

RESOLUTION - 2024

A RESOLUTION TO APPROVE THE SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE CITY OF MT. JULIET AND PLAINTIFFS CHIVANADA, DANIEL YARZAGARARY, WILLIAM LOFBACK, RIFFS HOSPITALITY, EILEEN MALTES AND MIKEY'S PIZZA, LLC TO SETTLE A LAWSUIT PENDING IN THE UNITED DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSE, CHIVANADA ET. AL. V. CITY OF MT. JULIET, CASE No. 3:32-cv-1219 AND A REPRESENTATIVE OF THE CITY OF MT. JULIET IS AUTHORIZED TO SIGN

WHEREAS, the City of Mt. Juliet Board of Commissioners approves the Settlement Agreement and Release in regards to the Food Truck Permit fee of \$100 per day for vendors located outside the city limits ; and

WHEREAS, on January 8, 2024, Ordinance 2024-05 the \$100 per day fee was removed for mobile food vendors not paying sales tax to the City of Mt. Juliet; and

WHEREAS, the City of Mt. Juliet agrees under the "Terms and Conditions" of the attached agreement and release to pay \$5,000.00 to Beacon Center of TN within fifteen (15) business days of approving this resolution and will issue a 1099.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF MT. JULIET BOARD OF COMMISSIONERS, WILSON COUNTY TENNESSEE AS FOLLOWS:

Section 1. The attached Settlement Agreement and Release is approved and a check in the amount \$5,000.00 will be issued to the Beacon Center of Tennessee within fifteen (15) business days of approval of said Resolution and a 1099 will be issued. A Representative for the City of Mt. Juliet is authorized to sign.

Section 2. In the event of conflict between this resolution or any part hereof, and the whole or part of any existing resolution of the City, the conflicting resolution is repealed to the extent of the conflict but no further.

Section 3. If any section, clause, provision or portion of the resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of the resolution.

This Resolution shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED:

James Maness, Mayor

ATTEST:

Sheila S. Lockett, MMC
City Recorder

APPROVED AS TO FORM:

Kenneth Martin, City Manager

L. Gino Marchetti, Jr., Attorney