of the proposed PUD 72 Pleasant Grove Rd. Exit 20. The Developer and its assigns or successors in title shall carry out the construction on the project site in compliance with all applicable ordinances of the City of Cleveland, Tennessee, and also in compliance with applicable federal and state laws. Buildings shall be designed and constructed in accordance with adopted building codes and shall not be occupied until final inspections are complete and certificates of occupancy have been issued (permission for limited use of building after substantial completion by the City's Building Official). Failure to develop, use, or maintain the subject property other than in conformity with all of the requirements of this ordinance is unlawful and shall be deemed a violation of the City's zoning ordinance and a nuisance subject to the penalties described in the zoning ordinance and any increased fine as may be allowed by state law.

Section 9. ERRORS, OMISSIONS, AND POSSIBLE FUTURE REVISIONS TO THE PUD.

This ordinance may be amended from time to time as necessary after review by the Planning Commission and approval by the City Council subsequent to a public hearing. Where this ordinance contemplates the future approval of a site plan or the future approval of a plat by the Cleveland Municipal Planning Commission, and where this ordinance contemplates the future refinement of plans to conform with permitting requirements or conditions of approval necessitated by staff review, and where the Developer and the City of Cleveland may enter into future agreements regarding possible public facilities, infrastructure, and/or services within PUD 72, an amendment to this ordinance is not required to implement such detailed block plan, site plan, plat, refinement to plans necessitated by permitting or review requirements, or agreement pertaining to public facilities, infrastructure, or services. If the overall development layout differs greater than 20% from the site plan shown in exhibit A then a revised conceptual plan must be reviewed by the Cleveland Municipal Planning Commission.

Section 10. BINDING UPON OTHERS.

This ordinance is a law and not a contract, and as such it is generally binding upon all development and use of property in the PUD 72 zoning district and is binding upon City's regulation of these activities in this location. Moreover, it shall be the duty of the Developer to ensure compliance with all terms of this ordinance affecting construction or maintenance. Wherever this ordinance establishes a duty, responsibility, or right for the Developer, the term "Developer" is intended to encompass the current owner or any heirs, assigns, or successors in title, or any owners of record of the subject property as of the effective date of this ordinance and their heirs, assigns, or successors in title. The term "Developer" is also intended to include any holding company or other entity established for the ongoing operation and maintenance of the development of the subject property including, but not limited to, common areas, joint use or joint access areas, and undeveloped portions of the property that are intended for development.

Section 11. CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Where this ordinance is in conflict with existing ordinances with respect to the development of this property the terms of this ordinance shall prevail unless stated otherwise herein. In the event that any portion of this ordinance is determined to be invalid by any court of competent jurisdiction, the remaining portions of this ordinance shall remain in full force and effect. This ordinance shall take effect upon passage and upon the execution of the development order as described above, the public convenience and necessity requiring it.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Councilwoman McKenzie moved that Zoning Ordinance 2026-01 be approved on first reading. The motion was seconded by Councilman Estes; and upon roll call, the motion passed 7-0.

The following Ordinance was then presented in full:

- **Zoning Ordinance 2026-02** – Concerning a request by Teofil Kurochka on behalf of Cleveland Church of Evangelical Faith for consideration of an ordinance to zone about 2.95 acres, more or less, of property located along Baldwin Street NE from CH Highway Commercial zoning district to CG General Commercial zoning district and includes Tax Map 065D Group E Parcels 13.00, 16.00, and 018.00 (Planning Commission: Approved 9-0).

Zoning Ordinance 2026-02

BE IT ORDAINED by the City Council of the City of Cleveland, in regular session assembled that the portion of property described herein be, and the same is hereby, rezoned from CH Highway Commercial Zoning District in CG General Commercial Zoning District.

Approximately 2.95 acres, more or less, located on Baldwin Street as shown on the attached map.

For reference, the same property is being shown on a portion of Tax Map 065D Group E Parcel 013.00 in the Assessor’s Office for Bradley County, Tennessee.

BE IT FURTHER ORDAINED that all Ordinances in conflict herewith are repealed to the extent of said conflict.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

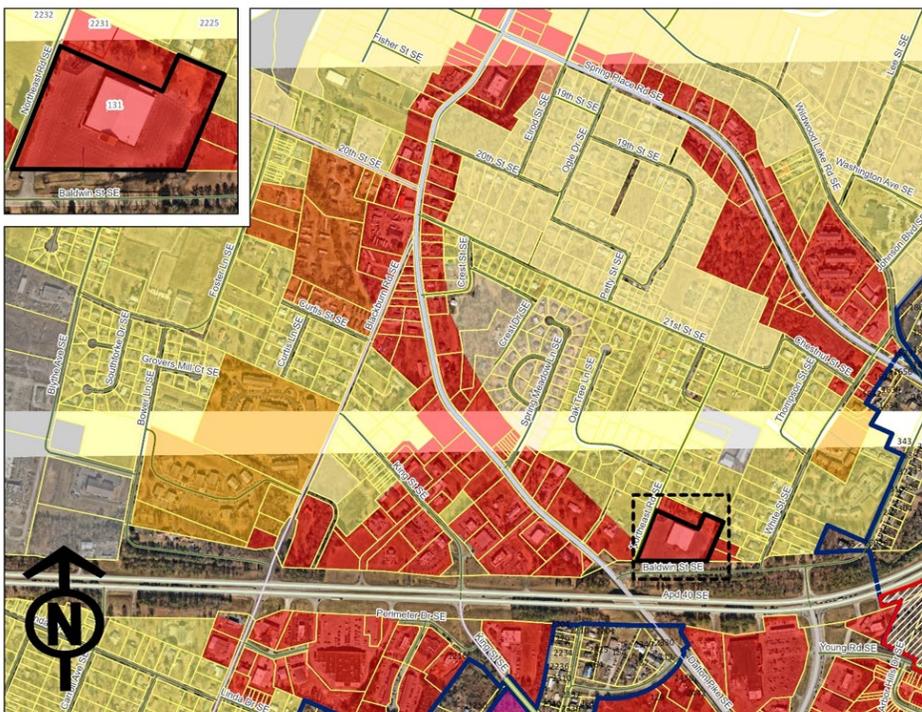
APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Exhibit A



Councilman Estes moved that Zoning Ordinance 2026-02 be approved on first reading. The motion was seconded by Councilman Goff; and upon roll call, the motion passed 7-0.

The following Ordinance was then presented in full:

- **Ordinance 2026-03** – Concerning a request by Bent Tree Development for consideration to amend PUD 65 to remove townhomes as an allowable use and replace with single family

homes as an allowable use (Planning Commission: Approved 9-0).

ZONING ORDINANCE 2026-03

AN ORDINANCE OF THE OF THE CITY OF CLEVELAND, TENNESSEE AMENDING THE CLEVELAND MUNICIPAL CODE TITLE 14 CHAPTER 2 SO AS TO AMEND A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS WILLIAMS STREET SUBDIVISION "PUD 65" ON PROPERTY DESCRIBED AS TAX MAP 05I GROUP E PARCELS 004.00, 020.00, 021.00, 023.00, AND 025.00, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT; AMENDING THE ZONING PLAN AND ZONING MAP FOR PUD 65; MAKING VIOLATIONS OF THE ORDINANCE UNLAWFUL AND PROVIDING FOR PENALTIES; ESTABLISHING LISTS OF PERMITTED USES AND PROHIBITED USES; ESTABLISHING DEVELOPMENT STANDARDS AND PROCESSES AND RELATED REQUIREMENTS; STATING RESPONSIBILITY FOR COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS; PROVIDING FOR ERRORS AND OMISSIONS AND POSSIBLE FUTURE REVISIONS TO THE PUD; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS the City of Cleveland, Tennessee, hereinafter "City", desires orderly land development in furtherance of the public welfare and has adopted the Planned Unit Development, hereinafter "PUD", process as an alternative development standard whereby to accomplish such development; and whereas it is intended that the developers of the property or any subsequent owners, shall hereinafter be referred to as "Developers" and; and whereas the City desires to establish a unique zoning district with special use restrictions and development standards for the property described herein through the adoption of this PUD, NOW THEREFORE BE IT ORDAINED:

Section 1. ZONING PLAN AND MAP AMENDMENT.

The zoning plan and map are hereby amended so as to zone the property described in Section 3 herein as "PUD 65" subject to the provisions described in each section of this ordinance. The permitted uses in the PUD 65 zoning district are those uses outlined in Section 5 of this ordinance. The development standards for the PUD 65 district are outlined in this ordinance, including requirements for plan approval, and compliance with applicable permitting requirements.

Section 2. VIOLATIONS UNLAWFUL AND SUBJECT TO PENALTIES.

Any development or use of the property described herein in manner contrary to the terms of this ordinance is a zoning violation and is unlawful, subject to the penalties prescribed by the Cleveland Municipal Code and the laws of Tennessee.

Section 3. PROPERTY DESCRIPTION.

PUD 65, Williams Street Development (name may be revised during the platting process with approval of the Cleveland, Municipal Planning) includes property generally identified as Tax Map 050I Group E Parcels 004.00, 020.00, 021.00, 023.00, and 025.00. Exhibit A illustrates the overall Williams Street Conceptual Plan for the subject property.

Section 4. GENERAL PROJECT DESCRIPTION AND DEVELOPMENT DENSITY.

This section is intended to provide a general description of the Williams Street development. The project consists of a single-family neighborhood which includes natural open space. The

developer shall include any permanent retention or detention pond areas or landscaped common areas.

Section 5. PERMITTED USES AND PROHIBITED USES.

The PUD 65 Subdivision allows for the construction of up to 85 residential units in single-unit structures not exceeding two stories. Streets, sidewalks, drainage structures, fire hydrants, utilities, and the like are allowed. Residential amenities such as a community clubhouse, park shelters, benches, or tables, are allowed in the common area and will be reviewed by the Planning Director for consistency with the approved plan.

Nothing herein should be construed as prohibiting the Developer from making further refinements to the development plan of PUD 65 that would further restrict the allowable uses within a particular part of the development or from excluding a particular use from the development altogether through the operation of private restrictions or covenants. The location of residential uses within the PUD will comport with the descriptions of the constituent parts of the development which are conceptually described within Exhibit "A" unless modified by agreement of the Cleveland Municipal Planning Commission. Home occupations permitted in Cleveland's zoning ordinance are allowed unless prohibited by Developer covenants and restrictions. Billboards are prohibited.

Section 6. CONCEPTUAL PLAN AND RELATED REQUIREMENTS.

6.A. CONCEPTUAL PLAN.

A conceptual plan (Exhibit A) for PUD 65, The Williams Street Development PUD was prepared for submission to the Cleveland Municipal Planning Commission for consideration in the regular meeting on May 20, 2025. An amended concept plan was presented at the July 15, 2025, meeting. A subsequent amended concept plan was presented at the December 9, 2025 meeting. The conceptual plan consists of a site plan for the overall development. However additional drawings, documents, and permits routinely required for a subdivision are expected for review and approval prior to construction. All development within PUD 65 must be consistent with this Conceptual Plan with regard to development standards and general layout unless subsequently modified by agreement of the Cleveland Municipal Planning Commission. However, any modification may not increase the total number of single-family dwelling units beyond 85 without a revision to the PUD ordinance approved by the City Council. Additional plans, plats, and other development-related documents and permits will be necessary to carry out the construction of this project. It is recognized that the plats and site plans for the PUD development may reflect some alteration in the conceptual plan such as the exact location of each specific residential unit and type within the designated residential areas. Other variations may include the width or alignment of streets, or the precise placement of buildings, but these will be generally consistent with the conceptual plan, mutually consistent with one another, and not violate any features of this ordinance as these relate to adjoining properties and infrastructure (e.g., external intersection locations, buffers with external properties, etc.). All streets or access drives within the PUD 65 development shall be constructed with adequate width to accommodate the installation of sidewalks which shall be installed at the expense of the developer. Further specification of intersection design requirements and other infrastructure standards will be specified prior to platting.

6.B. PLATS.

One or more plats will be prepared for the PUD 65 property by the Developer for approval in accordance with the City of Cleveland, Tennessee subdivision regulations. These plats will describe and dedicate public streets and any other public properties; identify lots; and identify easements that are necessary for various purposes within the development such as utilities, access, maintenance, and conservation, etc. These plats shall be consistent in general layout with the conceptual site plan.

6.C. PRIVATE DEVELOPMENT DOCUMENTS.

The Developer shall prepare and implement such master covenants, restrictions, homeowner association documents, common area agreements, and the like which the Developer determines are necessary to carry out the development of PUD 65 as envisioned herein. It is a requirement of this ordinance that such documents are in place and enforced by the Developer (or Developer's heirs, successors, or assigns) to the extent necessary for PUD 65 to function as described herein. The City of Cleveland assumes no responsibility to review these documents, or to determine their adequacy to these purposes, or to enforce any of their provisions, or to otherwise be a party to them.

Section 7. DEVELOPMENT STANDARDS

The development standards for PUD 65 shall be those established in this ordinance. Where development standards are not otherwise included in this ordinance, the standards shall be those in the R2 residential zone from the City of Cleveland's zoning regulations.

7.A. Building Lot Size & Setbacks

Front: 25 ft.

Side: 5 ft.

Rear: 15 ft.

Minimum Width: 46 ft.

Minimum Square footage: 4600 Sq. Ft.

Storage sheds and similar minor accessory structures, if allowed by the Development restrictions, shall be limited to yard areas behind the primary structure and are not to encroach within five feet of any property line. Covered porches, sunrooms, and other covered additions to the primary structure, if allowed by the development restrictions, are to maintain the required setbacks for the primary structure. Open patios and decks may extend to within 10 feet of a rear property line. The guidelines for approval of a minor encroachment as established within the Cleveland Zoning Ordinance may be utilized to establish variations in setbacks subsequent to any Planning Commission approvals. Any required retaining walls may encroach within 3 feet of the property line.

Section 7.B Sidewalks, Common Area, & Amenities

1. Sidewalks shall be provided along all streets within the subdivision and will include the western side of Neely Circle to 20th Street.
2. All utilities shall be placed outside of the street except for required crossings; any crossing shall be approved by the City.

3. The minimum open space provided shall be a minimum of 20%. A minimum of 50% of the open space shall be easily accessible and usable by the residents. Landscape buffers may be included in the open space.
4. A centralized cluster mailbox unit shall be provided, if required by the United States Postal service, and shall include a minimum of two off-street parking spaces and be out of the public right-of-way.
6. Additional off-street parking shall be provided with the mail kiosk.

7.C Miscellaneous Standards

1. The exterior facades of all structures shall be comprised of brick, stone, or fiber cement board materials (no vinyl siding except for accents such as soffits & fascia). All foundations shall be brick or stone.
2. Residential buildings must incorporate a variety of building elements and treatments for single family detached and townhome style housing. Structures must include articulation, change in materials or texture, windows, or other architectural features.
3. Each dwelling shall have a garage.
4. A minimum of 1.5 off-street parking spaces per dwelling unit are required excluding the garage.
5. A two-inch caliper hardwood shade tree which is determined acceptable to the City's Urban Forester shall be installed in the front of each lot. Additional trees shall be planted across the development which will be determined during site review.
6. A 50-foot undisturbed buffer shall be required along the Western property line that adjoins the Woodchase Residential Community. Disturbance of the buffer is allowed in the case of stormwater detention areas. In this case, the detention area shall be screened with an 8-foot wooden fence and Type C buffer plantings. In areas where the existing undisturbed buffer does not provide full visual screening additional plantings will be required as well as a continual 8-foot fence along the western edge of Williams Street. This vegetative buffer shall be installed and approved by the planning director prior to the issuance of the first building permit.
7. The parking of commercial vehicles, tractor-trailer cabs, commercial equipment, mobile homes, recreational vehicles, ATVs, boats and other watercraft, trailers, stored vehicles, or inoperable vehicles is not allowed. This parking will not be considered part of the public Right-of-way.
8. Neely Circle and the Development Road shall be improved to city standards. The developer shall dedicate any right-of-way necessary from the property in which they control and shall be responsible for construction of said improvements. The road improvements to Neely Circle and the Development road shall be in place prior to the issuance of the first building permit. During construction, all traffic must enter the site from Neely Circle. Access to the development site from Williams Street is strictly prohibited.
9. Construct a dedicated left-turn lane on 20th Street to accommodate queuing and prevent through-lane blockage at the western intersection of 20th Street and Neely

Circled referenced as intersection 3 in the TIA. Include an appropriate taper and deceleration area per AASHTO and FHWA standards based on design speed.

10. Reconfigure the intersection geometry at the western intersection of 20th Street and Neely Circle/Intersection 3-both horizontally (alignment) and vertically (elevation)-to minimize sight-distance issues, ensuring drivers have full visibility per AASHTO's corner sight distance guidelines.
11. Upgrade the Neely Circle/Development road junction to provide a continuous through lane on the development road, extend improvements into Neely Circle and on to the improved 20th Street intersection #3 (Neely Circle to the East shall not be included in these required improvements). Ensure the new alignment supports smooth through-traffic flow and ties into the upgraded Neely Circle-20th Street connection. Standards 8-10 improvements-including geometrics, storage lanes, tapers, and sight-distance elements-shall be fully engineered during site plan review and finalized with approval from the Transportation Engineer.
12. Developer will coordinate and maintain access for U.S. Army Corp project located on site via Williams Street or other agreed upon route.
13. Driveway access shall be limited to Neely Circle and new roads constructed for the development, no access is permitted on to Williams Street.

Section 8. COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS.

The Developer, and its assigns or successors in title, is responsible for obtaining all federal, state, and local permits required for the construction of the proposed PUD 65 Williams Street Development. The Developer and its assigns or successors in title shall carry out the construction on the project site in compliance with all applicable ordinances of the City of Cleveland, Tennessee, and also in compliance with applicable federal and state laws. Buildings shall be designed and constructed in accordance with adopted building codes and shall not be occupied until final inspections are complete and certificates of occupancy have been issued (permission for limited use of building after substantial completion by the City's Building Official). Failure to develop, use, or maintain the subject property other than in conformity with all of the requirements of this ordinance is unlawful and shall be deemed a violation of the City's zoning ordinance and a nuisance subject to the penalties described in the zoning ordinance and any increased fine as may be allowed by state law.

Section 9. ERRORS, OMISSIONS, AND POSSIBLE FUTURE REVISIONS TO THE PUD.

This ordinance may be amended from time to time as necessary after review by the Planning Commission and approval by the City Council subsequent to a public hearing. Where this ordinance contemplates the future approval of a site plan or the future approval of a plat by the Cleveland Municipal Planning Commission, and where this ordinance contemplates the future refinement of plans to conform with permitting requirements or conditions of approval necessitated by staff review, and where the Developer and the City of Cleveland may enter into future agreements regarding possible public facilities, infrastructure, and/ or services within PUD 65, an amendment to this ordinance is not required to implement such detailed block plan, site plan, plat, refinement to plans necessitated by permitting or review requirements, or agreement pertaining to public facilities, infrastructure, or services. If the

overall development layout differs greater than 20% from the site plan shown in exhibit A then a revised conceptual plan must be reviewed by the Cleveland Municipal Planning Commission.

Section 10. BINDING UPON OTHERS.

This ordinance is a law and not a contract, and as such it is generally binding upon all development and use of property in the PUD 65 zoning district and is binding upon City's regulation of these activities in this location. Moreover, it shall be the duty of the Developer to ensure compliance with all terms of this ordinance affecting construction or maintenance. Wherever this ordinance establishes a duty, responsibility, or right for the Developer, the term "Developer" is intended to encompass Bent Tree Development, or any heirs, assigns, or successors in title, or any owners of record of the subject property as of the effective date of this ordinance and their heirs, assigns or successors in title. The term "Developer" is also intended to include any holding company or other entity established for the ongoing operation and maintenance of the development of the subject property including, but not limited to, common areas, joint use or joint access areas, and undeveloped portions of the property that are intended for development.

Section 11. CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE

Where this ordinance is in conflict with existing ordinances with respect to the development of this property the terms of this ordinance shall prevail unless state otherwise herein. In the event that any portion of this ordinance is determined to be invalid by any court of competent jurisdiction, the remaining portions of this ordinance shall remain in full force and effect. This ordinance shall take effect upon after passage and upon the execution of the development order as described above, the public convenience and necessity requiring it.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

WHEREAS, the City Council desires to amend Title 13, Chapter 1, Sections 13-104(1) and 13-104(8) of the Cleveland Municipal Code; and

WHEREAS, the City Council also desires to amend Title 13, Chapter 1, of the Cleveland Municipal Code to add a new Section to be numbered 13-110.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cleveland, Tennessee, in regular session assembled:

Section 1. Title 13, Chapter 1, Section 13-104(1) of the Cleveland Municipal Code is hereby amended to read as follows:

13-104. **Overgrown and dirty lots.** (1) **Prohibition.** Pursuant to the authority granted to municipalities under Tennessee Code Annotated 6-54-113, it shall be unlawful for any owner of record of real property to create, maintain, or permit to be maintained on such property the growth of weeds, vines, grass, underbrush and/or the accumulations of debris, trash, litter, waste tires, or garbage, or any other combination of the preceding elements so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals.

Section 2. Title 13, Chapter 1, Section 13-104(8) of the Cleveland Municipal Code is hereby amended to read as follows:

(8) Supplemental nature of this section. The provisions of this section are in addition and supplemental to, and not in substitution for, any other provision in the municipal charter, this municipal code of ordinances or other applicable law which permits the city to proceed against an owner, tenant or occupant of property who has created, maintained, or permitted to be maintained on such property the growth of weeds, vines, grass, underbrush and/or the accumulation of the debris, trash, litter, or garbage or any combination of the preceding elements, under its charter, any other provisions of this municipal code of ordinances or any other applicable law.

Section 3. Title 13, Chapter 1, of the Cleveland Municipal Code is hereby amended to add a new section to be numbered Section 13-110 which new section will read as follows:

13-110. **Dead or diseased tree removal on private property.**

- (a) The City of Cleveland shall have the right to order or to cause the removal of any tree located on private property within the City when such tree is diseased or dead, and such tree constitute a hazard to life and/or property.
- (b) The City's Urban Forester shall determine whether a tree located on private property is dead or diseased and whether such tree constitutes a hazard to life and/or property. The City's Urban Forrester shall notify the City's code enforcement department in writing of the Forrester's findings and opinions.
- (c) If the City Forrester determines that a tree located on private property is dead or diseased and that such dead or diseased tree constitutes a hazard to life and/or property, then the owner of the tree shall be notified in writing by the city's code enforcement department to remove said tree at the owner's expense.
- (d) The written notice to the tree owner will follow the process outlined in Cleveland Municipal Code 13-107 and will be sent to the owner by certified mail, return receipt requested, and also by regular mail. The notice shall include the reason(s) for the City's order to remove the tree, and the location of said tree. The notice shall include a copy of the Urban Forrester's written findings concerning the tree. The notice shall also state that the owner shall remove the tree at the owner's expense and that the deadline to remove the tree shall be thirty (30) days from the owner's receipt of the notice.

- (e) In the event the owner fails to comply with such written notice and order to remove the tree, the city may then proceed to remove said tree and to charge the removal costs to the owner of the property. Before removing the tree and charging the removal costs against the owner of the tree, the code enforcement officer shall follow the process outlined in section 13-107 of the Cleveland Municipal Code.

Section 4. That this Ordinance shall become effective from and after its passage on final reading, the public welfare requiring it.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Vice Mayor Webb moved that Zoning Ordinance 2026-04 be approved on first reading. The motion was seconded by Councilman May; and upon roll call, the motion passed 7-0.

The following Resolution was then presented in full:

- **Resolution 2025-108** - Concerning a request by Bill Sanders for consideration of a Plan of Service for about 40 acres, more or less, of property located along Pleasant Grove Rd. SW from C-2/FAR to IL Light Industrial Zoning District and includes Tax Map 055 Parcel 044.00 and 008.00 (Planning Commission: Approved 8-0; 1 absent).

RESOLUTION 2025-108

A RESOLUTION APPROVING A PLAN OF SERVICES FOR A PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF CLEVELAND BY OWNER CONSENT

PLEASANT GROVE RD. (055 008.00 and a portion of 044.00)

WHEREAS, the City of Cleveland, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries by owner consent; and

WHEREAS, a Plan of Services for the territory proposed for annexation by owner consent has been reviewed by the Cleveland Municipal Planning Commission; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

NOW THEREFORE BE IT RESOLVED by the City of Cleveland, Tennessee as follows:

- A. That a public hearing is hereby held at 3:00 pm on December 8, 2025, at the Cleveland Municipal Building, 190 Church St NE, on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

Beginning at the southwest corner of the lands of Claude Phillips, as recorded in BCROD deed book 2078 page 229, said point being a corner of the existing city Limits; thence with the existing City Limits south 74 degrees 50 minutes, 33 seconds west, 787.04 feet to a point; thence south 70 degrees 16 minutes 07 seconds west, 250.80 feet to appoint; thence south 74 degrees 50 minutes 33 seconds west, 865.84 feet to a point; thence leaving the existing City Limits north 15 degrees 09 minutes 27 seconds west, 768.2 feet to a point; thence north 20 degrees 22 minutes 59 seconds east, 91.33 feet to appoint; thence north 25 degrees 52 minutes 19 seconds west, 316.22 feet to a point; said point being located in the southern right of way of Pleasant Grove Rd; thence with the southern right of way of Pleasant Grove Rd

in an easterly direction 1378 feet, more or less, to the northeast corner of the lands Bill Sandres, as recorded in BCROD deed book 2487 page 778; thence crossing Pleasant Grove Rd in a northeasterly direction with the same bearing as the eastern line of the lands of Sandres 40 feet, more or less, to the northern right of way of Pleasant Grove Rd; thence with the northern right of way of Pleasant Grove Rd in an easterly direction 998 feet, more or less, to a point where the western line of the lands of Phillips, if extended, would intersect the northern right of way of Pleasant Grove Rd; thence crossing Pleasant Grove Rd in a southeasterly direction 40 feet, more or less, to the north west corner of the lands of Phillips; thence south 15 degrees 09 minutes 27 seconds east, 317.79 feet to the point of beginning.

B. That a copy of this Resolution shall also be published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Cleveland, and by publishing notice of the Resolution at or about the same time in the Cleveland Daily Banner, a newspaper of general circulation in such territory and the City of Cleveland.

C. That notice of the time and purpose of a public hearing on the proposed annexation by owner consent and the Plan of Services shall be published in a newspaper of general circulation in the City of Cleveland not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk



**OCTOBER 21, 2025
PLEASANT GROVE RD II
ANNEXATION ANALYSIS
PLAN OF SERVICE
CITY OF CLEVELAND, TENNESSEE**

The City of Cleveland, Tennessee is pursuing the annexation of approximately 40 acres located at Pleasant Grove Road as described in this report, along with a corresponding plan of service and zoning plan for the area. The area is inside the existing Urban Growth Boundary (UGB). The proposed annexation is proposed to occur in 2025.

This report begins with a brief overview of the annexation process and the report then turns to a proposed Plan of Services (POS) for the annexation area. The services described are those that would be necessary for the City to provide under Tennessee law. This area is proposed to receive city services in accordance with the POS.

Introduction

Public Chapter 1101 (PC 1101), adopted as Tennessee law in 1998, required cities to work cooperatively with other local governments to determine an urban growth boundary (UGB) in which annexations could occur. Cleveland has a twenty-nine square mile UGB that was based on a study of urbanization and service requirements in a fifty square mile urban fringe area. The UGB was amended in January 2010, expanding it near I-75 Exit 20 and in the vicinity of the new airport site near Dry Valley Road. Cleveland can annex property within its UGB by resolution.

PC 1101 Section 19 requires a “Plan of Services” (POS) prior to annexation and these services must include: police and fire protection: water, electrical and sanitary sewer services; solid waste collection; road and street construction and repair; recreational facilities and programs; street lighting; and zoning services. Public Chapter 225 adopted by the Tennessee General Assembly and signed by Governor Bredesen on June 2, 2003, amended TCA 6-51-102 to include impact on school attendance zones.

The property consists of 2 parcels (one is a portion of), approximately 40 acres total. The annexation would zone the parcels as IL Light Industrial. These lots are currently vacant, and future light industrial development is proposed. The property is described as Tax Map 055 008.00 and a portion of 044.00.

Pleasant Grove Road Annexation Map



Legal Description

Beginning at the southwest corner of the lands of Claude Phillips, as recorded in BCROD deed book 2078 page 229, said point being a corner of the existing city Limits; thence with the existing City Limits south 74 degrees 50 minutes, 33 seconds west, 787.04 feet to a point; thence south 70 degrees 16 minutes 07 seconds west, 250.80 feet to appoint; thence south 74 degrees 50 minutes 33 seconds west, 865.84 feet to a point; thence leaving the existing City Limits north 15 degrees 09 minutes 27 seconds west, 768.2 feet to a point; thence north 20 degrees 22 minutes 59 seconds east, 91.33 feet to appoint; thence north 25 degrees 52 minutes 19 seconds west, 316.22 feet to a point; said point being located in the

southern right of way of Pleasant Grove Rd; thence with the southern right of way of Pleasant Grove Rd in an easterly direction 1378 feet, more or less, to the northeast corner of the lands Bill Sandres, as recorded in BCROD deed book 2487 page 778; thence crossing Pleasant Grove Rd in a northeasterly direction with the same bearing as the eastern line of the lands of Sandres 40 feet, more or less, to the northern right of way of Pleasant Grove Rd; thence with the northern right of way of Pleasant Grove Rd in an easterly direction 998 feet, more or less, to a point where the western line of the lands of Phillips, if extended, would intersect the northern right of way of Pleasant Grove Rd; thence crossing Pleasant Grove Rd in a southeasterly direction 40 feet, more or less, to the north west corner of the lands of Phillips; thence south 15 degrees 09 minutes 27 seconds east, 317.79 feet to the point of beginning.

Plan of Services

1. Police Protection

Patrolling, radio responses to calls and other routine police services using the City’s personnel and equipment will be provided on the effective date of the annexation.

2. Fire Protection

This location falls outside our response parameters of NFPA 1710. NFPA Standard 1710 establishes an 80 second “turnout time” and 240 second “travel time” (together, 320 seconds or 5 minutes and 20 seconds “response time”). Drive time alone to this proposed property from our nearest fire station is roughly 6 minutes or 360 seconds. We would **not** be able to service the annexation request with our current staffing and station locations.

3. Domestic Water, Sanitary Sewer Service, and Fire Hydrants

A. Domestic Water---Domestic water service is presently available to the parcels via a 6” water main along the north side of Pleasant Grove Rd. SW. See Figure 1 – Water Service.

B. Sanitary Sewer---Sewer service is not presently available to the parcels.

For parcels 055-008.00 and 055-044.00, ±1750LF of 4” sewer force main can be installed. The Opinion of Probable Cost is \$240,650. This work can be completed in 8 years. See Figure 2 – Sewer Service.

For parcel 056-042.04 ±250LF of 8” gravity sewer main can be installed and to get to parcel 056-042.05, ±560LF of 8” gravity sewer main can be installed. The Opinion of Probably Cost is \$111,375. This work can be completed in 8 years. See Figure 3 – Sewer Service.

C. Fire Protection---Fire protection is presently available to the parcels via fire hydrants along Pleasant Grove Rd. SW. See Figure 1 – Water Service.

SUMMARY OF COSTS¹				
Location	Domestic Water	Sanitary Sewer	Fire Protection	Total
Pleasant Grove Road (055-008.00 and 044.00)	\$0	\$240,650	\$0	\$240,650

¹ CU’s opinions of probable Construction Cost are to be made on the basis of CU’s experience, qualifications, and

general familiarity with the construction industry. However, because CU has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, CU cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by CU. The information

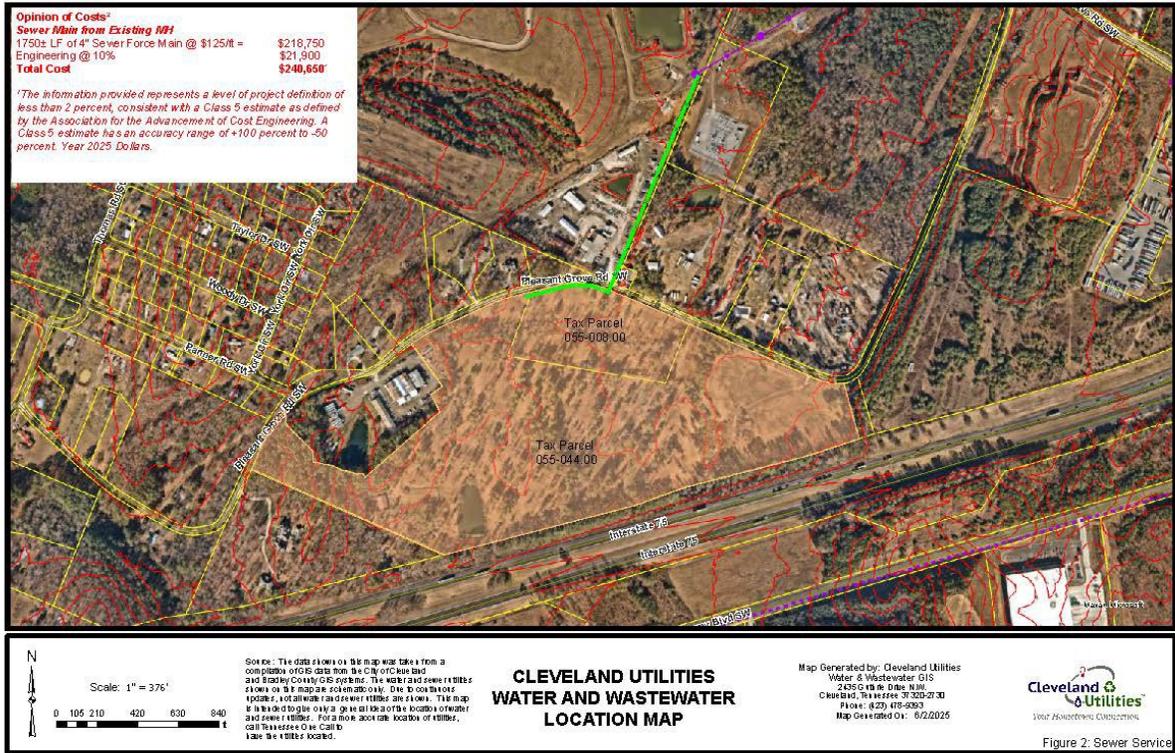


Figure 2: Sewer Service

provided represents a level of project definition of less than 2 percent, consistent with a Class 5 estimate as defined by the Association for the Advancement of Cost Engineering. A Class 5 estimate has an accuracy range of +100 percent to -50 percent.

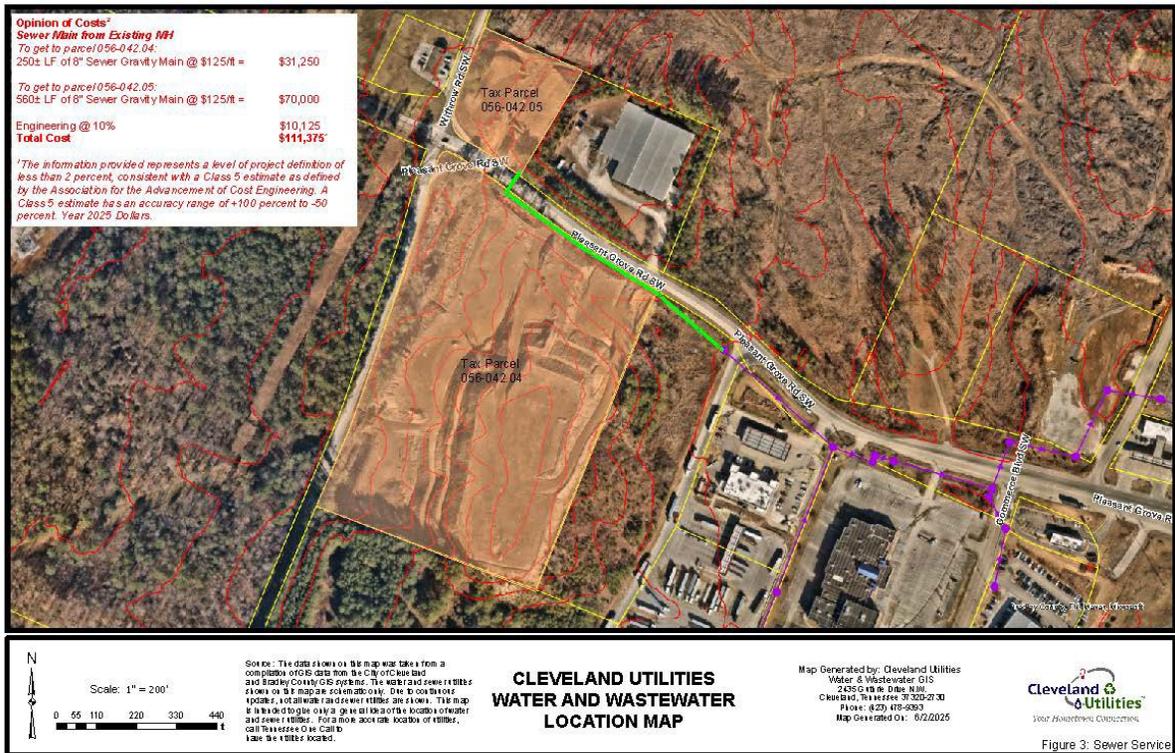
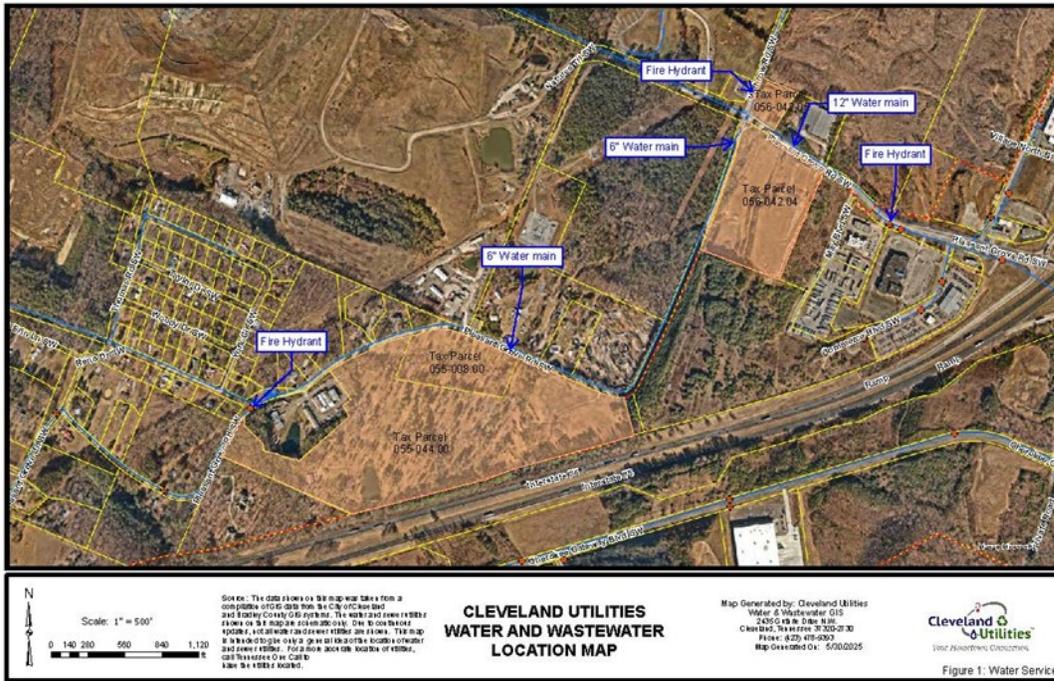


Figure 3: Sewer Service



4. Electric Service

Cleveland Utilities Electric will have to develop a detailed plan of service for this section of Pleasant Grove Road, possibly including an interstate crossing. Estimated cost is \$250,000.

5. Public Works

A. Refuse Collection

- a. Current city policies regarding residential, commercial, and industrial refuse will apply in all proposed areas per the terms of the City’s contract with Waste Connections of Tennessee, Inc.
- b. The City no longer provides curbside recycling, and this service will not be provided in the proposed areas, unless the City Council initiates a program in the future.

B. Route Collection Services

- a. Current city policies regarding residential debris, brush, and white good collections will apply in all proposed areas and will begin at the time of annexation. Each residence will be included in the City’s ten route collection system. No additional equipment or manpower will be needed at this time.
- b. The current city policies regarding residential leaf collection will be provided annually for a period of approximately three months and will apply in all proposed areas.

C. Street Repair and Maintenance

- a. Emergency maintenance of city streets (i.e. repairing hazardous potholes) within the proposed areas will begin at time of annexation.
- b. Routine maintenance of local streets in the proposed areas will be scheduled on the same basis as such maintenance in the rest of the City.

- c. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such substantial improvements in the proposed areas (where identified as needed by the governing body) will be accomplished in accordance with the priorities and policies established for the entire city.
- e. It appears that no street name signs, or street striping/painting is needed at this time for the proposed areas.

D. Stormwater and Drainage Services

Emergency drainage maintenance (i.e., cleaning catch basins, unblocking tile, installing drainage tile and/or catch basins) within these areas will begin at time of annexation.

E. General Rights-of-Way Maintenance (i.e., street sweeping, snow removal)

- a. Current city policies for routine street sweeping will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.
- b. Current city policies for snow removal and salting will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.

6. Schools

There would be no educational impact from this development.

7. Planning and Zoning

- A. The planning and zoning jurisdiction of the City will extend to the annexation areas upon the effective date of annexations and all municipal planning activities will encompass the needs of the annexed areas.
- B. This property is currently FAR/C-2 in the unincorporated County. The property is proposed IL Light Industrial Zoning Districts as its post-annexation zoning.
- C. In the case of lots of record that are recorded prior to the effective date of annexation, if there are prevailing deed or subdivision restrictions on record, these deed or subdivision restrictions shall apply if in conflict with City zoning or subdivision regulations.

8. Animal Shelter

The City operates a full-time animal control program including an animal shelter. The Animal Shelter is located on Hill Street SE. Services include pick-up of stray and/or dangerous animals. These services will be available to the annexation areas on the effective date of the annexation.

9. Voting Rights and City Elections

- A. If an eligible voter's permanent place of residence is located in an annexed area, that voter is automatically eligible to vote in City elections.

- B. If an eligible voter is in the category of a property rights voter, then that voter must register at the Election Commission Office prior to voting in a City election.
- C. This annexation is expected to add approximately 0 residents to the 1st City Council District.

10. Stormwater

- I. The City of Cleveland Stormwater Utility Fee is based on impervious area. The fee is billed on the Cleveland Utilities monthly water bill. For additional information or to view the Stormwater Utility Fee Credit and Adjustment Manual please visit our website at www.clevelandtn.gov/stormwater.
- II. All new development will need to adhere to the City of Cleveland Stormwater Ordinance. If there is a possibility of ponds, wetlands, and/or streams on site. A hydrological determination will be required before land disturbance activities are permitted. The study will also need to be approved by TDEC. Please provide the study and the concurrence letter from TDEC. Any modifications to a pond, wetland, or stream will require an Aquatic Resource Alteration Permit (ARAP). This permit is issued by the Tennessee Department of Environment and Conservation.
- III. The City of Cleveland is now a Qualified Local Program (QLP). All development needing the Tennessee Department of Environment and Conservation (TDEC) Construction General Permit coverage will submit all required documentation and fees to the City of Cleveland only.

Revenue

Total revenue generated by this annexation is approximately **\$4,321.29 per year.**

Councilwoman McKenzie moved that Resolution 2025-108 be accepted as presented. The motion was seconded by Councilman May; and upon roll call, the motion passed 7-0.

The following Resolution was then presented in full:

- **Resolution 2025-109** - Concerning a request by Bill Sanders for consideration of a resolution to annex for about 40 acres, more or less, of property located along Pleasant Grove Rd. SW from C-2/FAR to IL Light Industrial Zoning District and includes Tax Map 055 Parcel 044.00 and 008.00 (Planning Commission: Approved 8-0; 1 absent).

RESOLUTION 2025-109

A RESOLUTION TO ANNEX CERTAIN TERRITORY UPON WRITTEN CONSENT OF THE OWNERS AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF CLEVELAND, TENNESSEE

PLEASANT GROVE RD. ANNEXATION AREA

WHEREAS, the City of Cleveland, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, this Resolution was also published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Cleveland, and by publishing notice of the Resolution at or about the same time in the Cleveland Daily Banner, a newspaper of general circulation in such territory and the City of Cleveland; and

WHEREAS, a Plan of Services for the area proposed for annexation is attached as *Exhibit A* hereto, which Plan of Services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and

WHEREAS, the proposed annexation and Plan of Services were submitted to the Cleveland Municipal Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time and purpose of a public hearing on the proposed annexation and the Plan of Services was published in a newspaper of general circulation in the City of Cleveland not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing; and

WHEREAS, a public hearing on the proposed annexation and Plan of Services was held by the governing body on December 8, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City of Cleveland, Tennessee as follows:

A. That the following territory is hereby annexed and incorporated into boundaries of the City of Cleveland, to wit:

Beginning at the southwest corner of the lands of Claude Phillips, as recorded in BCROD deed book 2078 page 229, said point being a corner of the existing city Limits; thence with the existing City Limits south 74 degrees 50 minutes, 33 seconds west, 787.04 feet to a point; thence south 70 degrees 16 minutes 07 seconds west, 250.80 feet to appoint; thence south 74 degrees 50 minutes 33 seconds west, 865.84 feet to a point; thence leaving the existing City Limits north 15 degrees 09 minutes 27 seconds west, 768.2 feet to a point; thence north 20 degrees 22 minutes 59 seconds east, 91.33 feet to appoint; thence north 25 degrees 52 minutes 19 seconds west, 316.22 feet to a point; said point being located in the southern right of way of Pleasant Grove Rd; thence with the southern right of way of Pleasant Grove Rd in an easterly direction 1378 feet, more or less, to the northeast corner of the lands Bill Sandres, as recorded in BCROD deed book 2487 page 778; thence crossing Pleasant Grove Rd in a northeasterly direction with the same bearing as the eastern line of the lands of Sandres 40 feet, more or less, to the northern right of way of Pleasant Grove Rd; thence with the northern right of way of Pleasant Grove Rd in an easterly direction 998 feet, more or less, to a point where the western line of the lands of Phillips, if extended, would intersect the northern right of way of Pleasant Grove Rd; thence crossing Pleasant Grove Rd in a southeasterly direction 40 feet, more or less, to the north west corner of the lands of Phillips; thence south 15 degrees 09 minutes 27 seconds east, 317.79 feet to the point of beginning.

B. That the Plan of Services for this territory which is attached as *Exhibit A* hereto is approved and the same is hereby adopted.

C. That the City Clerk's office will cause a copy of this Resolution to be forwarded to the Mayor of Bradley County including the Plan of Services.

D. That a copy of this Resolution shall be sent to the Tennessee Comptroller of the Treasury and the Bradley County Assessor of Property.

E. That a copy of this Resolution, as well as the portion of the Plan of Services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district.

WHEREUPON, the Mayor affixed a signature and date thereto and directed that the same be recorded.

EFFECTIVE DATE: Be it further resolved that this Resolution shall only become effective at the time of the final passage of the ordinance zoning for the aforementioned property within the City of Cleveland.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Vice Mayor Webb moved that Resolution 2025-109 be accepted as presented. The motion was seconded by Councilman Estes; and upon roll call, the motion passed 7-0.

The following Ordinance was then presented in full:

- **Zoning Ordinance 2025-65** - Concerning a request by Bill Sanders for consideration of an ordinance to zone about 8 acres, more or less, of property located along Pleasant Grove Rd. SW from FAR to IL Light Industrial Zoning District and includes Tax Map 055 Parcel 008.00 (Planning Commission: Approved 8-0; 1 absent).

Zoning Ordinance 2025-65

BE IT ORDAINED by the City Council of the City of Cleveland, in regular session assembled that the portion of property described herein be, and the same is hereby, rezoned from FAR Zoning District in the Unincorporated County to IL Light Industrial Zoning District.

Approximately 8 acres, more or less, located on Pleasant Grove Rd. as shown on the attached map.

For reference, the same property is being shown on a portion of Tax Map 055 Parcel 008.00 in the Assessor’s Office for Bradley County, Tennessee.

BE IT FURTHER ORDAINED that all Ordinances in conflict herewith are repealed to the extent of said conflict.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

APPROVED AS TO FORM:

/s/John F. Kimball
City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Exhibit A



Councilman Goff moved that Zoning Ordinance 2025-65 be approved on first reading. The motion was seconded by Councilman Moore; and upon roll call, the motion passed 7-0.

The following Ordinance was then presented in full:

- **Zoning Ordinance 2025-66** - Concerning a request by Bill Sanders for consideration of an ordinance to zone about 32 acres, more or less, of property located along Pleasant Grove Rd. SW from C-2 to IL Light Industrial Zoning District and includes Tax Map 055 Parcel 044.00 (Planning Commission: Approved 8-0; 1 absent).

Zoning Ordinance 2025-66

BE IT ORDAINED by the City Council of the City of Cleveland, in regular session assembled that the portion of property described herein be, and the same is hereby, rezoned from C-2 Zoning District in the Unincorporated County to IL Light Industrial Zoning District

Approximately 32 acres, more or less, located on Pleasant Grove Rd. as shown on the attached map.

For reference, the same property is being shown on a portion of Tax Map 055 portion of Parcel 044.00 in the Assessor's Office for Bradley County, Tennessee.

BE IT FURTHER ORDAINED that all Ordinances in conflict herewith are repealed to the extent of said conflict.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

APPROVED AS TO FORM:

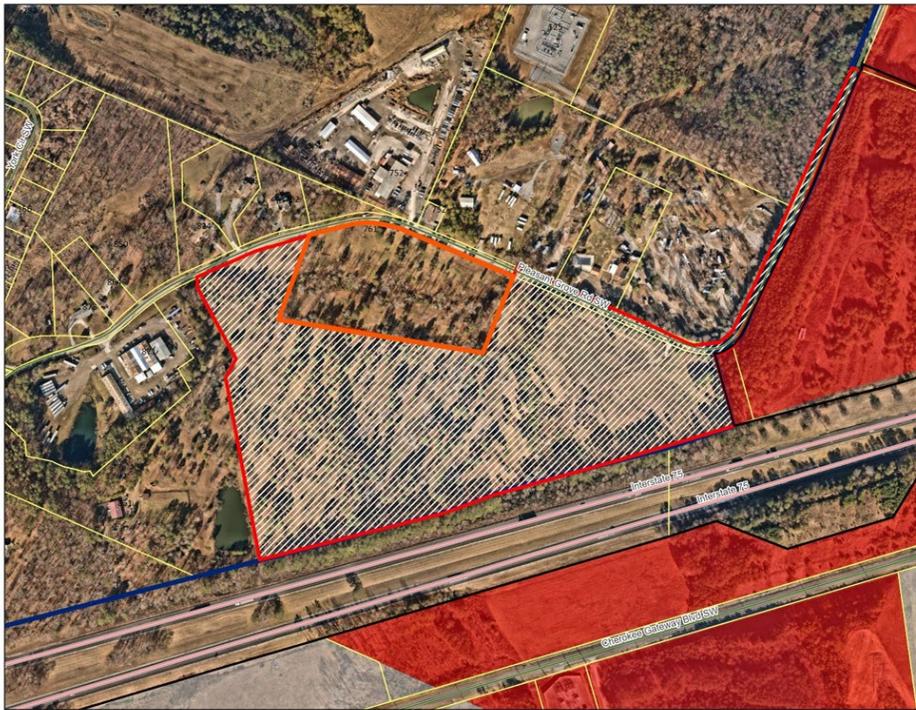
/s/John F. Kimball

City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

Exhibit A



Councilwoman McKenzie moved that Zoning Ordinance 2025-66 be approved on first reading. The motion was seconded by Councilman Goff; and upon roll call, the motion passed 7-0.

Councilman Estes moved to begin the RFQ process for an architect for the new Events, Sports and Aquatic Center at Hardwick Farms. The motion was seconded by Councilman May; and upon roll call, the motion passed 7-0.

ANNOUNCEMENTS

Mayor Brooks announced the following:

- a. City Offices will be closed on Monday, January 19 in observance of Martin Luther King Day.
- b. The next City Council meeting will be held on Monday, January 26, 2026.

ADJOURNMENT

There being no further business, Mayor Brooks adjourned the meeting at 3:45 p.m.

Mayor

City Clerk