

BE IT REMEMBERED THAT THE CITY COUNCIL OF THE CITY OF CLEVELAND, TENNESSEE MET IN A REGULAR SESSION THIS MONDAY, FEBRUARY 23, 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 were 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; Annie Bryant, Senior Customer Service Representative; 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; Jodi Riggins with Cleveland City Schools; Doug Berry with the Chamber of Commerce; Leslie Painter; Kathy Rohsenberg; Abby Nelson and Allen Mincey with the *Cleveland Daily Banner*.

Following the Pledge of Allegiance to the American Flag and prayer by Pastor Paul Davis with CrossNet Baptist Network, 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 February 9, 2026 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**

There were no special presentations and public comments.

#### **HEARING PETITIONS AND COMMUNICATIONS**

Abby Nelson addressed the City Council concerning access of minutes and agendas on the city website from 2021 and 2022, particularly for planning and zoning and requested a comprehensive agenda center be available for public viewing. Mr. Fivas agreed it should be available and stated staff will make it a priority to be updated.

#### **CONSENT AGENDA**

Mayor Brooks asked Mr. Fivas if he would like to review the Consent Agenda. Mr. Fivas stated yes, particularly Resolution 2026-22 for the actuarial study from TCRS concerning Cleveland Utilities. Currently, we are using some of their history in our calculations and this will allow it to break into two. Cleveland Utilities is requesting actuarial study; the city will pay upfront and Cleveland Utilities will reimburse us for the actuarial study.

Vice Mayor Webb moved to approve the following items from the Consent Agenda. The motion was seconded by Councilwoman McKenzie. Upon roll call, the motion passed 7-0.

- **Resolution 2026-20** – Authorizing the City to participate in a Document and Information Lifecycle Service through Intergovernmental Cooperative Purchasing Contract #1325 (Iron Mountain Information Managements, LLC).

**RESOLUTION 2026-20**

A RESOLUTION AUTHORIZING THE CITY OF CLEVELAND TO PURCHASE OF DOCUMENT AND INFORMATION LIFECYCLE SERVICES THROUGH A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING CONTRACT #1325, AS AMENDED, WHICH IS ADMINISTERED BY OMNIA PARTNERS 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 Document and Information Lifecycle Services between Iron Mountain Information Management, LLC (“Company”) and Participating Entities in cooperation with Omnia Partners 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 Omnia Partners 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 #1325, as amended, held by Omnia Partners 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 Document and Information Lifecycle Services as a participating public agency under MICPA Contract #1325, as amended, held by Omnia Partners as required by *Tennessee Code Annotated* § 12-3-1205 (a)(1) through Omnia Partners to be used by the City of Cleveland.

APPROVED AS TO FORM:

/s/John F. Kimball

City Attorney

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Ken Webb, Vice Mayor

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Shawn McKay, City Clerk

- **Resolution 2026-21** – Authorizing the Mayor to sign contract amendment 1 with Highway Markings, Inc to allow for the contract to be extended for a maximum of three additional one-year periods.

**RESOLUTION 2026-21**

WHEREAS, the City of Cleveland has previously entered into an agreement for guardrail maintenance with Highway Markings, Inc.

WHEREAS, City staff are requesting that the City Council approve the attached amendment to the existing contract between the City and Highway Markings, Inc, which will amend the language under Term of Contract to allow for the contract to be extended for a maximum of three additional one-year periods upon mutual agreement of both parties.

**WHEREAS**, City staff have prepared the attached Amendment No. 1 to the existing contract with Highway Markings, Inc. for this purpose; and

**WHEREAS**, the City Council now desires to approve of the attached Amendment No. 1 with Highway Markings, Inc., and further authorize the Mayor to execute this 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 Amendment No. 1 to the City’s contract with Highway Markings, Inc., for the services described herein, and it further authorizes the Mayor to execute the same on behalf of the City of Cleveland.

This 23<sup>rd</sup> day of February 2026.

APPROVED AS TO FORM:

/s/John F. Kimball  
City Attorney

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Ken Webb, Vice Mayor

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Shawn McKay, City Clerk

- **Resolution 2026-22** – Requesting an actuarial study from TCRS concerning Cleveland Utilities Authority.

**RESOLUTION 2026-22**

**Tennessee Consolidated Retirement System**

**A RESOLUTION to authorize and appropriate funds for an actuarial study to determine the share of the Tennessee Consolidated Retirement System assets and associated liabilities relative to a department, agency or instrumentality of a political subdivision becoming a separate governmental entity, pursuant to Chapter 156 of the Public Acts of 2021.**

**WHEREAS**, Tennessee Code Annotated, Section 8-35-201, provides that except as otherwise expressly provided by law, should any department, agency, or instrumentality of a political subdivision participating in the Tennessee Consolidated Retirement System ("TCRS") become a separate local governmental entity from the political subdivision, the employees of such entity are not entitled to future membership in the retirement system on account of continued service with the entity unless the chief governing body of the entity elects to become a participating employer in TCRS; and

**WHEREAS**, Chapter 156 of the Public Acts of 2021 authorizes the governing body of a political subdivision participating in TCRS to request that TCRS have an actuarial study conducted, at the political subdivision's expense, to determine the share of the assets of TCRS and associated liabilities attributable to the new political subdivision for the time period before or after a department, agency, or instrumentality of the political subdivision became a separate governmental entity participating in the retirement system; and

**WHEREAS**, Chapter 156 of the Public Acts of 2021 also provides that such an actuarial study must calculate the political subdivision's pension liability for this period of time based on the following factors: review of assets and liabilities; member creditable service; demographics and salaries; required and optional plan provisions; contributions made; investment earnings; and any other factors that will assist in determining the political subdivision's pension obligations before a part of it became a separate entity; and

**WHEREAS**, the City of Cleveland became a participating employer in TCRS on July 1, 1972, and City of Cleveland utility department employees participated in TCRS as a department or instrumentality of the City of Cleveland until November 1, 2023; and

**WHEREAS**, City of Cleveland utility department reorganized and became the Cleveland Utilities Authority; and

**WHEREAS**, effective November 1, 2023, the Cleveland Utilities Authority became a separate participating employer in TCRS; and

**WHEREAS**, pursuant to Chapter 156 of the Public Acts of 2021, the City of Cleveland desires that TCRS, in accordance with Chapter 156 of the Public Acts of 2021, coordinate an actuarial study, at the City's expense, to determine the share of the assets of TCRS and associated liabilities attributable to the Cleveland Utilities Authority for the time period before November 1, 2023.

**NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CLEVELAND**, hereby authorizes an actuarial study as described above and accepts responsibility for the cost of such study.

CITY OF CLEVELAND  
MAYOR Kevin Broks

CITY OF CLEVELAND  
CITY MANGER Joe Fivas

- **Motion** – Extending the existing contract with Highway Markings, Inc for an additional one-year term.

**TO: Mayor and City Council**  
**FROM: Kristi Powers, Budget/Purchasing Coordinator**  
**DATE: February 23, 2026**  
**RE: Contract Extension – Guardrail Maintenance**

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**SUMMARY:**

Requesting an extension to the current Guardrail Maintenance contract with Highway Markings, Inc. for an additional one-year term.

**COMMITTEE FINDINGS:**

None.

**FISCAL ANALYSIS:**

None.

**RECOMMENDATION:**

Recommendation is to approve a one-year contract extension beginning March 1, 2026.

- **Surplus Property** - Declaring an Explorer as surplus property to be used for training by Fire Department and then sold for scrap.

**TO: Mayor and City Council**  
**FROM: Kristi Powers, Budget/Purchasing Coordinator**  
**DATE: February 23, 2026**  
**RE: Surplus Property**

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**SUMMARY:**

Fleet Management requests the following asset be declared surplus. This vehicle was recently totaled. The City will use it for Fire Department training and then later sell it for scrap.

- 2023 Ford Explorer VIN 1FM5K8AB0PGA33365

**COMMITTEE FINDINGS:**

None.

**FISCAL ANALYSIS:**

None.

**RECOMMENDATION:**

City staff recommends approval of this item.

- **Change Orders 11 and 12 – Jim Sharp Park**

**TO: Mayor and City Council**  
**FROM: Bryan Turner, Director of Building and Project Development**  
**DATE: February 23, 2026**  
**RE: Jim Sharp Park**

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**SUMMARY:**

Please see attached Change Orders #11 and #12 for Jim Sharp Park. This includes the addition of a liner to the pond and some additional grading work, but ultimately results in a credit of \$5,539 due to a reduction in scope of the previously approved Change Order #10. These change orders will close out the project.

**UNFINISHED BUSINESS**

There was no unfinished business.

**REPORTS OF COUNCIL MEMBERS**

Councilman Moore had no report at this time.

Councilwoman McKenzie had no report at this time.

Councilman Estes reminded everyone of the BOFNA meeting tonight at Blythe. Also, there will be a tour of the Blythe Oldfield Neighborhood with Vice Mayor Avery Johnson on Saturday.

Councilman Cassada inquired on the opening of Jim Sharp Park. Mr. Fivas stated yes, we anticipate the grand opening celebration in May.

Councilman May stated he drove by Tinsley Park and was impressed with the drainage work, the design and buildings are looking great. He then asked about the landscaping along the left of the entrance. Mr. Fivas replied we have a landscaping plan for the area and feel it will be spectacular.

Councilman Goff had no report at this time.

Vice Mayor Webb had no report at this time.

**NEW BUSINESS AND ORDINANCES**

Mayor Brooks stated we have an item on the agenda for discussion and potential approval of an agreement with Blue Line Solutions, LLC to provide automated photo enforcement services for various school zones located within the City. Mr. Fivas stated there have been changes to the agreement, but we want to make sure the Council is comfortable and you can take action when you are ready. Blueline representatives are here with a presentation to helpfully answer any questions. Mr. Mark Hutchinson, who is the founder/owner and CEO of Blueline Solutions addressed the Council concerning Blueline, stating they are a traffic safety company that uses technology to slow people down and hopefully change driver behavior. Their mission is to save lives. He then explained how the Lidar system works, and how laser technology is used. They are currently in over 100 cities in the United States with a 94% reduction in speeders in the school zone as a result of this program. Locally, we placed a speed detection device in the school

zones and captured data for five days, which will tell us if there is a problem in the school zone or not. We looked at nine school zones; morning traffic was 10,375 vehicles going 10 mph above the speed limit. 1,754 vehicles throughout the day. Afternoon traffic had 14,768 vehicles going 10 mph above the speed limit. The question is, is there a speeding problem. We want to be transparent, let the community know about this data and when parents ask what are you going to do about it, that is what we call political permission. They have given permission to provide a solution. We start with a thirty-day warning period and generally see a 60% reduction in the speeding just making the community aware the program is coming. The next phase is the enforcement period and generally we see a 10% reduction. In week five of the enforcement period, we do another five-day data study to determine the level of reduction during the enforcement period. We have a 94% reduction in over 100 cities. It is not a money/cash grabber. He is the owner of the company. He and the employees have a mission to do the right thing and reduce speeding. They do make money, but the right way. Transparency is key. We communicate the reductions to the cities to share with the community. He continued to review how the program works and answered questions from the Council. Councilman Moore asked when the lights are not flashing will citations be issued. Mr. Hutchinson stated that is up to the Council. State Law allows it, but the question is, is there a problem? Your data shows 1,754 were speeding 10 mph above the posted speed limit. 204,717 vehicles came through the school zones, 1% of the traffic was speeding 10mph above the posted speed limit was throughout the day, 35% in the morning and 47% in the afternoon. You can choose not to enforce throughout the day and only in the morning and afternoons. Councilwoman McKenzie asked if speeds were more significant on four-lane highways versus two lane roadways? Mr. Hutchinson stated we will see a heavy reduction in Cleveland but not based on the types of roadways. Also, State Law requires you to give 10 mph above the speed limit. We will give you photo speed enforcement signs and if allowed by you, we will place a radar feedback sign to show people how fast they are going. Councilman Estes asked Chief Gibson if he agrees that 25k cars go 10 mph over the speed limit in school zones. Chief Gibson stated I do not have a reason not to believe it, but it is possible. Councilman Estes stated he is thinking about Blythe, Arnold and Stuart, it is impossible during those times due to backed up traffic. Mr. Hutchinson stated looking at the 5-day data, Blythe zone had 358 in the morning, 57 during the day and 327 in the afternoon. Bradley Central High School zone 1,038 had in the morning and 1,981 in the afternoon. Candy's Creek Elementary zone had 856 in the morning and 2,525 in the afternoon. Cleveland High School zone had 2,906 in the morning and 2,136 in the afternoon. Cleveland Middle zone had 3,355 in the morning and 4,613 in the afternoon. E.L. Ross zone [Mouse Creek] had 328 in the morning and 1,162 in the afternoon. Chief Gibson stated we are on the MTAS schedule for a study but no projected date at this time. They are familiar with Blueline, and this is a standard procedure. Councilman Estes asked if the study should take place prior to the contract. Mr. Kimball stated you can certainly wait to receive the MTAS data and then decide what you want to do. He then stated there are some additional things in the contract that need to be updated concerning the month to month after the initial two years and some minor typos. We can bring back a revised agreement. Councilman Cassada moved to follow Mr. Kimball's advice, and for Council to receive the study from MTAS along with staff recommendations on which school zones actually need this system. The motion was seconded by Councilman Estes; and upon roll call, unanimously passed.

Councilman Cassada moved to approve change order #4 with Tricon for the Redevelopment of the Cherokee Hotel for an overall total of \$42,531.88. The motion was seconded by Councilman May; and upon roll call, unanimously passed.

Vice Mayor Webb moved that Cleveland Utilities will reimburse the City for the cost of the TCRS actuarial study. The motion was seconded by Councilman Moore; and upon roll call, unanimously passed.

**ANNOUNCEMENTS**

Mayor Brooks announced the following:

- a. The next City Council meeting will be held on Monday, March 9, 2026.

**ADJOURNMENT**

There being no further business, Mayor Brooks adjourned the meeting at 3:58 p.m.

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Mayor

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City Clerk