

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

**April 14, 2022
6:00 pm**

The East Ridge City Council met pursuant to notice on April 14, 2022, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Rev. Terry Arnold, East Ridge Church of God, gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Mayor Williams recognized former Mayor Bob Johnson who is in the audience.

Present were: Mayor Williams, Vice Mayor Chauncey, Councilmember Cagle, Councilmember Helton, Councilmember Witt, City Manager Dorsey (remotely), City Attorney Litchford, and Deputy City Recorder Qualls.

Employee Milestone Awards for March 2022 – The Mayor announced the following employee milestone awards for March 2022:

- Gary Carpenter – 20 years
- Jason Daverson – 10 years

Donation to East Ridge Creative Arts for No-Shave April – Police Department – Lt. Hewitt presented a cash donation of \$795.00 to the Creative Arts Commission. He stated this is the largest donation they have done since this started.

Consent Agenda:

- A. Approval of Minutes March 24, 2022 Council Meeting
- B. Approval of January 2022 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:

- Lillian Scott, 1041 South Seminole, is opposed to the rezoning, stating that East Ridge has the third highest rental density in the County.
- Marvin Scott, 1041 South Seminole, is opposed to the rezoning, stated there could be an increase in crime and stormwater issues. He also stated that the developer has contributed to Vice Mayor Chauncey's campaign.
- Ed Turner, 3128 Seminole Crest Lane, is opposed to the rezoning stating there would be an increase in traffic. He did thank the developers for having the community meeting.

- John Bilderback, 1045 S. Seminole Drive, stated he is not against renters but suggested the developer build single family home on the property.
- Sanjay Nath, 3132 Seminole Crest Lane, stated he is opposed to the rezoning because of water runoff issues.
- James Citty, 1001 S. Seminole Drive, stated he is opposed to the rezoning because of stormwater runoff.
- Robert Johnson, 3138 Seminole Crest Lane, stated he is opposed to the rezoning because of the traffic and homes will depreciate.
- Anastasia Zeebyk, 309 East View Drive, is opposed due to density of the project and traffic.
- William Lane, 1025 South Seminole, agreed with everyone's concerns. He also stated he would have no privacy.
- Leslie Bostain, 731 Germantown Circle, expressed concerns about the Council voting on this issue.
- David Tyler, 4701 Fountain Avenue, recently graduated from the Citizen's Police Academy, He commended the Chief, Assistant Chief, and officers involved in this program. He also thanked the Councilmembers who participated in the event for the Food Pantry.
- Edgar Sean, 1034 S. Seminole Drive, stated he is opposed to this project.

Communication from Councilmembers:

Councilmember Witt stated we collected 365 lbs. of food and \$2,075 in donations for the Fill a Cruiser event the past Saturday.

Councilmember Helton, Vice Mayor Chauncey, and Councilmember Cagle had nothing at this time.

Mayor Williams discussed the following:

- There was a huge turnout for the Cruise-in and for Bug-a-Palüza.
- Fill a Cruiser was a great event that raised money and food for the Food Pantry
- April 16, 10-2:30 - Swing into Spring at the McDonald Farm Park. They will have food, petting zoo, music, games, and a vintage baseball game
- April 28 – May 8 – Thrillville will be at Camp Jordan. This is an upscale carnival that has been to Atlanta Motor Speedway and various other places.
- April 30th – Kids and Pros – UTC coaches will be teaching kids football skills for kids 7 - 13 years old.

Communication from City Manager:

- Mr. Dorsey stated the Grand Opening of the playground was on April 2nd. He thanked the committee who helped with the design.
- We had a soft opening of the dog park. Equipment is still on back order.
- We have had a few issues with kids at the playground and there will be more of a police presence after school.

City Attorney Litchford stated, regarding the donation to Mr. Chauncey's campaign, that donations to politicians are not listed as a conflict by the State.

Old Business:

ORDINANCE NO. 1160 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02, TO R-3 APARTMENT DISTRICT (1st reading – tabled March 10, 2022 and March 24, 2022) - City Attorney Litchford read on caption. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to remove Ordinance No. 1160 from the table. The vote was unanimous. Motion approved. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Ordinance 1160. Councilmember Cagle stated he attended the community meeting, but traffic and water run-off are still concerns for him. Kenny Custer, Asa Engineering, 713 Cherry St., Chattanooga, TN, representing Asa Engineering and Steve Meyer, TWM Engineering, 8802 Oak Valley Lane Chattanooga. Mr. Custer stated that Mr. Meyer is a traffic engineer who has done multiple traffic studies in the City. Mr. Custer stated this is a basic rezoning which does not guarantee they will get a building permit. He stated that for years, the concern has been a need for development on the west end. He also stated that some of the water issues are not on this property. He stated that Mr. Meyer will not put his name on a traffic document that is not correct. He believes this will be a good project on the west end of the City. Roll call vote: Vice Mayor Chauncey - yes; Councilmember Cagle - no; Councilmember Helton - no; Councilmember Witt - yes; Mayor Williams - no. Motion denied.

New Business:

ORDINANCE NO. 1164 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE TO AMEND TITLE 7, EAST RIDGE CITY CODE, CHAPTER 2, FIRE CODE TO DELETE SECTION 308.1.4 OF THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, PREVIOUSLY ADOPTED BY ORDINANCE NO. 1094, AND REPLACE WITH NEW LANGUAGE (1st reading) - City Attorney Litchford read on caption. Fire Marshal Flynn stated the current code does not allow operation of grills on decks but does allow storage. This ordinance would also prohibit storage of grills on decks. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1164 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1165 – AN ORDINANCE TO AMEND TITLE 8, SECTION 8-317 OF THE EAST RIDGE MUNICIPAL CODE TO UPDATE THE CERTIFICATE OF COMPLIANCE RESTRICTIONS RELATED TO THE CONSTRUCTION OF A RETAIL PACKAGE LIQUOR STORE (1st reading) - City Attorney Litchford read on caption. City Manager Dorsey stated that due to supply chain issues, labor issues, and COVID there have been delays in construction of the package stores. This amendment would add two additional three-month extensions for completion. Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to approve Ordinance No. 1165 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1166 – AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 6-B(1) OF THE CHARTER (1st reading) - City Attorney Litchford read on caption. Mr. Litchford stated this item would be on the August referendum. This would clean up the residency requirement and would only prohibit judges from holding other non-judicial offices. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Ordinance No. 1166 on first reading. The vote was unanimous. Motion approved.

RESOLUTION NO. 3253 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY VICE MAYOR CHAUNCEY TO THE EAST RIDGE BOARD OF ZONING APPEALS - City Attorney Litchford read on caption. Vice Mayor Chauncey appointed Eric Zitzow to the Board. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3253. The vote was unanimous. Motion approved.

RESOLUTION NO. 3254 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE BOARD OF ZONING APPEALS - City Attorney Litchford read on caption. Councilmember Cagle appointed Mac Pendley to the Board. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Resolution No. 3254. The vote was unanimous. Motion approved.

PUBLIC HEARING FOR RESOLUTION NO. 3255 – APPROVAL OF SIGN VARIANCE REQUEST – 6801 RINGGOLD ROAD - City Attorney Litchford read on caption. Mayor Williams opened the public hearing. A representative of Dynamic Group stated the primary reason for the variance is the topography making it difficult to see their sign. No one else came forward in favor of or in opposition to the request. Mayor Williams closed the public hearing.

RESOLUTION NO. 3255 – 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 A REDUCTION IN THE FRONT SETBACK OF A PROPOSED MONUMENT SIGN ON PROPERTY LOCATED AT 6801 RINGGOLD ROAD, TAX MAP #170J-B-043 - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 3255. The vote was unanimous. Motion approved.

RESOLUTION NO. 3256 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH HHM, CERTIFIED PUBLIC ACCOUNTANTS, FOR AUDITING SERVICES AS REQUIRED BY THE STATE OF TENNESSEE AND OTHER REGULATORY AGENCIES - City Attorney Litchford read on caption. Finance Director Qualls recommends approval. She stated that HHM had an increase of \$2,000 from last year. Vice Mayor Chauncey made a motion, seconded by

Councilmember Witt , to approve Resolution No. 3256. Councilmember Cagle asked if HHM had an increase last year. Ms. Qualls will check. The vote was unanimous. Motion approved.

RESOLUTION NO. 3257 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AMENDING THE RULES AND REGULATIONS FOR A TENT LOTTERY - City Attorney Litchford read on caption. Mr. Dorsey stated that two years ago, the Hamilton County election Commission moved all the precincts to Camp Jordan Arena, which necessitated amending the tent lotter rules. This year, they are moving the precincts back to the Community Center, so the rules will have to be amended again. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3257. The vote was unanimous. Motion approved.

RESOLUTION NO. 3258 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) TIGER 50-INCH FLAIL HEAD ATTACHMENT FROM CHATTANOOGA TRACTOR AND EQUIPMENT THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING SWC-246, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b) - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3258. The vote was unanimous. Motion approved.

RESOLUTION NO. 3259 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO PROCEED WITH NEGOTIATIONS WITH BP CONSTRUCTION, BASED UPON THE SUBMITTED PROPOSAL TO REVITALIZE THE ADJACENT PROPERTIES LOCATED AT 4214 RINGGOLD ROAD AND 1501 TOMBRAS AVENUE - City Attorney Litchford read on caption. Mr. Dorsey stated the City advertised a Request for Proposals in February for these properties, which are the old McBrien School and the current Fire and Police Station. We received one proposal from BP Construction. The existing structures would be removed. Jim Chaney, Chief Operating Officer, with BP Construction was present to speak regarding the proposal. He stated the drawings are conceptual and can be modified. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Resolution No. 3259. Mr. Dorsey stated this is only a proposal to begin negotiations. Mayor Williams stated he would like to see more space in the area for public use and community events, keeping the town center feel. Ms. Witt asked about the plans for a Senior Living center. Mr. Chaney stated it is in the plans, but they have not come up with a design yet. The vote was unanimous. Motion approved.

Discussion of Resurfacing Projects – Mayor Williams stated he previously gave out information on how the roads are rated as far as needing resurfacing. He discussed the possibility of doing spot paving, not potholes, but repairing sections of certain roads. He would like for Council to commit to \$500,000 for the spot paving and asked for discussion. Ms. Witt asked if this would just be patching. The City Manager stated it is not patching, it would be whole sections of roadway. Councilmember Cagle asked if this would cost more for the contractor to move his equipment around the City. The Mayor stated we would have to group the roads in the same areas. Council also discussed making sure street cuts are done correctly. Councilmember Cagle suggested getting a quote on paving when the streets are grouped together.

Discussion of Tentative Agenda Items for the April 28, 2022 Council Meeting (see Attachment A)

Presentation of Letters of Commendation for Seven Firefighters and Two Police Officers – Chief Williams stated this pertains to a recent apartment fire. These firefighters and police officers made nine rescues.

Councilmember Cagle asked the Chief to elaborate on helping in Sevierville with the recent wildfires. He stated there were five fires, and they were first dispatched to a 50-acre site to contain the fire. Once that was contained, they were sent to other areas. Our department, as well as others around the state saved many lives and structures.

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ORDINANCE NO. 1164 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE TO AMEND TITLE 7, EAST RIDGE CITY CODE, CHAPTER 2, FIRE CODE TO DELETE SECTION 308.1.4 OF THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, PREVIOUSLY ADOPTED BY ORDINANCE NO. 1094, AND REPLACE WITH NEW LANGUAGE (2nd and final reading) – No discussion.

ORDINANCE NO. 1165 – AN ORDINANCE TO AMEND TITLE 8, SECTION 8-317 OF THE EAST RIDGE MUNICIPAL CODE TO UPDATE THE CERTIFICATE OF COMPLIANCE RESTRICTIONS RELATED TO THE CONSTRUCTION OF A RETAIL PACKAGE LIQUOR STORE (2nd and final reading) – No discussion.

ORDINANCE NO. 1166 – AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 6-B(1) OF THE CHARTER (2nd and final reading) – No discussion.

New Business:

PUBLIC HEARING FOR ORDINANCE NO. ____ - Rezoning of 1200 South Seminole Drive from R-1 residential District to R-2 Residential Duplex District – Chief Building Official Howell stated that due to advertising requirements, the public hearing will be on the second reading. This is an existing duplex that the owners are asking to conform to R-2. This was part of the urban residential zoning from years earlier.

ORDINANCE NO. ____ - Rezoning of 1200 South Seminole Drive from R-1 Residential District to R-2 Residential Duplex District (1st reading)

PUBLIC HEARING FOR RESOLUTION NO. ____ - Sign Variance for Portofino's

RESOLUTION NO. ____ - Approval of Sign Variance for Portofino's – Mr. Howell stated the sign ordinance does not allow a sign on the roof. He stated the sign would be eleven feet from the roof deck.

RESOLUTION NO. ____ - Approval of TDOT Mowing Contract – Mr. Dorsey stated this is the annual contract for mowing around Exit 1. TDOT will pay the City \$8,820 for the mowings.

Being no further business, the meeting was adjourned.