

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**January 13, 2022
6:00 pm**

The East Ridge City Council met pursuant to notice on January 13, 2022, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Rev. Danny Lance, True Life Church, gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Williams, Vice Mayor Chauncey, Councilmember Cagle, Councilmember Helton, Councilmember Witt, City Manager Dorsey, City Attorney Litchford, and City Recorder Middleton.

Presentation of Christmas Parade Grand Marshal Award – Community Involvement Coordinator Bowers stated the Grand Marshals were Herman and Mary Schrader. She stated the Schrader's allow the Needy Child Fund and Community Kitchen to take donations during their Christmas light display on Jason Drive. The Mayor presented a plaque to the Schrader's for being Grand Marshals in the parade and thanked them for all they do for the City.

Oath of Honor – Police Department – Mayor Williams administered the Oath of Honor to Officers Robert White and Anna Simmons.

Employee Milestone Awards for December – Mayor Williams announced that there was one employee who reached their milestone in December, Anthony Chavez with five years of service.

Consent Agenda:

- A. Approval of Minutes December 9, 2021 Council Meeting
- B. Approval of August 2021 Financial Report
- C. Approval of September 2021 Financial Report
- D. Declaration of Surplus Property
 - IT – Electronic Equipment

Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to approve the Consent Agenda. Roll call vote: Vice Mayor Chauncey - yes; Councilmember Cagle - yes; Councilmember Helton - abstain; Councilmember Witt - yes; Mayor Williams - yes. Motion approved.

Communication from Citizens: None

Communication from Councilmembers:

Councilmembers Witt and Helton had nothing at this time.

Vice Mayor Chauncey gave an update on the dog park. He stated the fencing should be completed tomorrow. He stated the concrete for the benches will be poured soon and the benches should be delivered on January 18th.

Councilmember Cagle thanked the Council for accepting his appointment to the Industrial Development Board at the last meeting.

Mayor Williams stated the City closed last week on the property for the new animal shelter. We will put up a sign on the property stating it will be the future home of the East Ridge Animal Shelter. He stated staff will visit other shelters to get design ideas.

Communication from City Manager:

- He thanked sanitation crews for working overtime last Saturday to catch up on leaf pick up. At this time, we only have one leaf vac working, but we are also using other equipment.
- A Request for Proposals for the McBrien school property was sent out in order to get solicitations from developers for the use of the property. RFPs are due February 24th.
- The splashpad was tested last week. TDEC was here and also inspected the playground and splashpad, and to make sure everything was ADA compliant and in line with the grant. We will also have to install fencing and ADA sidewalks. Opening date for the playground could possibly be announced at the next meeting, with the splashpad opening date coming later when the weather is warmer.
- There is a staffing shortage in the Library. They are adjusting their hours, so citizens should call ahead to make sure the Library is open.
- Parks and Recreation Director Adam Wilson resigned on Monday. Shawwna Skiles has been appointed as the interim director.

Old Business: None

New Business:

PUBLIC HEARING FOR RESOLUTION NO. 3228 - Sign variance for Marathon Realty Group (Food City) – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Chief Building Official Howell stated representatives from Food City could not attend tonight. Mr. Howell stated the request is to add three extra feet to the sign. The City's sign ordinance currently limits these signs to nine feet. He stated the increase would not negatively impact the surrounding areas and recommends approval. No one came forward in favor of or in opposition to the variance. Mayor Williams closed the public hearing.

RESOLUTION NO. 3228 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE A VARIANCE TO THE CITY'S SIGN ORDINANCE NO. 1028 TO ALLOW AN INCREASE IN THE HEIGHT OF A PROPOSED SIGN ON PROPERTY LOCATED AT 3636 RINGGOLD ROAD, TAX MAP

#168D-C-013 – City Attorney Litchford read on caption. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3228. The vote was unanimous. Motion approved.

RESOLUTION NO. 3229 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WALLER LANSDEN DORTCH & DAVIS, LLP TO ACT AS GOVERNMENT AFFAIRS COUNSEL TO THE CITY OF EAST RIDGE IN REGARD TO MATTERS BEFORE THE TENNESSEE GENERAL ASSEMBLY – City Attorney Litchford read on caption. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3229. The vote was unanimous. Motion approved.

RESOLUTION NO. 3230 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO APPOINT STEVE LEACH AS A BOARD MEMBER TO THE HAMILTON COUNTY WATER & WASTEWATER TREATMENT AUTHORITY - City Attorney Litchford read on caption. Mayor Williams stated that on October 14, 2021, he was appointed to the WWTB Board on an interim basis until we could locate someone to serve. Tonight, the Mayor is appointing Steve Leach. Mr. Leach, who currently serves as the Chairperson of the Zoning Appeals Board, has served the City for over 20 years. Vice Mayor Chauncey made a motion, seconded by Councilmember Cagle, to approve Resolution No. 3230. The vote was unanimous. Motion approved. The Mayor thanked Mr. Leach for his continued service to the City.

Discussion on Adult Changing Table – Councilmember Helton stated that Roddey Coe, with the Council for Developmental Disabilities, previously spoke to Council about installing adult changing tables at Camp Jordan. Ms. Helton stated that Mr. Dorsey located a restroom that we can add on to, and she has received donations from private donors. She would like for Council to bring Mr. Coe back to the next meeting to discuss this further and possibly approve the project. Mr. Cagle asked if the City would have a men's and a women's changing room or would it be just one. Mr. Dorsey stated it would be just one changing room for both.

RESOLUTION NO. 3231 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AWARDED THE RE-BID FOR US HIGHWAY 41/SR8 (RINGGOLD RD.) CORRIDOR IMPROVEMENT PROJECT FROM KINGWOOD DRIVE/WIMBERLY LANE TO MCBRIEN ROAD – City Attorney Litchford read on caption. City Manager Dorsey stated Council approved a bid for this project in November 2021, which then had to go to TDOT for approval. TDOT rejected the bid because on one line of the bid documents, the amount of the bid was not spelled out by the contractor. The City bid out the project again with Talley Construction being the only bidder, but the bid was \$170,000 higher than last time. The new bid amount is \$6,483,651.96. ARPA funds will pay \$3,142,492.28 for this project, with \$3,341,159.68 coming from the general fund. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3231. Vice Mayor Chauncey believes that Talley should honor the first bid whether approved by TDOT or not. Mr. Dorsey stated there were certain items that have escalated in price over the last three months, and since TDOT did not approve the first bid, Talley Construction does not have to honor it. The vote was unanimous. Motion approved.

The Mayor reminded everyone that we have a tabled item, Ordinance No. 1152, and asked if anyone wanted to remove it from the table. No one took action.

Discussion of Tentative Agenda Items for the January 27, 2022 Council Meeting (see Attachment A)

New Business:

- A. **ORDINANCE NO. ____ - Budget Amendment (1st reading)** – Finance Director Qualls stated the ordinance will include all the purchases Council has approved that were not budgeted, such as construction costs, donations, insurance recovery funds for a sanitation truck, FEMA funds, etc. It could also possibly include a new police vehicle. Councilmember Cagle suggested the City go ahead and bid out a new sanitation truck. Mr. Dorsey stated we could, but he will also check for a truck on the state contract.

City Attorney Litchford stated he received a call from the developers of the Budgetel asking Council to consider the item at the next meeting. Mr. Litchford stated if the item is brought off the table at that time, it can be voted on at the next meeting.

Being no further business, the meeting was adjourned.

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**January 27, 2022
6:00 pm**

The East Ridge City Council met pursuant to notice on January 27, 2022, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Rev. Daniel Beard, Action Church, gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Williams, Vice Mayor Chauncey, Councilmember Cagle, Councilmember Helton, Councilmember Witt, City Manager Dorsey, City Attorney Litchford, and City Recorder Middleton.

Consent Agenda:

- A. Approval of Minutes January 13, 2022 Council Meeting
- B. Approval of October 2021 Financial Report

Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to approve the Consent Agenda. The vote was unanimous. Motion approved.

Communication from Citizens:

Nathan Garmany, 1212 S. Seminole Dr., Freedom Church asked the Council to consider changing the ordinance to allow Airbnb (short term rentals) in R-1 zoning. He stated the church property has a duplex at the corner of the lot, which they are leasing commercially. He approached City Hall about rezoning and found out short term rentals are not allowed in a R-1 zone.

Communication from Councilmembers:

Councilmember Cagle asked everyone to remember the family of Earl Long, who recently passed away. Mr. Long was a retired employee who previously worked at the Community Center.

Vice Mayor Chauncey had nothing at this time.

Councilmembers Helton and Witt had nothing at this time.

Mayor Williams discussed the following:

- The Mayor asked Chief Allen to explain the Take Me Home program. The Chief stated the program is for citizens who have trouble communicating their name, address, etc.

Family members or caregivers can register these citizens on the website takemehometn.org, with name, address, and a photo. If an officer comes across them, they can look up the person on this website, get his/her address, and take them home. Officers in the surrounding areas can also look up the person on the website.

- East Ridge Parks and Recreation is having sign-ups for t-ball (ages 3-4), baseball (ages 5-12), softball (ages 5-16), and spring soccer (ages 3-18).
- February 3, 2021 – The East Ridge Council of the Chattanooga Chamber of Commerce will have a meeting at the True Life Church (old Salvation Army building) at 11:45 am. Lt. Josh Creel will be the speaker.

Communication from City Manager:

- Leaf pick-up – As of now, crews are in the Belvoir area on the north side and the Cherokee/John Ross area on the south side. They only have one working machine, so he may come back to Council to ask for a new machine or a full vehicle.
- Playground and splashpad – All the equipment is in and has been tested. We will have to install a fence around the splash pad. We will also have to make the park ADA accessible by putting up ramps, walkways, and ADA accessible parking spaces.
- Dog park – Mr. Dorsey thanked Vice Mayor Chauncey. The fence has been installed and benches have been delivered. We are waiting on the concrete to be poured for the benches. We are also in the process of ordering equipment. Vice Mayor Chauncey asked the status of moving the air pollution meter. Mr. Dorsey stated they are in the process of finding a place to move it, possibly to Camp Jordan or next to the dog park. EPA has to approve moving it.

Old Business: None

New Business:

ORDINANCE NO. 1155 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2022 OPERATING BUDGET, ORDINANCE NO. 1147, BY CHANGING THE REVENUES AND EXPENDITURES OF THE GENERAL FUND, GRANT FUND, DRUG FUND, ECONOMIC DEVELOPMENT FUND, SOLID WASTE FUND, DEBT SERVICE FUND, CAPITAL PROJECTS FUND, AND TO CREATE THE STORMWATER IMPROVEMENT FUND (1st reading) – City Attorney Litchford stated the caption was incorrect and read the correct version. Finance Director Qualls stated the amendment included the \$3.1 million in ARPA funds, loan for a fire truck, \$600,000 for salary stabilization, and various other items. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Ordinance No. 1155 on first reading. The vote was unanimous. Motion approved.

The Mayor moved Item F, Resolution No. 3236, to this portion of the agenda.

RESOLUTION NO. 3236 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO ACCEPT A DONATION FROM KC CANDLE COMPANY OF A NEW CANINE BALLISTIC VEST FOR THE EAST RIDGE POLICE DEPARTMENT – City Attorney Litchford read

on caption. Stacy Prater owner of KC Candle Company and Dr. Chris Wallace, Scenic City Family Practice, presented a canine vest to the City's new canine officer, Quest. They started an organization called Candles for K-9s, in which they take donations and purchase ballistic vests for canines. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3236. The vote was unanimous. Motion approved.

RESOLUTION NO. 3232 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE 150 95-GALLON TRASH CARTS AND 150 95-GALLON RECYCLE CARTS FROM OTTO ENVIRONMENTAL SYSTEMS NORTH AMERICA, INC. THROUGH THE HOUSTON GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM (“HGACBUY”) – City Attorney Litchford read on caption. City Manager Dorsey stated the carts we have are at least 10 years old and some are damaged or have lids missing. Cost of the trash and recycle carts is \$17,400 with an approximate shipping cost of \$1,624. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3232. The vote was unanimous. Motion approved.

RESOLUTION NO. 3233 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) 2022 FORD INTERCEPTOR SUV FROM LONNIE COBB FORD THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING #209-72318, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b) – City Attorney Litchford read on caption. Chief Allen stated this will replace a wrecked vehicle, and cost \$41,839. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Resolution No. 3233. The vote was unanimous. Motion approved.

RESOLUTION NO. 3234 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT WITH JPP PROPERTIES, LLC RELATING TO A PROJECT IN THE BORDER REGION RETAIL DEVELOPMENT DISTRICT AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO – City Attorney Litchford read on caption. Mr. Litchford stated the development agreement was approved by the Industrial Development Board (“IDB”) on the previous Monday. The developer approached the City and proposed a larger building with approximately 8,500 square feet of sales/display space, rather than the required 7,000 square feet. This will allow for larger inventory and a better selection.

Mr. Litchford discussed the economic impact, which includes the Border Region, Local Option Tax, and property taxes. The developers had to provide a copy of projected revenues, which are around \$7 million, and eligible expenses of approximately \$3.6 million, along with projected sales for the next 25 years. The developer and the City negotiated for a 50/50 allocation of the Border Region funds. If the projections are accurate, the City and the developer would both get around \$3.5 million over the next 25 years. The City would also receive more local option tax and more in property taxes. Mr. Dorsey stated this is the same 50/50 proposal that was given to the liquor store in District A.

Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, for discussion. Mr. Chauncey stated that the 50/50 split is not a fair deal for the City. He feels that the store in District A has faced more challenges and it will be harder to make his sales. He does not believe the developer of the store in District B will not face the same type of challenges. Mr. Chauncey made a motion for the developer and the City renegotiate the development agreement with 70% to the City and 30% to the developer.

Suhash Patel, with JPP Properties, stated he has encountered additional expense on this site. He spent \$115,000 for asbestos removal. The site also had black sand which cost \$60,000 - \$70,000 to remove and refill it with dirt. Once they do the grading for the parking lot, they will have to have more black sand removed.

Councilmember Helton seconded Mr. Chauncey's motion for discussion purposes only.

Ms. Helton asked Mr. Litchford to clarify the purpose of the Border Region and who is actually taking on the risk. Mr. Litchford stated the purpose is to trigger growth and economic development. With respect to the risk, he stated the developer is taking on debt associated with a project. From the City side, the demand for services has increased, such as infrastructure needs, additional fire and police, etc. It has helped add revenue, but it cannot be used to offset the general fund; it can only be used for growth and economic development, and improved infrastructure. Ms. Helton stated it is to our advantage to incentivize new businesses. Mr. Litchford stated it is good practice. He stated he gets calls weekly about development and believes the Council does also.

Mr. Patel stated he is asking for a lower amount than what some other businesses in this area have been awarded.

Roll call vote: Vice Mayor Chauncey - yes; Councilmember Cagle - no; Councilmember Helton - no; Councilmember Witt - no; Mayor Williams - no. Motion denied.

Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3234. Vice Mayor Chauncey stated that City Code 8-309 related to liquor states that Council must approve the materials and design of the liquor stores. Mr. Litchford stated he needs to meet with the developer to get this information and bring it back to Council for approval at the next Council meeting. Mr. Chauncey also stated that on page 1, paragraph 5 of the development agreement, states 7,500 square feet, not 7,000 square feet of display space. Mr. Litchford stated he will get that corrected.

Roll call vote: Vice Mayor Chauncey - no; Councilmember Cagle - yes; Councilmember Helton - yes; Councilmember Witt - yes; Mayor Williams - yes. ~~Motion denied.~~ **Motion approved. Amended in the 3/10/22 minutes.**

RESOLUTION NO. 3235 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) VEHICLE THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT, PURSUANT

TO TENNESSEE CODE ANNOTATED 12-3-1201(b) TO BE USED IN UNDERCOVER POLICE OPERATIONS – City Attorney Litchford read on caption. Chief Allen stated the cost of the vehicle is \$25,292.20, which will come from the Drug Fund. Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to approve Resolution No. 3235. The vote was unanimous. Motion approved.

Mayor Williams stated Council still has a tabled ordinance, No. 1152, regarding a rezoning at 1410 N. Mack Smith Road. The developers have asked that Council remove Ordinance No. 1152 from the table and consider it at the February 10, 2022 meeting. Mayor Williams made a motion, seconded by Councilmember Witt, to bring Ordinance No. 1152 off the table and consider it at the February 10, 2022 Council meeting. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the February 10, 2022 Council Meeting (see Attachment A)

Old Business:

- A. **ORDINANCE NO. 1155 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2022 OPERATING BUDGET, ORDINANCE NO. 1147, BY CHANGING THE REVENUES AND EXPENDITURES OF THE GENERAL FUND, GRANT FUND, DRUG FUND, ECONOMIC DEVELOPMENT FUND, SOLID WASTE FUND, DEBT SERVICE FUND, CAPITAL PROJECTS FUND, AND TO CREATE THE STORMWATER IMPROVEMENT FUND (2nd and final reading)** – No further discussion.

Mayor Williams stated that Ordinance No. 1152, which was tabled on November 11, 2021, would be under New Business. We have already had a public hearing, but citizens may comment on the rezoning during Citizens Business. The developers also held a public meeting at the Community Center to hear citizens comments and concerns. He and the City Manager also visited a facility in Rome, Georgia that these same developers remodeled and turned into apartments.

New Business:

- A. **ORDINANCE NO. ____ - Rezone 495 Camp Jordan Parkway from C-1 to O-2 to Build a New Emergency Care Facility (1st reading)** – Chief Building Official Howell stated this will be a stand-alone facility next to Buddy's Barbecue.
- B. **ORDINANCE NO. ____ - Rezone the following properties from R-2, C-1, and O-2 to C-4 Planned Commerce Center District. (1st reading)**
- 930 Hurst St, tax parcel (169E D 007.01) (Currently R-2)
 - 931 Hurst St, tax parcel (169E C 001) (Currently R-2)
 - 1000 Floyd Drive, tax parcel (169E D 007) (Currently R-2)
 - 1004 Floyd Drive, tax parcel (169E D 006) (Currently R-2)

- 6517 McCall Road, tax parcel (169E D 001.01) (Currently R-2)
- 1403 Mack Smith Road, tax parcel (169L K 020) (Currently O-2 & C-1)

Chief Building Official Howell stated the property lines for these six parcels have been dissolved and it will be one large tax parcel. It will incorporate the Red Wolves site and the senior living facility.

- C. **ORDINANCE NO. ____ - Abandon dead end portion of Hurst Street (1st reading)** – Mr. Howell stated the dead-end portion will be used to access 930 and 931 Hurst St. The right-of-way will stay the same on Floyd Drive. Mr. Howell stated that C-4 zoning can be for restaurants, townhomes, condos, hotels, etc. and is the most permitted of all the zones.
- D. **ORDINANCE NO. ____ - Amend Title 4 for the new Human Resources Manual (first reading)** – Mr. Dorsey has been working on this in conjunction with the Municipal Technical Advisory Service (MTAS). He stated most cities do not keep their personnel policies in the City Code. This ordinance is to remove the personnel sections from the City Code and create a separate personnel manual to be approved by resolution by the City Council. Future changes could be approved by resolution.
- E. **RESOLUTION NO. ____ - Adult Changing Table Donation** – Councilmember Helton and City Manager Dorsey are working on this project, but the tables are on back order for six months. Mr. Dorsey stated they have found a suitable location at the back of another restroom where they can put an addition and tie into the water and sewer which is already there. He will get a cost estimate for construction.

Being no further business, the meeting was adjourned.