

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

**December 9, 2021
6:00 pm**

1. Call to Order
2. Invocation
3. A. Roll Call
- B. Presentation for Electronic Vehicle for City Fleet
- C. Presentation of Firefighter Support Grant – Tennessee American Water Company
- D. Employee Milestone Awards for November
- E. Oath of Honor – PD
- F. Presentation for Take Me Home Program – Chief Allen
- G. Christmas Parade Awards
- H. Presentation of FY 2021 Audit - HHM
4. Consent Agenda:
 - A. Approval of Minutes November 11, 2021 Council Meeting
 - B. Approval of July 2021 Financial Report
 - C. Declaration of Surplus Property
 - Parks and Recreation
 - Police Department
5. Communication from Citizens
6. Communication from Councilmembers
7. Communication from City Manager
8. Old Business:
 - A. **PUBLIC HEARING FOR ORDINANCE NO. 1153**
 - B. **ORDINANCE NO. 1153** – 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 SURPLUS AN APPROXIMATE 13.59 ACRE TRACT OF LAND LOCATED AT THE 100 BLOCK OF INTERSTATE 75 ON A PORTION OF TAX MAP NO. 169D-A-001 AND AUTHORIZING

THE MAYOR TO ENTER INTO AN OFFER TO PURCHASE REAL PROPERTY IN SUBSTANTIALLY THE FORM ATTACHED WITH WWTA AND TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS FOR THE CONVEYANCE OF THE PROPERTY, IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) (2nd and final reading)

C. PUBLIC HEARING FOR ORDINANCE NO. 1154

D. ORDINANCE NO. 1154 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE 5300 BLOCK OF STONE STREET, A PORTION OF TAX MAP NOS. 169J-A-017 AND 169J-A-021 AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS (2nd and final reading)

9. New Business:

A. RESOLUTION NO. 3222 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE INDUSTRIAL DEVELOPMENT BOARD TO FILL THE UNEXPIRED TERM OF JAMES CITY

B. RESOLUTION NO. 3223 – 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 LIBRARY BOARD

C. RESOLUTION NO. 3224 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY COUNCILMEMBER HELTON TO THE EAST RIDGE LIBRARY BOARD

D. RESOLUTION NO. 3225 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO CANCEL THE SECOND MEETING IN THE MONTH OF DECEMBER 2021

E. RESOLUTION NO. 3226 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO OFFICIALLY RETIRE K-9 OFFICER AXEL AND ALLOW HIS HANDLER, CORPORAL STEAVEN ROGERS, TO TAKE OWNERSHIP OF AXEL

F. RESOLUTION NO. 3227 – A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO OPEN A CHECKING ACCOUNT AT SUNTRUST/TRUIST BANK FOR FEDERAL FORFEITURE FUNDS

G. Discussion of Tentative Agenda Items for the January 13, 2022 Council Meeting (see Attachment A)

10. Adjourn

**ATTACHMENT A
TENTATIVE AGENDA ITEMS
FOR JANUARY 13, 2022**

9. New Business:

A. **ORDINANCE NO. ____** - Budget Amendment (1st reading)



EAST RIDGE POLICE DEPARTMENT

4214 Ringgold Road ♦ East Ridge, TN 37412

**Police Administration
(423) 867-3718
Fax (423) 867-9418**

**Stan Allen
Chief of Police**

AGENDA MEMORANDUM

TO: Mayor and City Council - City Manager

FROM: Chief Stan Allen

SUBJECT: Oath of Honor

DATE: December 1, 2021

The Police Department has twelve officers to be administered the Oath of Honor by Mayor Williams. We would like to do this at the December 9, 2021 City Council Meeting.

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

**November 11, 2021
6:00 pm**

The East Ridge City Council met pursuant to notice on November 11, 2021, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Pastor Charles Cochran, with the East Ridge Church of Christ, gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Mayor Williams stated that today is Veteran's Day honoring all military veterans. He thanked all veterans who have served and recognized the veterans who were present in the audience.

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

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

- Tommy Saffles and James Burkhart – 15 years
- Cory Cleek and Eric Massengale – 10 years
- Keena Barnes and Charlie Ritchey – 5 years

Donation to the Needy Child Fund – Police Department – Chief Allen stated that during the month of November, police officers donate money to a charity to be able to grow a beard. The Chief presented a donation of \$650 to the East Ridge Needy Child Fund from this fundraiser.

Approval of Minutes October 28, 2021 Council Meeting – Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to approve the minutes. Roll call vote: Vice Mayor Chauncey - yes; Councilmember Cagle - yes; Councilmember Helton - abstain; Councilmember Witt - yes; Mayor Williams - yes. Motion approved.

Communication from Citizens:

Roy Keown, 6616 Graston Avenue, thanked the Council for donating a 2009 Impala to Alhambra Shrine. They have restored the vehicle and it will be in the 2021 East Ridge Christmas Parade. The Shrine would like to honor the City by making it an honorary member of the Alhambra Shrine. The Mayor and Council thanked the Shriners for all they do. Councilmember Cagle asked Mr. Keown when the Circus would be back. Mr. Keown stated the cost of the circus went up an extra \$15,000 so it is not feasible right now to bring it back. They will be doing a rodeo in April in Cleveland.

Communication from Councilmembers:

Councilmember Witt read a card from the Needy Child Fund thanking the city for all they do for the Fund. Ms. Witt thanked the members of the Needy Child Fund for all they do.

Councilmember Helton concurred with Ms. Witt regarding the Needy Child Fund.

Vice Mayor Chauncey stated that it could be three to four weeks before the fencing comes in for the dog park due to supply chain issues. He is meeting next week regarding the park benches.

Councilmember Cagle thanked all the Veterans for their service.

Mayor Williams discussed the following:

- He also thanked the Needy Child Fund for all they do.
- The Mayor had Chief Allen come up to discuss the Fill the Cruiser event for the East Ridge Food Pantry. It will be this Saturday at Honda Powersports from 10 am – 2 pm. They will be using one of the patrol trucks rather than the cruisers.
- November 20th – The Christmas Parade is coming back this year after being cancelled last year. It will begin at 6:30 pm with the line up on Germantown Rd.
- Chief Allen stated that Blood Assurance will hold a blood drive on November 30th from 12 – 6 pm at the Police Station.
- We are making progress on the Pioneer Frontier playground. Parks and Recreation Director Wilson stated the splash pad is 95% complete. It could be 7 – 10 more days on the playground.
- Library events:
 - November 12, 2021 – Teen Lock-in – 6:30-10 pm with a movie and pizza.
 - November 30, 2021 – Indoor Storytime
 - December 11, 2021 – Pancakes with Santa

Communication from City Manager:

- We have received garbage and recycle cans, and now have a few in surplus.
- Leaf pick-up will begin right after Thanksgiving. Updates will be on the website.
- Westrock Recycling has updated their list of what is accepted for recycling. They will no longer take glass and only take #1 and #2 plastics.
- We received a letter from Tennessee American Water stating the City received a \$1,000 firefighter support grant.

Old Business: None

The Mayor added an item, Temporary Special Events Beer Permit, to the agenda as Item O and moved Item O to Item P.

New Business:

PUBLIC HEARING – ORDINANCE NO. 1152- Rezone 1410 N. Mack Smith Road from C-1 Commercial District to R-3 Residential Apartment District – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Matt Brownfield was present representing Lodge of Chattanooga, Inc. in place of their attorney John Anderson. Cyd Patador, owner, stated her husband Harry Patel was present to make the presentation.

Mr. Patel showed slides of plans and had a rendering of the design. He stated the name would be changed to VIVO Living. The company he is partnering with has done over 20 hotels converted to studio/luxury apartments. The apartment complex will have a barbecue facility, recreation areas with pool tables, vending and coffee station, fitness facility, in-room washers and dryers, and a lobby with an office and business center. Building 1 will have 60 rooms converted into 30 apartments. They will require a 12-month lease and background checks before they can rent. There are 78 units in building 3; these will be smaller units. He showed slides of what the property looks like currently. He also offered to advertise City events on his digital sign. The Mayor thanked Mr. Patel for the presentation.

The Mayor opened the floor for anyone to speak in favor of or in opposition to the rezoning.

Earl Wilson, 2019 Pioneer Ridge Trail, would like for Council to table this item and send it back before the Planning Commission because they did not see the plans that were presented tonight. He also stated these apartments do not need to be Section 8 housing. He also suggested having a citizen's meeting at the Community Center for Mr. Patel to present his plan.

Kenny Custer, on behalf of Sterling Holdings who owns several properties around the Budgetel, stated the Council has two options, 1) to keep the transient occupancy and nothing changes, 2) to consider the option that has been presented. He agrees that a citizen's meeting is an option; that we did the same thing with Sweetbay Apartments, which eased some tension with citizens. He believes that we need to look at what it can be and not what it is today.

Amish Patel, Atlanta, Georgia, Director of Operations of Budgetel, stated he is tired of how the property is handled now. They currently cannot control what happens in rooms. They are looking for a more responsible clientele who have jobs, and they will do background checks.

Emerson Russell stated he worked with this group on a hotel he has in Rome, Georgia and they did everything they said they would do when they converted it to apartments. He stated he does not have an interest in the Budgetel project, but it would be beneficial to East Ridge.

Harry Patel came back up and discussed rental amounts. They will range from \$1,200 - \$1,750 depending on size. This includes utilities, cable, and Wi-Fi.

The Mayor closed the public hearing.

ORDINANCE NO. 1152 – 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 PROPERTY LOCATED AT 1410 N. MACK SMITH ROAD, TAX MAP #169L-L-002, FROM C-1 COMMERCIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (1st reading) - City Attorney Litchford read on caption. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1152 (for discussion purposes only). The Vice Mayor stated he believes this item needs to go back to the Planning Commission to be presented as it was tonight. City Attorney Litchford stated they are not changing the zoning, so it is not required. They could have a presentation and another opportunity for comments. Mr. Chauncey stated if Council denies the request, it

would not change the status quo. He would like to continue the discussion and not vote on this tonight. Other Councilmembers concurred. The Mayor would like to see what the investment is, the construction plan, the construction schedule, how you transition with occupants in the buildings, etc. Vice Mayor Chauncey made a motion, seconded by Councilmember Witt, to table this item. The vote was unanimous. Motion approved.

ORDINANCE NO. 1153 – 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 SURPLUS AN APPROXIMATE 13.59 ACRE TRACT OF LAND LOCATED AT 100 BLOCK OF INTERSTATE 75 ON A PORTION OF TAX MAP NO. 169D-A-001 AND AUTHORIZING THE MAYOR TO ENTER INTO AN OFFER TO PURCHASE REAL PROPERTY IN SUBSTANTIALLY THE FORM ATTACHED WITH WWTA AND TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS FOR THE CONVEYANCE OF THE PROPERTY, IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) (1st reading) - City Attorney Litchford read on caption. He stated this is a portion of the Luken Property that the City acquired a year ago as a gift. WWTA would like to purchase the 13.59-acre tract to improve the sewer system by installing a holding tank and possibly avoid a moratorium. This would not impede the cell tower already on the property. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Ordinance No. 1153 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1154 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE 5300 BLOCK OF STONE STREET, A PORTION OF TAX MAP NOS. 169J-A-017 AND 169J-A-021 AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS (1st reading) - City Attorney Litchford read on caption. Mr. Litchford stated this is a continuation of land purchased for the Animal Shelter, previously approved by Council. The City and the owner agreed to get a portion of the property abandoned for a trash receptacle. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Ordinance No. 1154 on first reading. The vote was unanimous. Motion approved.

RESOLUTION NO. 3211 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT WITH RINGGOLD SPIRIT CORPORATION 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 minimum requirement for a liquor store in District A is 5,000 square feet, but if this business receives Border Region funds, they plan to have 8,400 square feet. They plan to have higher end spirits, use nicer construction materials, and improve the sewer system. This would also help the growth on the west end of the City. The allocation for the developer would be 50%. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3211. The vote was unanimous. Motion approved.

RESOLUTION NO. 3212 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE ADVANCEMENT OF STATE SALARY SUPPLEMENT PAYMENTS FOR ELIGIBLE FIREFIGHTERS AND POLICE OFFICERS - City Attorney Litchford read on caption. Chief Allen stated this is money received from the State for training. In the past, we have paid firefighters and police officers in November and been reimbursed in the spring from the State. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Resolution No. 3212. The vote was unanimous. Motion approved.

RESOLUTION NO. 3213 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE THE APPOINTMENT OF _____ BY VICE MAYOR CHAUNCEY TO THE EAST RIDGE BEER BOARD - City Attorney Litchford read on caption. Vice Mayor Chauncey appointed Shanna McFaddin to the Board. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 3213. The vote was unanimous. Motion approved.

RESOLUTION NO. 3214 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE BEER BOARD - City Attorney Litchford read on caption. Councilmember Cagle appointed Roy Keown to the Beer Board. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3214. The vote was unanimous. Motion approved.

RESOLUTION NO. 3215 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO MEMORIALIZE THE MAYOR’S APPOINTMENT OF _____ AS CHAIRPERSON OF THE BEER BOARD - City Attorney Litchford read on caption. The Mayor appointed Roy Keown as chairperson to the Beer Board. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3215. The vote was unanimous. Motion approved.

RESOLUTION NO. 3216 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) 2021 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 is to replace a vehicle that burned. Vice Mayor Chauncey made a motion, seconded by Councilmember Cagle, to approve Resolution No. 3216. The vote was unanimous. Motion approved.

RESOLUTION NO. 3217 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING BIDS FOR THE PURCHASE OF SOCCER UNIFORMS FOR THE 2021 - 2022 INDOOR SOCCER SEASON - City Attorney Litchford read on caption. Director Wilson stated we received the following bids:

Yogi's Primo Promo: (per shirt)	Krown USA: (per shirt)
• \$8.00 for 1 – 999	• \$5.00 for 1 – 999
• \$7.90 for 1,000 – 1,499	• \$4.75 for 1,000 – 1,499
• \$7.75 for 1,500 – 1,999	• \$4.50 for 1,500 – 1,999
• \$7.25 for 2,000+	• \$4.50 for 2,000+

Director Wilson recommended the bid from Krown USA. Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3217. The vote was unanimous. Motion approved.

RESOLUTION NO. 3218 – A RESOLUTION OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST-BEARING FIRE DEPARTMENT CAPITAL OUTLAY NOTES, SERIES 2021, IN AN AMOUNT NOT TO EXCEED \$696,079, AND PROVIDING FOR THE PAYMENT OF SAID NOTES - City Attorney Litchford read on caption. Finance Director Qualls stated the interest rate will be 1.65% . We will pay half now and half when the truck is completed. Chief Williams stated it could take 14 months to build. Vice Mayor Chauncey made a motion, seconded by Councilmember Helton, to approve Resolution No. 3218. The vote was unanimous. Motion approved.

RESOLUTION NO. 3219 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AWARDED THE 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 we received two bids on October 7, 2021 as follows:

- Talley Construction - \$6,315,244.05
- Thomas Brothers Construction - \$6,987,561.00

After analyzing the bids, he found that the Talley bid was off by \$719.55, so the correct bid was \$6,314,524.50. The original estimate was \$4,217,312.47, but because of COVID and supply chain issues, the bid is over our budget estimate by approximately \$2 million. He stated that since a lot of this project deals with stormwater, we can use the recent ARPA funding we received for the stormwater portion of this project. Approximately \$3 million can come out of the general fund. Finance Director Qualls gave a summary of all expenditures, which total approximately \$1.4 million. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Resolution No. 3219 (Talley Construction.) The vote was unanimous. Motion approved.

RESOLUTION NO. 3220 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO SPONSOR THE CHATTANOOGA RED WOLVES FOR THE USL LEAGUE FINAL AT CHI MEMORIAL STADIUM CONTINGENT UPON THE RED WOLVES MAKING IT TO THE FINALS AND HOSTING THE EVENT - City Attorney Litchford read on caption. Mayor Williams stated the Red Wolves will proceed to the semi-finals in their league. If they win, and other teams' wins/losses fall into place, the National Championship will be played at CHI Memorial Stadium and East Ridge will be the host city. The tentative date for the

championship game is November 20th. The game will be on ESPN, plus there will be thousands of out-of-town fans. The Mayor would like for the city to have a support contract to help with advertisement, promotions, etc. if the Red Wolves make it to the championship game. The amount was reduced to \$9,500 so the City Manager could handle this with less stipulations. At this time, the Mayor removed this item from the agenda.

Special Events Beer Permit – The Mayor previously added this item to the agenda. He stated we have an event coming to the Arena, the 7th annual Guns and Hoses boxing match, which pits law enforcement against fire and EMS. It helps various charities in the area. Beer is usually sold at this event, but because of an unforeseen medical issue, Randy Carpenter with Family Concessions and who is the beer vendor, was delayed in applying for the permit. The Carpenters have done events before and there have been no problems. The Mayor is asking that Council approve the Special Events Beer Permit. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve the Special Events Beer Permit for Randy Carpenter for the Guns and Hoses event. This was assigned **Resolution No. 3221**. The vote was unanimous. Motion approved. Councilmember Witt suggested the Council look at the beer ordinance to see if changes need to be made for events such as this.

Discussion of Tentative Agenda Items for the December 9, 2021 Council Meeting (see Attachment A)

3. B. Christmas Parade Awards - no discussion

The Mayor would like to add Presentation for Electronic Vehicle for City Fleet .

8. Old Business:

- A. **ORDINANCE NO. 1152 – 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 PROPERTY LOCATED AT 1410 N. MACK SMITH ROAD, TAX MAP #169L-L-002, FROM C-1 COMMERCIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2nd and final reading)** City Attorney Litchford suggested this stay on the agenda in the event that Council wants to take action.
- B. **PUBLIC HEARING FOR ORDINANCE NO. 1153**
- C. **ORDINANCE NO. 1153 – 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 SURPLUS AN APPROXIMATE 13.59 ACRE TRACT OF LAND LOCATED AT 100 BLOCK OF INTERSTATE 75 ON A PORTION OF TAX MAP NO. 169D-A-001 AND AUTHORIZING THE MAYOR TO ENTER INTO AN OFFER TO PURCHASE REAL PROPERTY**

IN SUBSTANTIALLY THE FORM ATTACHED WITH WWTA AND TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS FOR THE CONVEYANCE OF THE PROPERTY, IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) (2nd and final reading) No discussion

D. PUBLIC HEARING FOR ORDINANCE NO. 1154

E.. ORDINANCE NO. 1154 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE 5300 BLOCK OF STONE STREET, A PORTION OF TAX MAP NOS. 169J-A-017 AND 169J-A-021 AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS (2nd and final reading) No discussion

New Business:

A. RESOLUTION NO. ____ - A resolution to officially retire K9 Officer Axel – Chief Allen stated we recently approved the purchase of a new K9 officer and training. This resolution would also allow the handler to keep Axel.

Mayor Williams added the following items to the agenda under New Business:

- Resolution for IDB Appointment for James City's unexpired term.
- Two resolutions for Library Board appointments.

Being no further business, the meeting was adjourned.



City of East Ridge

1517 Tombras Avenue
East Ridge, Tennessee 37412
(423)867-7711 • www.eastridgetn.gov

Finance Department
Diane Qualls, Director

MEMO

TO: Mayor, Council and City Manager

FROM: Diane Qualls, CMFO

DATE: December 6, 2021

RE: July Finance Report

Please note that most, if not all, monies collected in July belong to the month of June. Due to that factor being in play, all funds are using fund balance to pay for expenditures for the month of July, just as most other cities do. Property tax collections are our main source of income and those don't really start coming in until December, which will be reflected in the January report.

At our first meeting in January, I will submit the August – November Finance Reports. I do want you to know that both Local Option and State Shared sales tax have been coming in strong for the City during this time.

City of East Ridge

Summary Financial Statement of Revenues and Expenditures
July 2021

Spent YTD 8.33%

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
110 General Fund						
REVENUE						
31100	Property Taxes	6,103,965	0	0	0.00%	8.33%
31200	Property Taxes (Delinquent)	475,000	0	0	0.00%	8.33%
31610	Local Sales Tax - Co. Trustee	2,900,000	0	0	0.00%	8.33%
31611	Incremental State Sales Tax	2,931,269	0	0	0.00%	8.33%
31710	Wholesale Beer Tax	400,000	0	0	0.00%	8.33%
31800	State Net Allocation	250,000	0	0	0.00%	8.33%
31810	Minimum Business Licenses	5,000	0	0	0.00%	8.33%
31824	Solicitors' Permit	100	0	0	0.00%	8.33%
31827	5% State Commission	22,000	0	0	0.00%	8.33%
31912	* Cable TV Franchise Tax	309,800	0	0	0.00%	8.33%
31961	Liens Collected by Trustee	28,000	0	0	0.00%	8.33%
32120	Wrecker Licenses	350	0	0	0.00%	8.33%
32200	Alcoholic Beverage Tax	150	0	0	0.00%	8.33%
32210	Beer Licenses & Etc.	7,000	299	100	1.43%	8.33%
32220	Liquor Licenses	4,800	0	0	0.00%	8.33%
32225	Fireworks Fees/Permits	3,000	0	0	0.00%	8.33%
32226	Annual Fireworks Permit Fee	300	0	0	0.00%	8.33%
32610	Building Permits	120,000	20,766	16,191	13.49%	8.33%
32615	Fire Preventions/Permits	2,000	100	400	20.00%	8.33%
32620	Electrical Permits	30,000	3,421	1,286	4.29%	8.33%
32630	Plumbing Permits	12,000	1,089	840	7.00%	8.33%
32640	Natural Gas Permits	2,000	240	240	12.00%	8.33%
32650	Excavating Permits (St. Opening	2,500	260	220	8.80%	8.33%
32660	Zoning Permits	2,000	0	200	10.00%	8.33%
32671	Regular Sign Permits	5,000	255	245	4.90%	8.33%
32672	Temporary Sign Permits	300	0	150	50.00%	8.33%
32690	Plan Review Fees	0	0	0	0.00%	8.33%
32691	Tree Trimming Permits	100	20	10	10.00%	8.33%
32905	Other Code Enforcement Fees	20,000	50	260	1.30%	8.33%
32960	Yard Sale Permits	200	40	0	0.00%	8.33%
32990	Mechanical Permits	10,000	767	1,181	11.81%	8.33%
33410	State Law Enforcement Education	37,600	0	0	0.00%	8.33%
33430	State Fire Service Educational Grant	20,000	0	0	0.00%	8.33%
33490	TN Cares Act - 2021	0	0	246,749	0.00%	8.33%
33510	State Sales Tax	2,139,858	0	0	0.00%	8.33%
33511	Interstate Telecom. Sales Tax	0	0	0	0.00%	8.33%
33512	Sportsbetting	0	0	0	0.00%	8.33%
33513	Occupcity Tax	0	0	0	0.00%	8.33%
33515	State Sales Tax/Telecommunications	0	0	0	0.00%	8.33%
33520	State Income Tax	0	0	0	0.00%	8.33%
33530	** State Beer Tax	13,000	0	0	0.00%	8.33%
33540	State Mixed Drink Tax	50,000	0	0	0.00%	8.33%
33552	State-City Streets And Transportation	41,748	0	0	0.00%	8.33%
33560	Seized/Awarded by State	0	0	0	0.00%	8.33%
33591	* TVA - Gross Receipts Tax	247,552	0	0	0.00%	8.33%
33593	Corporate Excise Tax	6,000	0	0	0.00%	8.33%
34121	Clerks' Fees - Business Tax	1,500	135	180	12.00%	8.33%
34211	Accident Report Charges	1,000	81	156	15.60%	8.33%
34212	Driver Licenses Reinstatement Fee	2,000	150	760	38.00%	8.33%
34221	Ridgeside Fire Service Contract	107,807	8,639	8,984	8.33%	8.33%

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
34314	Mowing	8,820	0	0	0.00%	8.33%
34500	Donations - New Animal Shelter	2,500	0	0	0.00%	8.33%
34515	Rabies & Spay/Neuter Cert.	500	30	30	6.00%	8.33%
34516	Registration	1,000	80	40	4.00%	8.33%
34517	Adoption	3,000	630	440	14.67%	8.33%
34518	Board & Impound Fees	1,000	170	0	0.00%	8.33%
34520	A/S Donations-Designated	2,500	1,320	150	6.00%	8.33%
34641	Indoor Soccer Income	135,000	0	0	0.00%	8.33%
34642	Community Center Income	13,000	-60	1,130	8.69%	8.33%
34643	Outdoor Soccer Fees	60,000	2,240	6,960	11.60%	8.33%
34644	Baseball Fees	25,000	2,000	2,905	11.62%	8.33%
34645	Softball Fees	19,500	0	2,585	13.26%	8.33%
34646	Gate	12,000	0	1,125	9.38%	8.33%
34647	McBrien Indoor Facility	8,000	0	90	1.13%	8.33%
34648	Adult League - Softball	35,000	0	6,009	17.17%	8.33%
34649	Concerts/Events - Camp Jordan	10,000	0	9,545	95.45%	8.33%
34651	Multi-Purpose Building (Arena)	100,000	5,400	9,450	9.45%	8.33%
34652	Pavilion Rental	12,000	3,275	1,875	15.63%	8.33%
34653	Track Rental	3,500	500	0	0.00%	8.33%
34654	Field Rental	85,000	13,570	3,340	3.93%	8.33%
34655	Amphitheater	5,000	0	0	0.00%	8.33%
34656	Concessions	40,000	0	6,476	16.19%	8.33%
34657	Overnight - Rv Rental	12,000	2,080	1,685	14.04%	8.33%
34658	Tournament Team Fees	1,500	0	0	0.00%	8.33%
34712	Sponsorship/Parks & Rec	5,000	0	0	0.00%	8.33%
34720	Football Gate	1,500	0	0	0.00%	8.33%
34751	Basketball Gate	15,000	0	0	0.00%	8.33%
34742	Basketball Player Fees	7,600	0	3,150	41.45%	8.33%
34743	Football Player Fees	10,800	400	2,300	21.30%	8.33%
34744	Photography	1,200	0	0	0.00%	8.33%
34745	Vending/Concessions	5,000	848	1,471	29.41%	8.33%
34746	Cheerleading	1,000	0	1,275	127.50%	8.33%
34747	Rent-Arena Equipment	37,000	10,381	6,975	18.85%	8.33%
34749	Soccer Field Rentals	60,000	6,300	2,250	3.75%	8.33%
34760	Library Charges	1,200	6	85	7.07%	8.33%
34761	Library - Copies	1,500	0	71	4.72%	8.33%
34794	Community Center M. Fee	1,500	0	0	0.00%	8.33%
35100	Municipal Court Fines & Costs	325,000	21,091	34,552	10.63%	8.33%
35110	Forfeiture of Bond	0	0	0	0.00%	8.33%
35150	Diversion Filing	300	0	0	0.00%	8.33%
36100	Interest Earnings	5,000	190	0	0.00%	8.33%
36211	Rent - Cell Tower	18,000	1,494	1,077	5.98%	8.33%
36330	Sale Of Equipment	20,000	0	455	2.27%	8.33%
36350	Insurance Recoveries	20,000	61,100	0	0.00%	8.33%
36724	Settlements (Lawsuits)	0	0	0	100.66%	8.33%
36901	Pipes/Culverts	4,000	443	1,020	25.50%	8.33%
36903	Christmas Parade	400	0	0	0.00%	8.33%
36905	Donation - Designated Police	0	0	6,390	0.00%	8.33%
36932	Proceeds - Loan/Lease Purchase	0	0	0	0.00%	8.33%
36990	Miscellaneous Revenues	20,000	234	394	1.97%	8.33%
36992	Hamilton County	0	0	0	0.00%	8.33%
37200	AHO - Fines/Court Costs	3,000	0	500	16.67%	8.33%
	Use of Fund Balance		0	0	0.00%	8.33%
	Total Revenues	17,474,719	170,033	393,950	2.25%	8.33%

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
EXPENDITURES						
41000	General Government	1,674,315	84,804	226,134	13.51%	8.33%
41100	Administrative	1,034,733	101,882	154,810	14.96%	8.33%
41111	City Council	120,222	5,828	5,648	4.70%	8.33%
41210	Municipal Court	342,755	14,728	27,308	7.97%	8.33%
41520	City Attorney	122,075	8,000	0	0.00%	8.33%
41800	Buildings & Grounds Maintenance	305,508	28,584	27,388	8.96%	8.33%
41900	City Hall Complex	43,103	7,158	4,850	11.25%	8.33%
42100	Police	1,619,367	402,225	804,405	49.67%	8.33%
42121	Criminal Investigation	524,703	56,080	80,994	9.82%	8.33%
42123	Patrol	2,433,035	179,337	269,954	11.10%	8.33%
42125	Traffic Division	151,586	24,693	9,028	5.96%	8.33%
42200	Fire Department	2,453,986	282,229	334,916	13.65%	8.33%
42400	Building/Planning/Zoning	655,029	56,612	124,492	19.01%	8.33%
43110	Highway And Street	734,910	26,304	41,629	5.66%	8.33%
43120	Traffic Control & Street Markers	322,798	17,315	26,550	8.22%	8.33%
43150	Grants	0	0	0	0.00%	8.33%
43170	Transfer Station/Brush Pit/Fleet	7,600	424	1,211	15.93%	8.33%
44140	Animal Control	262,618	19,568	21,904	8.34%	8.33%
44410	Parks and Recreation	842,536	77,612	92,788	11.01%	8.33%
44420	Multi-Purpose Recreation Bldg	233,692	19,796	20,863	8.93%	8.33%
44430	Community Center	199,773	8,114	14,131	8.93%	8.33%
44440	ERHS Complex	0	0	0	0.00%	8.33%
44450	McBrien Complex	18,350	605	758	4.13%	8.33%
44610	Soccer - Recreation	55,000	450	0	0.00%	8.33%
44620	Soccer - Indoor	64,550	0	0	0.00%	8.33%
44630	Baseball/Softball	59,400	6,063	4,867	8.19%	8.33%
44640	Football/Cheer	10,450	0	0	0.00%	8.33%
44650	Adult Softball	29,850	0	5,888	19.73%	8.33%
44700	Basketball	14,750	0	75	0.51%	8.33%
44710	Adult Basketball	4,350	2,070	225	5.17%	8.33%
44800	Libraries	218,527	13,242	25,711	11.77%	8.33%
44810	History Museum	400	9	0	0.00%	8.33%
46500	Community Development Programs	5,000	0	0	0.00%	8.33%
47200	Economic Development	2,519,431	1,383	26,000	1.03%	8.33%
49100	Debt Service	90,317	0	0	0.00%	8.33%
49400	Capital Projects - Transfer Out	0	0	0	0.00%	8.33%
	Total Expenditures	17,174,719	1,445,116	2,352,527	13.46%	8.33%
Total	## General Fund	0	-1,275,083	-1,958,576		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
121 State Street Aid Fund						
121 State Street Aid						
REVENUE						
33450	State TIP Grant	1,075,085	0	0	0.00%	8.33%
33550	2017 Gas Tax	175,000	0	0	0.00%	8.33%
33551	State Gasoline And Motor Fuel Tax	570,000	0	0	0.00%	8.33%
36100	Interest Earnings	100	8	0	0.00%	8.33%
	Total Revenues and Other Sources	1,820,185	8	0	0.00%	8.33%
EXPENDITURES						
43190	State Street Aid	1,660,856	17,508	17,849	1.07%	8.33%
	Total Expenditures	1,660,856	17,508	17,849	1.07%	8.33%
Total	## State Street Aid Fund	159,329	-17,499	-17,849		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
122 Grant Fund						
REVENUE						
33114	TML Driver Safety Grant	4,000	0	0	0.00%	8.33%
33425	Aquatic Stream Clean Grant	1,000	0	0	0.00%	8.33%
33493	TML Safety Grant	3,000	0	0	0.00%	8.33%
33574	State - Equipment Recycling Grant	0	0	0	0.00%	8.33%
36100	Interest Earnings	0	2	0	0.00%	8.33%
36420	Police Traffic Safety Grant	13,500	0	0	0.00%	8.33%
36421	TN AM Grants	0	0	0	0.00%	8.33%
36422	Target Grant	1,000	0	0	0.00%	8.33%
36423	Maddie's Fund	0	0	0	0.00%	8.33%
36424	Governor's Grant	0	0	0	0.00%	8.33%
36425	DOJ Covid 19 Grant	0	0	0	0.00%	8.33%
36426	TN Cares Grant - Library	0	0	0	0.00%	8.33%
36427	Covid-19 Homeland Security	0	0	0	0.00%	8.33%
36711	Safety Conservation Grant	4,000	0	0	0.00%	8.33%
36712	GHSO Distracted Driving Initiative	0	0	0	0.00%	8.33%
36921	Homeland Security - Police	0	0	0	0.00%	8.33%
36922	Homeland Security - Fire	0	0	0	0.00%	8.33%
36924	GHSO (2016) Traffic	0	0	0	0.00%	8.33%
36925	BYRNE Grants - DOJ	0	0	0	0.00%	8.33%
36962	Operating Transfers-Capital Projects	17,000	0	0	0.00%	8.33%
	Total Revenues and Other Sources	43,500	0	0	0.00%	8.33%
EXPENDITURES						
41000	General Government	157,000	0	0	0.00%	8.33%
43150	Grants	43,500	1,494	36	0.08%	8.33%
	Total Expenditures	43,500	1,494	36	30.88%	8.33%
Total	# Grant Fund	0	-1,494	-36		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
127 Drug Investigation Fund						
REVENUE						
33197	Federal/State Grants	10,000	0	0	0.00%	8.33%
33560	Seized/Awarded by State	35,000	0	0	0.00%	8.33%
35200	Drug Fines	20,000	2,999	4,022	20.11%	8.33%
	Total Revenues and Other Sources	65,000	2,999	4,022	6.19%	8.33%
EXPENDITURES						
42129	Drug Investigation and Control	65,000	9,724	855	1.32%	8.33%
	Total Expenditures	65,000	9,724	855	1.32%	8.33%
Total	## Drug Investigation Fund	0	-6,725	3,167		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
130 Economic Development Fund						
REVENUE						
31611	Incremental State Sales Tax Revenue	2,463,461	0	0	0.00%	8.33%
	Interest Earnings	150	0	4	2.43%	8.33%
	Transfer In	0	0	0	0.00%	8.33%
	Total Revenues and Other Sources	2,463,611	0	4	0.00%	8.33%
EXPENDITURES						
	Economic Development	1,868,258	0	0	0.00%	8.33%
	Debt Payment	595,173	0	0	0.00%	8.33%
	Total Expenditures	2,463,431	0	0	0.00%	8.33%
Total	## Economic Development Fund	150	0	4		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
131 Solid Waste Fund						
REVENUE						
34416	Special Assessment - Garbage	1,503,360	60	0	0.00%	8.33%
34418	Extra Cans	1,000	240	240	24.00%	8.33%
34420	Dumpster Rentals	7,500	200	538	7.17%	8.33%
34421	Recycling Rev	250	0	0	0.00%	8.33%
34422	Recycling - Transfer Station	1,600	267	710	44.36%	8.33%
34426	Sale Of Mulch	2,500	1,427	0	0.00%	8.33%
34430	Refuse Collection And Disposal	7,500	907	402	5.36%	8.33%
36330	Sale of Equipment	5,000	0	0	0.00%	8.33%
36350	Insurance Recoveries	0	0	0	0.00%	8.33%
	Total Revenues and Other Sources	1,528,710	3,101	1,889	0.12%	8.33%
EXPENDITURES						
43200	Solid Waste	1,400,041	98,792	100,742	7.20%	8.33%
	Total Expenditures	1,400,041	98,792	100,742	7.20%	8.33%
Total	## Solid Waste Fund	128,669	-95,691	-98,852		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
212 TML Loan Fund						
REVENUE						
31920	Room Occupancy Tax	400,000	0	0	0.00%	8.33%
36100	Interest Earnings	1,000	51	0	0.00%	8.33%
37940	Transfer In	887,931	0	0	0.00%	8.33%
	Total Revenues and Other Sources	1,288,931	51	0	0.00%	8.33%
EXPENDITURES						
49100	CJ Parkway Streetscape	74,518	0	0	0.00%	8.33%
49110	Camp Jordan - Phase One - 2019	168,111	0	0	0.00%	8.33%
49111	Camp Jordan - Phase Two - 2020	144,450	0	0	0.00%	8.33%
49200	2004 - Camp Jordan/Fire Station 2	203,480	630	0	0.00%	8.33%
49300	2015 - BAN Conversion	90,317	1,258	0	0.00%	8.33%
49310	2015 - Exit One/Capital Projects	207,325	69,363	0	0.00%	8.33%
49320	2017 - Exit One - I75	313,330	0	0	0.00%	8.33%
49410	Public Safety - Capital Outlay Note	66,910	0	0	0.00%	8.33%
49411	Public Safety - Capital Outlay Note	35,924	0	0	0.00%	8.33%
49412	Public Safety - Capital Outlay Note	30,000	0	0	0.00%	8.33%
49420	Public Works - Capital Outlay Note	35,235	2,180	0	0.00%	8.33%
	Total Expenditures	1,369,600	73,431	0	0.00%	8.33%
Total	## TML Loan Fund	-81,169	-73,380	0		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
341 Capital Projects Fund						
REVENUE						
33120	TDOT 2015 Multi Modal Grant	2,722,562	0	0	0.00%	8.33%
33559	Grant - State of TN	500,000	0	0	0.00%	8.33%
36915	Bond Proceeds	763,366	0	0	57.59%	8.33%
37940	Operating Transfers - General Fund	299,181	0	0	69.33%	8.33%
	Total Revenues and Other Sources	4,285,109	0	0	41.72%	8.33%
EXPENDITURES						
41100	Administrative	0	0	0	0.00%	8.33%
41800	Bldg & Grounds/Maintenance	338,341	0	0	0.00%	8.33%
43110	Highway And Street	2,000,000	0	0	0.00%	8.33%
43121	North Mack Smith Road	50,000	0	9,570	19.14%	8.33%
43122	Resurfacing Projects	156,968	0	0	0.00%	8.33%
44410	Parks & Recreation	763,366	0	0	0.00%	8.33%
44421	Splash Pad/Playground	931,434	0	13,416	1.44%	8.33%
44422	Springvale Park	15,000	0	0	0.00%	8.33%
47200	Economic Development	30,000	0	0	0.00%	8.33%
	Total Expenditures	4,285,109	0	22,986	0.54%	8.33%
Total	## Capital Projects Fund	0	0	-22,986		



City of East Ridge

323 Camp Jordan Parkway
East Ridge, Tennessee 37412
(423)490-0078 • www.eastridgetn.gov

PARKS and RECREATION



**323 Camp Jordan Parkway
East Ridge, TN 37412
(423) 490-0078**

MEMORANDUM

TO: Mayor and Council
City Manager

FROM: Adam Wilson, Parks and Recreation Director

SUBJECT: Miscellaneous Surplus Property

DATE: December 2, 2021

The East Ridge Parks and Recreation Department is requesting council to approve the property surplus of the following miscellaneous items:

1 - Scotsman Ice Machine	1- Cushman Top Dresser	1 – Smithco Ballfield Groomer
1 - Jacobsen Hover King Mower	1 – Green Plastic Slide	2 – Tarter Broadcast Hoppers
1 - Cushman Turf-Truckster	1 – John Deere Front Mower	1 – Aluminum Picnic Table

Staff recommends auctioning these items on the Compass Auctions website

<https://www.soldoncompass.com/>.

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

BRIAN WILLIAMS
Mayor

JACKY CAGLE
Councilmember

ANDREA "AUNDIE" WITT
Councilmember



MIKE CHAUNCEY
Vice Mayor

ESTER HELTON
Councilmember

CHRIS DORSEY
City Manager

City of East Ridge

*1517 Tombras Avenue
East Ridge, Tennessee 37412
(423) 867~7711*

AGENDA MEMORANDUM

TO: Mayor and City Council
City Manager

FROM: Chief Stan Allen

SUBJECT: Surplus Vehicles

DATE: December 6, 2021

The Police Department requests that the Council declare one (1) 2009 Chevrolet Impala and one (1) 2014 Dodge Charger as surplus. These vehicles are no longer usable as police cars.

ORDINANCE NO. 1153

BRIAN WILLIAMS
Mayor

JACKY CAGLE
Councilmember

ANDREA WITT
Councilmember



MIKE CHAUNCEY
Vice Mayor

ESTHER HELTON
Councilmember

CHRIS DORSEY
City Manager

City of East Ridge

*1517 Tombras Avenue
East Ridge, Tennessee 37412
(423) 867-7711*

MEMORANDUM

TO: City Council

FROM: Mark Litchford, City Attorney

DATE: November 11, 2021

RE: Surplus Property (100 Block of I-75)

The City of East Ridge owns certain property identified as a part of State Tax Map No. 169D-A-001 (the "Property") near the 100 Block of I-75. A proposal has been presented in which the Hamilton County Water and Wastewater Treatment Authority ("WWTA"), a Tennessee public nonprofit corporation, desires to purchase approximately 13.59 acres, more or less for Two Hundred Fifty Thousand Dollars (\$250,000.00). The City must first surplus the property and then can enter into a sale and purchase agreement with WWTA.

Planning Commission held a public hearing on this matter and approved a recommendation in support to the City Council. Attached is a copy of the survey of the land to be surplus and the Sale Agreement with WWTA.

ORDINANCE NO. 1153

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 SURPLUS AN APPROXIMATE 13.59 ACRE TRACT OF LAND LOCATED AT THE 100 BLOCK OF INTERSTATE 75 ON A PORTION OF TAX MAP NO. 169D-A-001 AND AUTHORIZING THE MAYOR TO ENTER INTO AN OFFER TO PURCHASE REAL PROPERTY IN SUBSTANTIALLY THE FORM ATTACHED WITH WWTA AND TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS FOR THE CONVEYANCE OF THE PROPERTY, IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00)

WHEREAS, the City of East Ridge owns certain property identified as a part of State Tax Map No. 169D-A-001 (the "Property"), as depicted in the survey attached hereto as Exhibit A; and

WHEREAS, a proposal has been presented in which the Hamilton County Water and Wastewater Treatment Authority ("WWTA"), a Tennessee public nonprofit corporation, desires to purchase approximately 13.59 acres, more or less for Two Hundred Fifty Thousand Dollars (\$250,000.00); and

WHEREAS, a Real Estate Purchase and Sale Agreement has been presented and exchanged between WWTA and East Ridge representatives, in accordance with the attached agreement as Exhibit B ; and

WHEREAS, an application for rezoning to surplus certain real property, case No. 2021-0214, was submitted to the Hamilton County Regional Planning Agency in accordance with T.C.A. § 13-4-104 for mandatory referral to surplus said property owned by the City; and

WHEREAS, the East Ridge Planning Commission held a public hearing on this matter on November 1, 2021, where it reviewed the City's application and heard and considered all statements concerning the petition at a public hearing; and

WHEREAS, after conducting and closing the public hearing, the Commission voted to recommend approval of the City's application to the City Council; and

WHEREAS, the City, as the applicant, has properly advertised in a paper of general circulation in the City of East Ridge that it will make application to the City Council of the City of East Ridge to surplus the Property; and

WHEREAS, notices of the public hearing before the City Council of the City of East Ridge have been served upon all property owners in the City in accordance with applicable law; and

WHEREAS, the East Ridge City Council held a public hearing on December 8, 2021 at which time all interested parties were given an opportunity to be heard; and

WHEREAS, based upon the record as a whole, the Council finds that it is in the best interest of the City to approve this Ordinance to surplus the Property and to accept the WWTA's offer to purchase the Property for the continued economic growth of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, as follows:

Section 1. The City hereby declares surplus of an approximate 13.59 acre at the 100 block of Interstate 75, a portion of State Tax Map No. 169AD-A-001, in accordance with the survey attached hereto as Exhibit A.

Section 2. The Mayor is hereby authorized to enter into the Real Estate Purchase and Sale Agreement attached as Exhibit B, or an Agreement substantially in the form of said Agreement, with WWTA and to execute a deed and any other necessary closing documents for the conveyance of the Property, in the amount of \$250,000.00.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Passed on First Reading _____, 2021

Passed on Second Reading _____, 2021

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



Mandatory Referral-Public Property Application Form

CASE NUMBER: 2021-0214		Date Submitted: 09/14/2021	
<i>Sections 1-7 below to be filled out by Applicant- RPA staff will assist, if needed</i>			
1 Applicant Request (Mandatory Referral per TCA 13-4-104)			
Public Property	<input checked="" type="checkbox"/>	Acquisition	Lease Agreement
		Other:	Surplus
2 Property Information			
Property Address: 100 blk of Interstate 75		Tax Map Parcel Number(s): 169D-A-001 (part)	
3 Proposed Development			
Reason for Request and/or Proposed Use:	WWTA to acquire property for wastewater and/or stormwater holding tanks		
4 Site Characteristics			
Current Zoning:	R-2		
Current Use:	Vacant Property		
Adjacent Uses:	Municipal outdoor park to East and South, Interstate 75 to North and West		
5 Applicant Information			
Name: City of East Ridge, Tennessee Attn: Chris Dorsey City Manager			
Address (street, city state, zip): 1517 Tombras Ave, East Ridge, TN 37412			
Phone: 423-867-7711		Email: cdorsey@eastridgetn.gov	
Primary Contact (if different than applicant information):			
Address (street, city, state, zip):			
Phone:		Email:	
<input checked="" type="checkbox"/> ← If the Applicants Information is the same as the Property Owners, please check the box to the left.			
6 Property Owner Information <i>Only fill out this section if applicant is <u>not</u> the property owner. RPA requires a letter of authorization from the property owner confirming that the applicant has permission to file this application on their behalf. Owner Authorization Letters are available through the RPA.</i>			
Name:			
Address (street, city state, zip):			
Phone:		Email:	
7 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: See Submitted Application		Date:	
Office Use Only:			
Checklist			
<input checked="" type="checkbox"/>	Application	<input checked="" type="checkbox"/>	Site Plan
<input checked="" type="checkbox"/>	Property Cards	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Application Fee: \$0	<input type="checkbox"/>	Cash
<input checked="" type="checkbox"/>	Notice signs	<input checked="" type="checkbox"/>	Credit
			Check
			Number of notice signs: 1
Municipality: City of East Ridge		Planning District: 6	
County Commission District: 8		Neighborhood: None	
City Council District: 0			
PC meeting date: Will be heard in East Ridge		Application processed by: Jennifer Ware	
Staff Recommendation :		PC Action/Date:	
		Legislative Action/Date/Ordinance:	

**Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT**

CASE NUMBER: MR2021-0214

APPLICANT: City of East Ridge,
Tennessee

PROPERTY OWNER: City of East Ridge,
Tennessee

PROPERTY ADDRESS: Hwy I-75

TAX MAP PARCEL ID: portion of 169D-
A-001

JURISDICTION: City of Chattanooga

SIZE OF PROPERTY: 60.5 acres

REQUEST: Mandatory Referral to surplus property for WWTa to acquire property
for wastewater and/or stormwater holding tanks.

PROPERTY DESCRIPTION

EXISTING LAND USE

Vacant

SURROUNDING LAND USES

North: Interstate
East: South Chickamauga Creek
South: Vacant/South Chickamauga
Creek
West: Highway

ACCESS

The site has access from a private road
that runs under the interstate
underpass.

ZONING

ZONING HISTORY • The property is zoned R-2 Residential Zone.

STAFF RECOMMENDATION

Tennessee Code Annotated (13-4-104) requires the Planning Commission to review the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure within municipalities.

Staff finds that the surplus of property does not negatively impact the health, safety and well-being of the public.

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (this “Agreement”) is made and entered into as of the ____ day of _____, 2021 (the “Effective Date”), by and between THE CITY OF EAST RIDGE, TENNESSEE, a Tennessee municipality (hereinafter referred to as the “Seller”) and HAMILTON COUNTY WATER & WASTEWATER TREATMENT AUTHORITY, a Tennessee public benefit corporation (hereinafter referred to as the “Purchaser”).

W I T N E S S E T H:

WHEREAS, Seller is the record owner of certain real property located along Interstate 75 in Hamilton County, Tennessee, with the Tax Map and Parcel No. 169D-A-001 and Purchaser desires to purchase a portion said property as more particularly described in Exhibit “A” attached hereto and by this reference made a part hereof (the “Property”); and

WHEREAS, Seller, on the terms and conditions set forth below, wishes to sell the Property and Purchaser, on the terms and conditions set forth below, wishes to purchase the Property from Seller.

NOW, THEREFORE, in consideration of the premises, and in further consideration of the covenants and benefits flowing between the parties as set forth below, Seller and Purchaser agree as follows:

1. Agreement to Sell and Purchase. Seller agrees to sell the Property to Purchaser and Purchaser agrees to purchase the Property from Seller for the purchase price and on the terms and conditions set forth in this Agreement.

2. Purchase Price. The total purchase price to be paid by Purchaser to Seller for the Property (the “Purchase Price”) shall be Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00 USD) dollars. The total Purchase Price shall be paid by Purchaser to Seller at Closing in immediately available funds.

3. Closing. The sale and purchase transaction contemplated by this Agreement shall be closed (the “Closing”), the Purchase Price paid, and the deed, settlement statement and other closing documents executed and delivered on a date mutually agreeable to Seller and Purchaser but no later than _____, 2021 (the “Closing Date”). The Closing shall take place at a location mutually agreeable to Seller and Purchaser.

4. Purchaser’s Due Diligence. Purchaser shall have until 5:00pm (Easter Time) on the date that is ninety (90) days after the Effective Date (the “Due Diligence Period”) to perform its due diligence review of the Property’s zoning. If Purchaser is unable to satisfy the Property’s zoning with respect to operating Buyer’s water and wastewater services (to the extent the Property is not already appropriately zoned for such operations), or otherwise determines in its sole discretion that the Property is unsuitable for its desired purpose, Purchaser shall have the right to terminate this Agreement by providing written notice to Seller prior to the expiration of the Due

Diligence Period (the "Due Diligence Contingency"). If Purchaser terminates this Agreement pursuant to the Due Diligence Contingency in accordance with this Paragraph 4, then the parties shall have no further rights or obligations under this Agreement, except those which expressly survive such termination, if any. If Purchaser does not terminate this Agreement pursuant to the Due Diligence Contingency in accordance with this Paragraph 4, then subject to the terms and conditions of this Agreement, Purchaser shall be deemed to have waived its rights to terminate this Agreement pursuant to the Due Diligence Contingency.

5. Allocations and Prorations.

(a) Purchaser shall pay all costs of or relating to any Title Commitment, the owner's title insurance policy and any title searches or status of title reports/certificates and updates associated therewith, and shall pay all costs relating to the recordation of the Deed, including all transfer and recording taxes.

(b) All prorations shall each be made as of 11:59 P.M. local time on the date immediately preceding the Closing Date. Rents, security deposits and common area maintenance deposits (that exist), if any, shall be adjusted ratably as of the time of closing. Purchase and Seller are both governmental entities that are not subject to payment of ad valorem taxes.

6. Documents to be Delivered at Closing; Possession.

(a) In addition to the other documents required to be executed and delivered by Seller at Closing, Seller shall execute and acknowledge, where necessary, and deliver to Purchaser, sole and exclusive possession of the Property, together with a warranty deed.

7. Representations and Warranties of Seller. Seller represents and warrants to Purchaser that each of the following are true and correct as of the Effective Date and shall be true and correct as of the Closing Date as if such representations and warranties were made on the Closing Date, and each of the following shall be deemed independently material and shall survive the Closing:

(a) Seller owns indefeasible marketable fee simple title to the Property and Seller's execution, delivery and/or performance of this Agreement is not prohibited by and will not cause a default under, any other agreement, covenant, document or instrument.

(b) Seller has not received any notice that the continued ownership, operation, use and occupancy of the Property violates any zoning, building, health, flood control, fire or other law, ordinance, order or regulation or any restrictive covenants. Seller has no actual knowledge of violations of any federal, state, county or municipal law, ordinance, order, regulation or requirement, affecting all or any portion of the Property and Seller has received no written notice of any such violation issued by any governmental authority.

(c) There are no parties in possession of all or any portion of the Property, as the case may be, as lessees, tenants at sufferance, licensees or trespassers; or if there are parties in

possession, said parties will vacate the Property at or prior to Closing unless otherwise expressly provided herein.

(d) There are no pending condemnation proceedings or other litigation to which Seller is a party affecting the Property or any part thereof, nor has Seller received any written notice that such action is contemplated.

(e) Seller has the full power and authority to make, deliver, enter into and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action or its equivalent to authorize the execution, delivery and performance of the terms and conditions of this Agreement.

(f) There is not now, any action, suit or proceeding pending, or threatened against or affecting the Property or any portion thereof, or relating to or arising out of the ownership or development of the Property, in any court or before any federal, state, county or municipal department, commission, board, bureau or agency or other governmental instrumentality.

(g) Seller has not granted any license, lease or other right relating to the use or possession of the Property, except as disclosed to Purchaser in writing.

(h) Seller is not in default under any mortgage, deed of trust, note, assignment of rents, loan agreement or other agreement to which Seller is a party and which affects any portion of the Property.

8. Notices. All notices, consents, approvals, waivers and elections which any party shall be requested or shall desire to make or give under this Agreement shall be in writing and shall be given only by (i) hand delivery, (ii) certified mail, (iii) next day delivery by nationally recognized package delivery service, or (iv) by email. Notices, including notice of a change of address or phone number, shall be addressed or transmitted to the addresses set forth below, or that a party may otherwise designate in the manner prescribed herein:

AS TO BUYER:

Mike Patrick, Executive Director
1250 Market Street, Suite 3050
Chattanooga, Tennessee 37402-4443
Email: MPatrick@hamiltontn.gov

WITH A COPY TO:

Harold L. North, Jr.
Chambliss Bahner & Stophel, PC
605 Chestnut Street, Suite 1700
Chattanooga, TN 37450
Email: hnorth@chamblisslaw.com

WITH A COPY TO:

Mark W. Litchford, Esq.
5726 Marlin Road
Franklin Building, Suite 107
Chattanooga, Tennessee 37411

Notices shall be effective (i) the date such notice is sent if sent by email or personally delivered, (ii) three (3) business days after the date of mailing or (iii) one (1) business day after the date sent by next day delivery. If notice by email is not sent during the normal business hours of the recipient, such notice or communication shall be deemed to have been sent at the opening of business on the next business day. Any written notice, request or demand that is not sent in conformity with the provisions hereof shall nevertheless be effective on the date that such notice, request or demand is actually received by the individual to whose attention at the noticed party such notice, request or demand is required to be sent.

9. Time. TIME IS OF THE ESSENCE WITH RESPECT TO ALL MATTERS SET FORTH IN THIS AGREEMENT.

10. Effective Date. The Effective Date shall be the date on which this Agreement is executed by the last party executing it, and such date shall be inserted on the first page hereof.

11. Assignment. This Agreement shall bind and inure to the benefit of the respective successors and assigns of each of the parties, provided that Seller may not assign this Agreement or any rights or obligations hereunder without Purchaser's prior written consent and any prohibited assignment shall be absolutely void. Purchaser shall have the right, at any time and on any terms, all in Purchaser's discretion, to freely and absolutely assign, sell, transfer and/or convey any or all of Purchaser's rights, liabilities, obligations, title and/or interest under or relative to this Agreement. Seller shall promptly execute and deliver to Purchaser all such other and further documents, agreements and instruments, and shall do all such other acts or things, as Purchaser may request in Purchaser's discretion, to effectuate any such assignment, sale, transfer and/or conveyance.

12. Survival. Only those provisions of this Agreement which expressly so state shall survive Closing under this Agreement.

13. Miscellaneous.

(a) In the event of any controversy concerning this Agreement, the same shall be enforceable in a court of equity by a decree of specific performance, and any party against whom such action for specific performance is brought hereby waives the claim or defense in such action that the complainant has an adequate remedy at law. The remedy of specific performance shall, however, be cumulative and not exclusive, and shall be in addition to any other remedy which the parties may have.

(b) No failure of any party to exercise any power given hereunder or to insist upon strict compliance by the other party with its undertakings, duties and obligations hereunder,

and no custom or practice of the parties hereto at variance with the provisions hereof, shall constitute a waiver by the indulging party of its right to demand exact compliance with the provisions contained in this Agreement. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

(c) This Agreement constitutes the entire agreement among the parties hereto with respect to the transactions contemplated and supersedes all prior agreements, understandings, and negotiations, both written and oral, among the parties with respect thereto. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all of the parties.

(d) The terms "herein," "hereof" and "hereunder" and other words of similar import refer to this Agreement as a whole and not to any particular section, paragraph or subdivision. Where the context requires, the use of singular references shall include the plural and vice versa, and the use of pronouns of any gender shall include any other gender. In the computation of periods of time from a specified date to a later specified date, the word "from" means "from and including" and the words "to" and "until" each means "to but excluding." The section titles, table of contents and list of exhibits appear as a matter of convenience only and shall not affect the interpretation of this Agreement. All references to any party shall mean and include the successors and permitted assigns of such party; to "including" and "include" shall be understood to mean "including, without limitation"; or to the time of day shall mean the time of day on the day in question in Hamilton County, Tennessee, unless otherwise expressly provided in this Agreement. Neither this Agreement nor any uncertainty or ambiguity herein shall be construed or resolved against any party, whether under any rule of construction or otherwise. On the contrary, this Agreement has been reviewed by all parties and shall be construed and interpreted according to the ordinary meaning of the words used.

(e) Each party shall bear its own legal expenses in connection with the negotiation and closing of this Agreement.

(f) This Agreement may be executed simultaneously in one or more counterparts, including without limitation by facsimile or electronic signature, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

(g) Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any persons other than the parties to it and their respective successors and assigns. Nothing in this Agreement is intended to relieve or discharge the obligation or liability of any third persons to any party to this Agreement, nor shall any provision give any third persons any right of subrogation or action over against any party to this Agreement.

(h) This Agreement is made and entered into in the State of Tennessee and shall in all respects be interpreted, enforced, and governed under the laws of the State of Tennessee. In the event that any party initiates any legal action or proceeding that relates to this Agreement in

any manner whatsoever, including without limitation any legal action or proceeding regarding the interpretation and/or enforcement of this Agreement, it is agreed that the parties shall be subject to the personal jurisdiction of the State of Tennessee, including any state or federal court sitting therein, and that the exclusive venue for such legal action or proceeding shall be in a court of competent jurisdiction located in Hamilton County, Tennessee.

(i) The parties covenant and agree that, on or after the date of this Agreement, each party shall perform, execute and/or deliver, or cause to be performed, executed and/or delivered, any and all such further acts and assurances as necessary to effectuate, evidence and consummate the covenants, agreements and transactions made or contemplated herein, including without limitation executing any such documentation as is requested.

IN WITNESS WHEREOF, the parties have caused these presents to be executed as of the Effective Date.

PURCHASER :

**HAMILTON COUNTY WATER &
WASTEWATER TREATMENT
AUTHORITY**

By: _____

Name: _____

Title: _____

SELLER :

CITY OF EAST RIDGE, TENNESSEE

By: _____

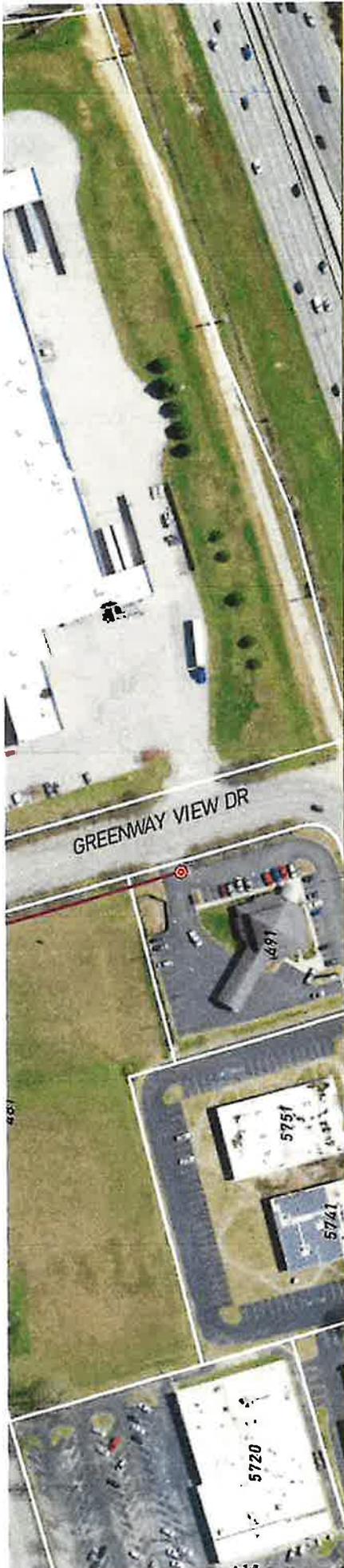
Name: _____

Title: _____

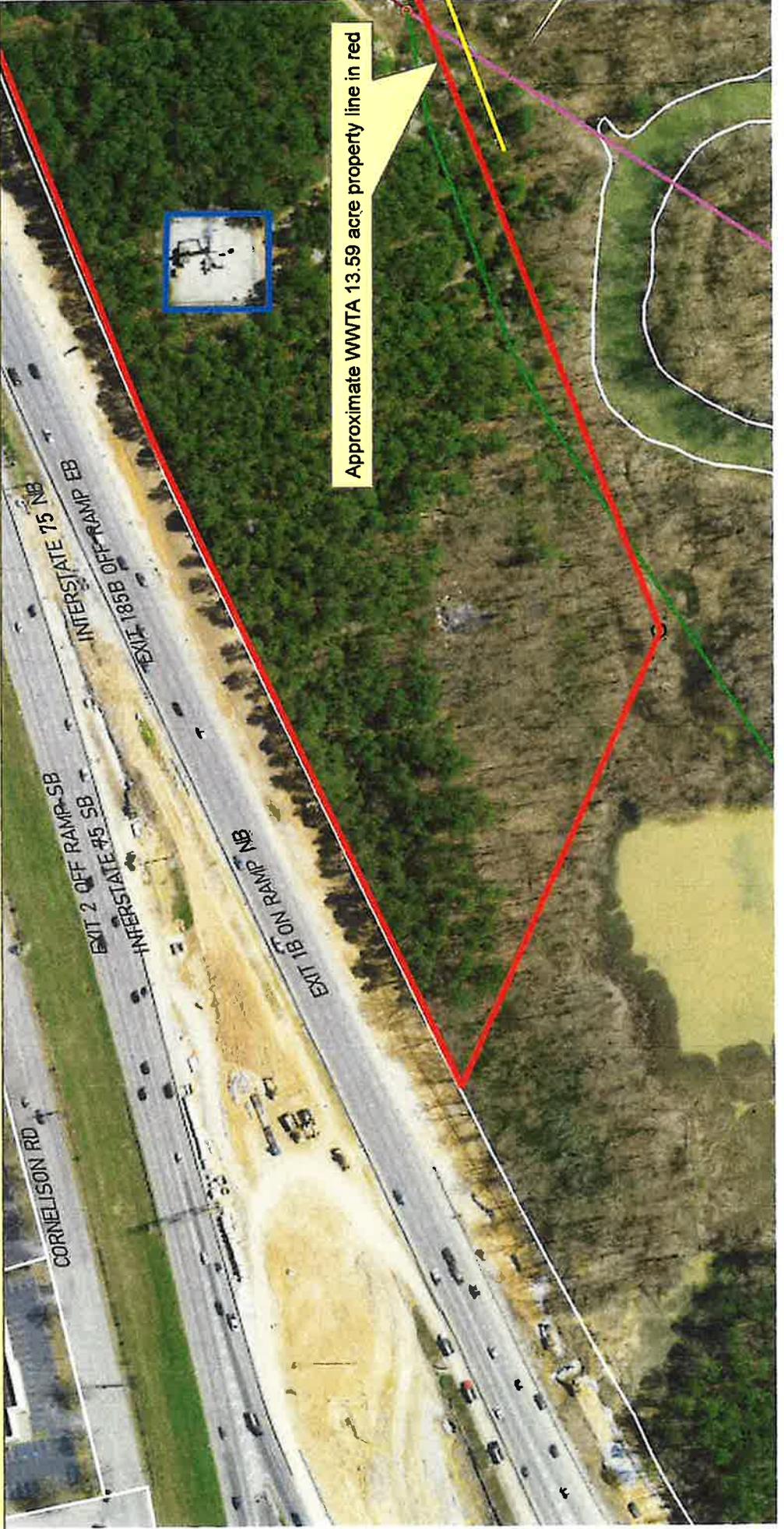
EXHIBIT A

13.59 acres:

A parcel of land situated in Hamilton County, Tennessee being a part of Deed Book 10366, page 170 Register's Office Hamilton County (R.O.H.C.). To find the true point of beginning begin at the remote point of beginning which is the South right of way of U. S. Interstate 75 and the West boundary of Chickamauga Creek; thence with and along the West boundary of said creek 91.3 feet more or less to a point said line is subtended by a chord South 27 degrees 43 minutes 13 seconds East 91.17 feet; thence leaving said boundary and with a series of bearings and distances as follows: South 37 degrees 32 minutes 18 seconds West 720.63 feet to a point, South 70 degrees 36 minutes 54 seconds West 830.77 feet to a point, North 59 degrees 06 minutes 20 seconds West 499.14 feet to a point in the South right of way of U. S. Interstate 75; thence leaving said lines and with and along the South right of way of said Interstate with a series of bearings and distances as follows: North 64 degrees 43 minutes 21 seconds East 371.13 feet to the point of curve and marked by a concrete monument found, with a curve measured to the right an arc distance of 603.07 feet to a point of compound curve marked by a concrete monument found, said curve has a radius of 11,339.16 feet a tangent of 301.60 feet and is subtended by a chord North 66 degrees 13 minutes 06 seconds East 603.00 feet with a curve measured to the right an arc distance of 616.73 feet to the point of tangent, said curve has a radius of 11,339.16 feet a tangent of 308.54 feet and is subtended by a chord North 69 degrees 18 minutes 02 seconds East 616.86 feet, North 70 degrees 12 minutes 14 seconds East 153.29 feet to the point of beginning. Said parcel contains 13.59 acres more or less. Said parcel is encumbered with a small parcel within with a 20 foot non-exclusive ingress/egress easement to the parcel. This description is referenced to Hopkins Surveying Group Drawing Number 2019-259-3 dated October 21, 2019.



WATA will be responsible for the initial clearing of the new trail shown in yellow. Clearing responsibility not to exceed 10' wide and 875' in length. The location is approximate. Any initial permitting requirements, future clearing, and maintenance for the trail are the responsibility of the City of E



Approximate WATA 13.59 acre property line in red

MR 2021-0214 Acquisition



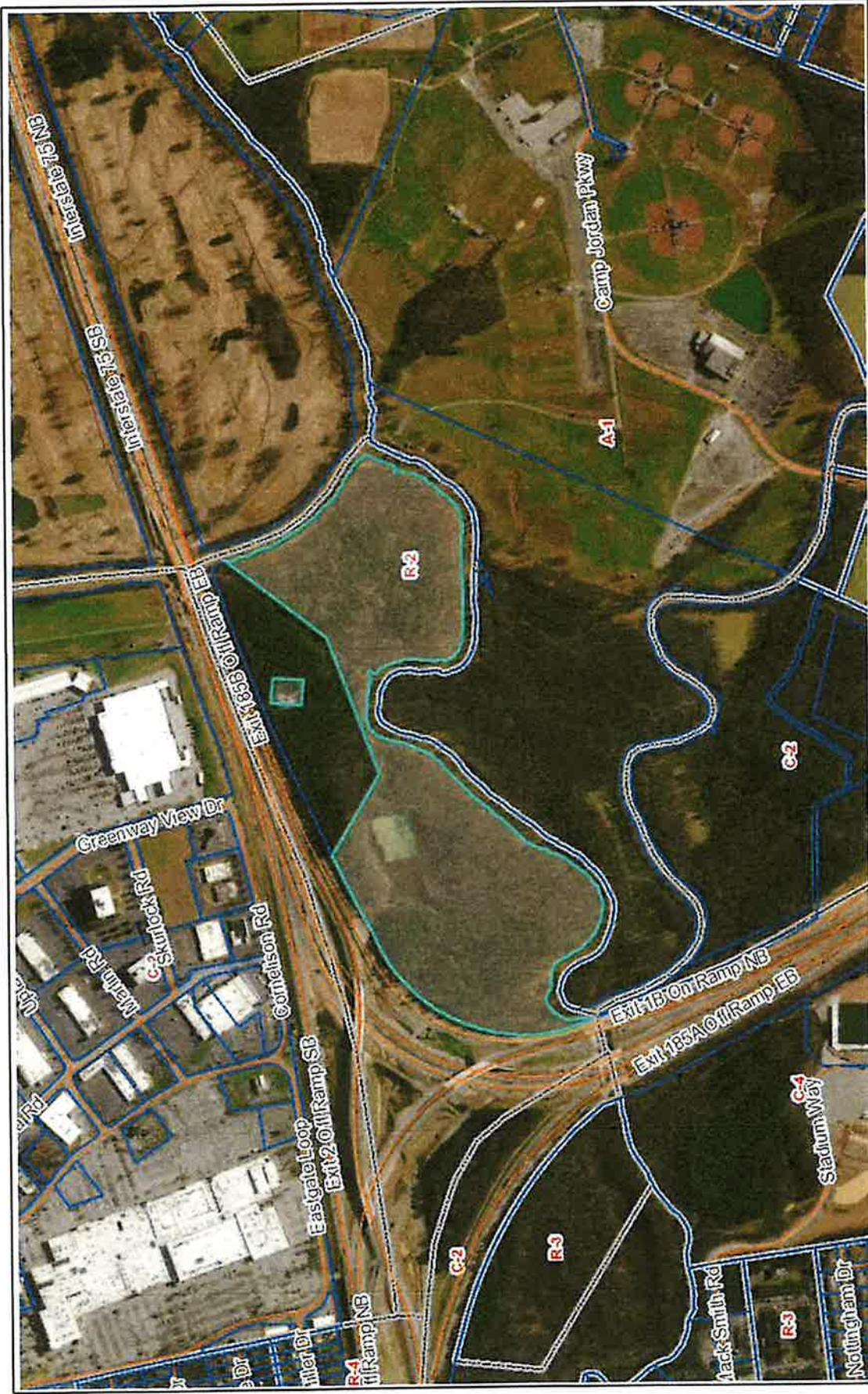
MR 2021-0214 Acquisition



MR 2021-0214 Acquisition



MR 2021-0214 Acquisition



ORDINANCE NO. 1154

BRIAN WILLIAMS
Mayor

JACKY CAGLE
Councilmember

ANDREA WITT
Councilmember



MIKE CHAUNCEY
Vice Mayor

ESTHER HELTON
Councilmember

CHRIS DORSEY
City Manager

City of East Ridge

*1517 Tombras Avenue
East Ridge, Tennessee 37412
(423) 867-7711*

MEMORANDUM

TO: City Council

FROM: Mark Litchford, City Attorney

DATE: November 11, 2021

RE: Abandonment of portion of 5300 Block of Stone Street

The City of East Ridge has acquired or has contracted to acquire from Emerson Properties of TN, LLC, property located at 5302 Stone Street, Tax Map No. 169J-A-017 ("Animal Shelter Property") for the construction of an animal shelter. The City wishes to abandon a portion of the end of the right-of-way of Stone Street to allow the City and Emerson Properties LLC (owner of property located on Tax Map No. 169J-A-021) to utilize the abandoned portion for the construction of a dedicated area to relocate all dumpster and/or trash receptacles servicing the respective properties.

The ER Planning Commission held a public hearing on this matter and approved a recommendation in support to the City Council. Exhibit A to the proposed Ordinance depicts the portion of the right-of-way to be abandoned if approved by City Council.

ORDINANCE NO. 1154

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE 5300 BLOCK OF STONE STREET, A PORTION OF TAX MAP NOS. 169J-A-017 AND 169J-A-021 AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS

WHEREAS, Section 2.15 of the Corporate Powers of the East Ridge City Charter empowers the City of East Ridge to establish, open, relocate, and vacate real property, including public streets, public sidewalks, and public alleys; and

WHEREAS, the City has acquired or has contracted to acquire from Emerson Properties of TN, LLC, property located at 5302 Stone Street, Tax Map No. 169J-A-017 (“Animal Shelter Property”) for the construction of an animal shelter; and

WHEREAS, Emerson Properties LLC, an affiliate of Emerson Properties of TN, LLC, owns the properties located at 5308 & 5310 Ringgold Road, Tax Map No. 169J-A-021 (collectively the “Retained Properties”) and previously used these respective properties jointly; and

WHEREAS, it has been determined that Stone Street bisects these respective properties and the City wishes to abandon a portion of the end of the right-of-way of Stone Street to allow the City and Emerson Properties of TN, LLC to utilize the abandoned portion for the construction of a dedicated area to relocate all dumpster and/or trash receptacles servicing the respective properties; and

WHEREAS, the portion of the street to be abandoned is attached hereto as Exhibit A; and

WHEREAS, the City submitted an application for closure/abandonment to the Hamilton County Regional Planning Agency in accordance with T.C.A. § 13-4-104 for mandatory referral; and

WHEREAS, the East Ridge Planning Commission held a public hearing on this matter on November 1, 2021, where it reviewed the City’s application and heard and considered all statements concerning the petition at a public hearing; and

WHEREAS, after conducting and closing the public hearing, the Commission voted to recommend approval of the City’s application to the City Council; and

WHEREAS, the City, as the applicant, has properly advertised in a paper of general circulation in the City of East Ridge that it will make application to the City Council of the City of East Ridge to abandon the portion of Stone Street as depicted in Exhibit A; and

WHEREAS, notices of the public hearing before the City Council of the City of East Ridge have been served upon all property owners in the City in accordance with applicable law; and

WHEREAS, the East Ridge City Council held a public hearing on December 8, 2021 at which time all interested parties were given an opportunity to be heard; and

WHEREAS, the City Council, after consideration of recommendations of the RPA staff are of the opinion that it is proper, necessary and in the best interests of the health, safety, morals and general welfare of the City to abandon the portion of the right-of-way of Stone Street as reviewed and approved by the Planning Commission and to transfer the unrestricted title and use one-half (southern portion) to the City of East Ridge and one-half (northern portion) to Emerson Properties LLC, for the placement of a dedicated area to relocate all dumpster and/or trash receptables servicing the respective properties, together with, if needed, reciprocal easement agreements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, as follows:

Section 1. That the right-of-way portion of Stone Street as depicted in Exhibit A hereto is abandoned and the City does henceforth close, abandon, relinquish, and quitclaim any and all title it may have, either legal or equitable, in the underlying right-of-way one-half (southern portion) to the City of East Ridge and one-half (northern portion) to Emerson Properties LLC, for the placement of a dedicated area to relocate all dumpster and/or trash receptables servicing the respective properties, together with, if needed, reciprocal easement agreements.

Section 2. The Mayor is hereby authorized to execute any and all deeds, documents or agreements to transfer the said underlying right-of-way, subject to the review and approval of the City Attorney, and subject to the City and Emerson Properties, LLC entering into, if needed, reciprocal easement agreements for the placement of a dedicated area to relocate all dumpster and/or trash receptables servicing the respective properties

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Passed on First Reading _____, 2021

Passed on Second Reading _____, 2021

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



Closure/Abandonment Application Form

CASE NUMBER: MR 2021-0215		Date Submitted: 09/22/2021	
<i>Sections 1-7 below to be filled out by Applicant- RPA staff will assist, if needed</i>			
1 Applicant Request (Mandatory Referral per TCA 13-4-104)			
Closure/Abandonment	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Street	<input type="checkbox"/> Other
	<input checked="" type="checkbox"/> Open	<input type="checkbox"/> Unopened	<input type="checkbox"/> Improved
2 Property Information			
Closure area	Length/Width: 40 x 25		
	Beginning: NE Corner 169J-A-017	Ending: nw 39.46 feet to a point	
Block ranges of closure: 5300 blk of Stone St (part)		Tax map parcels: 169J-A-017 & 021	
3 Proposed Development			
Reason for Request and/or Proposed Use:	Applicants jointly seek to abandon a portion of Stone Street at the eastern most portion		
4 Site Characteristics			
Current Zoning:	C-2		
Current Use:	Public Right-of-way		
5 Applicant Information			
Name: City of East Ridge, Tennessee Attn: Chris Dorsey			
Address (street, city state, zip): 1517 Tombras Ave, East Ridge, Tennessee 37412			
Phone: 423-867		Email:	
Primary Contact (if different than applicant information):			
Address (street, city state, zip):			
Phone:		Email:	
<input type="checkbox"/> ← If the Applicants Information is the same as the Property Owners, please check the box to the left.			
6 Property Owner Information Only fill out this section if applicant is <u>not</u> the property owner. RPA requires a letter of authorization from the property owner confirming that the applicant has permission to file this application on their behalf. Owner Authorization Letters are available through the RPA.			
Name: Emerson Properties of TN, LLC			
Address (street, city state, zip): 32 Emerson Dr, Rossville, GA 30741			
Phone:		Email:	
7 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: See Submitted Application		Date: _____	
Office Use Only:			
Checklist			
<input checked="" type="checkbox"/> Application	<input checked="" type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Ownership Authorization	
<input checked="" type="checkbox"/> Property Cards	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats	
<input checked="" type="checkbox"/> Application Fee: \$0	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Credit	<input type="checkbox"/> Check
<input checked="" type="checkbox"/> Notice signs	Number of notice signs: 1		
Municipality: City of East Ridge	Planning District:	Neighborhood: None	
County Commission District: 8		City Council District: 0	
PC meeting date: to be heard by East Ridge		Application processed by: Jennifer Ware	
<u>Staff Recommendation :</u>	<u>PC Action/Date:</u>	<u>Legislative Action/Date/Ordinance:</u>	

**Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT**

CASE NUMBER: MR2021-0215

APPLICANT: City of East Ridge,
Tennessee & Emerson Properties of TN

PROPERTY OWNER: City of East Ridge,
Tennessee

PROPERTY ADDRESS: Eastern portion
of Stone Street

TAX MAP PARCEL ID: 169J-A-017

JURISDICTION: East Ridge

SIZE OF PROPERTY: 60.5 acres

REQUEST: Requesting the abandonment of a street right-of-way because applicants jointly seek to abandon a portion of Stone Street at the eastern most portion.

PROPERTY DESCRIPTION

ROAD STATUS
Open

IMPROVEMENT STATUS
Improved

R.O.W. DIMENSIONS
40' X 25'

ZONING

ZONING HISTORY • The right-of-way is zoned C-2 General Commercial District.

REGULATIONS

Tennessee Code Annotated (13-4-104) requires the Planning Commission to review the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure within municipalities.

DISCUSSION OF STAFF RECOMMENDATION

Yes No

See Comments

THE R-O-W PROVIDES EXISTING OR POTENTIAL SERVICE OR ACCESS TO ADJACENT PROPERTIES

Stone Street dead ends into a private property parking lot. There is an opportunity to provide connectivity between McBrien Road and Rebecca Drive via Stone Street; however, it will require crossing onto private property. The portion of Stone Street will remain open provides access to 4 properties that front the street.

Yes No

THE CLOSURE WILL NOT LAND-LOCK ANY PROPERTY

Property at 5302 Stone Street will still have frontage along Stone Street and property at 5310 Ringgold Road has frontage along Ringgold Road.

Yes No

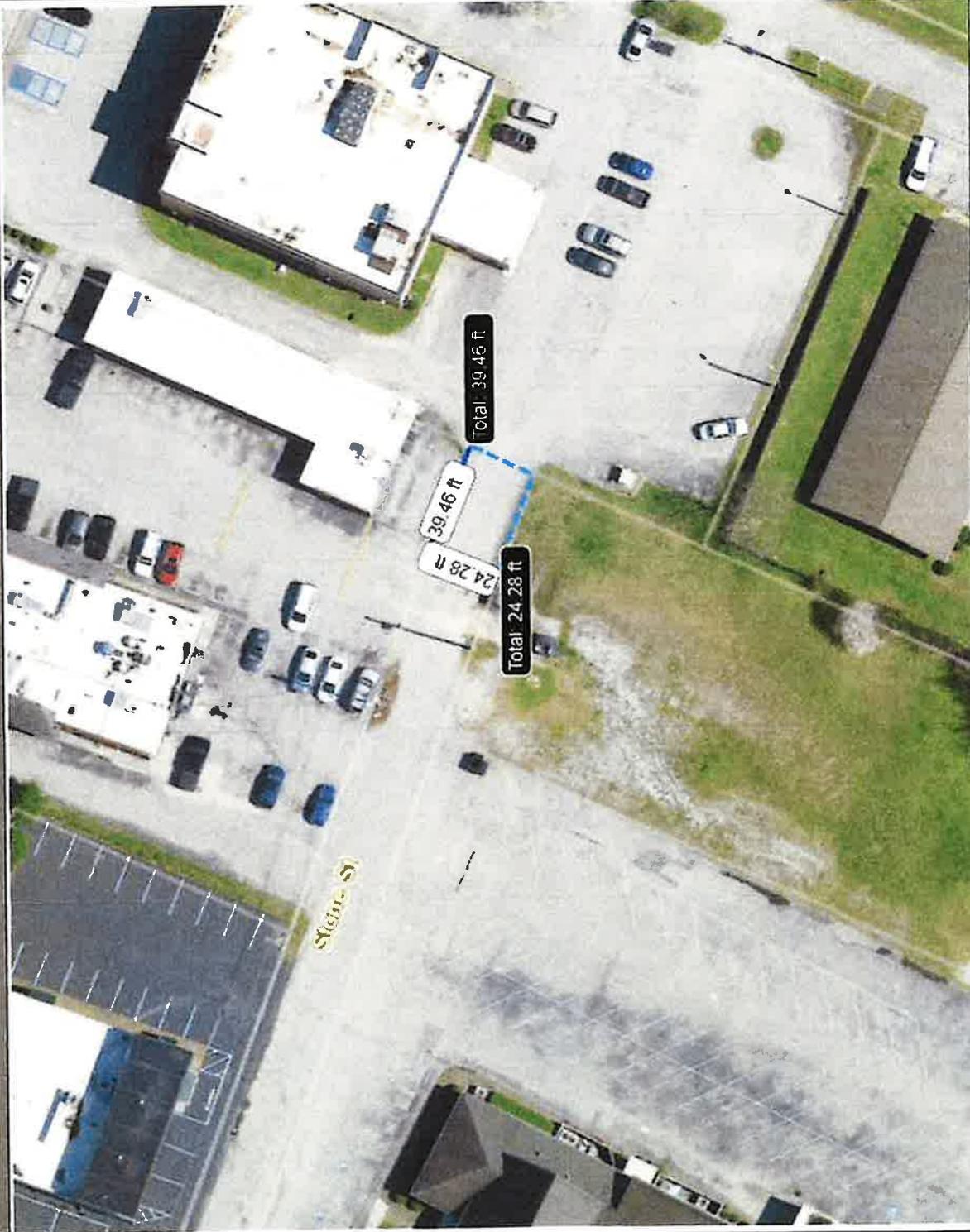
TOPOGRAPHY, GRADE OR OTHER NATURAL RESOURCES ON SITE

There is no topography or floodplains in the right-of-way.

STAFF RECOMMENDATION

Staff finds the closure of the right-of-way does not negatively impact the health, safety and well-being of the public.

GISMO 5



Legend
Parcels

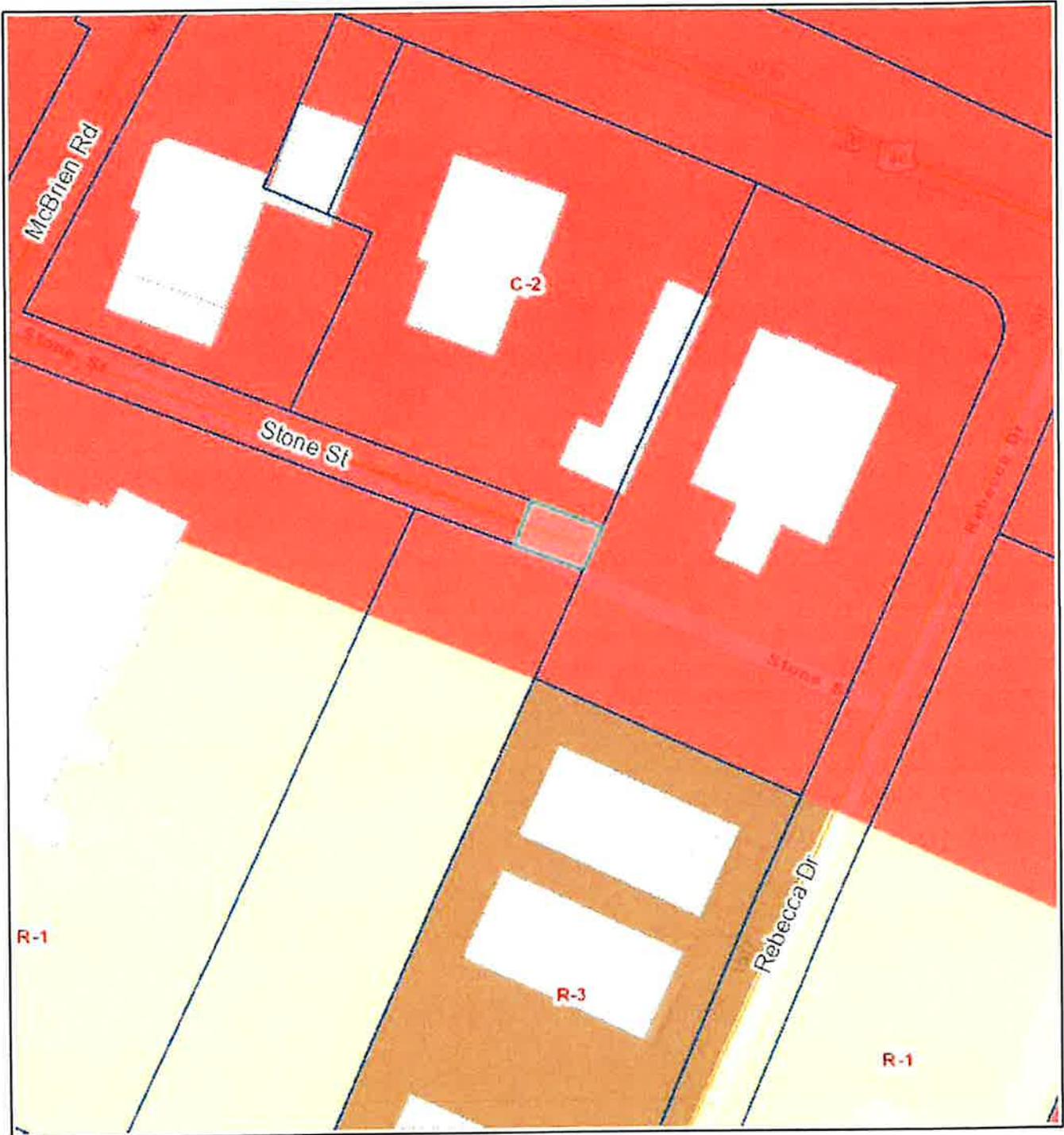
0 50.00 100.00 Feet

NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
© Latitude Geographics Group Ltd.

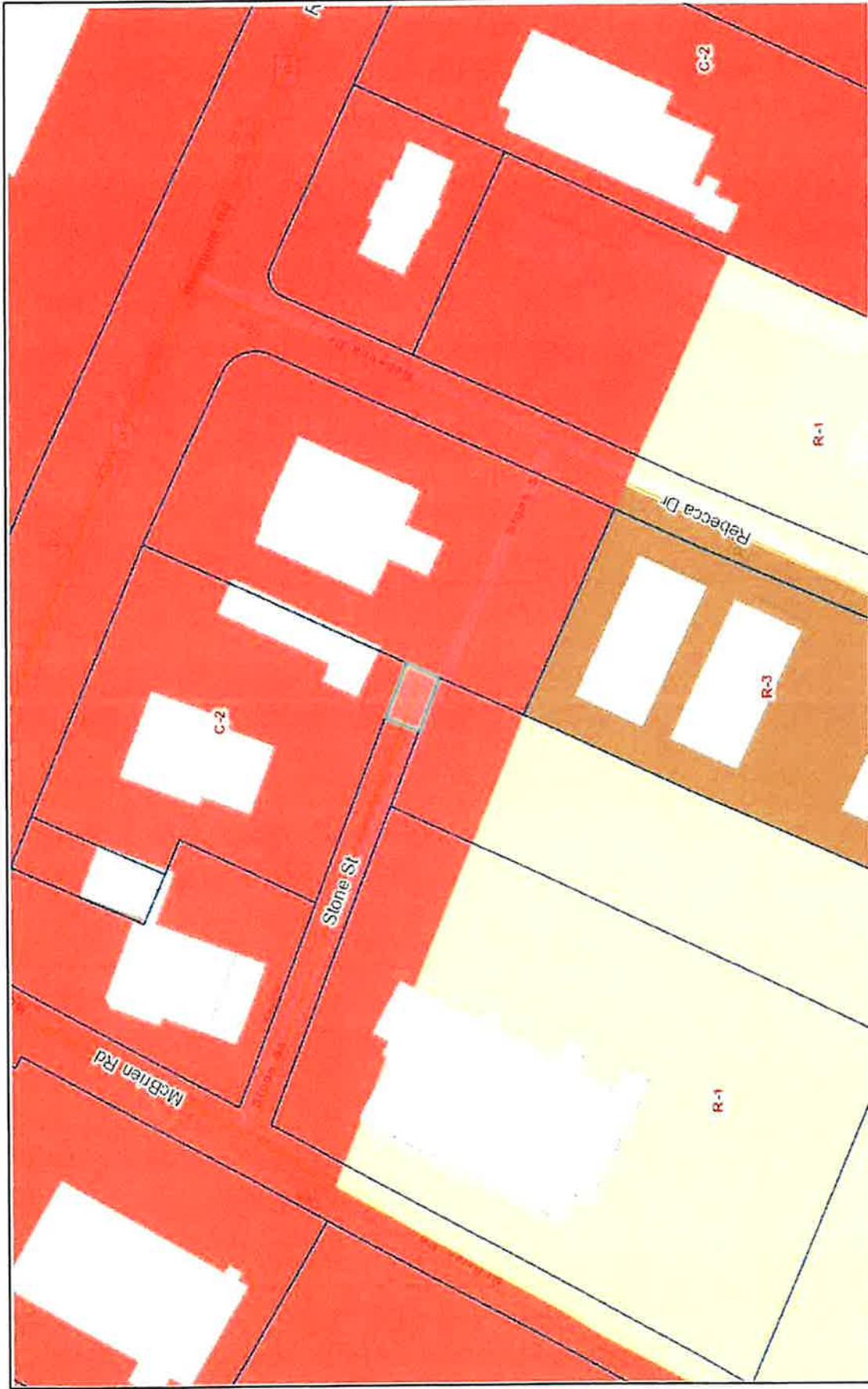


Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. This map was automatically generated using HCGIS Mapping System. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

MR 2021-0215 Abandonment



MR 2021-0215 Abandonment

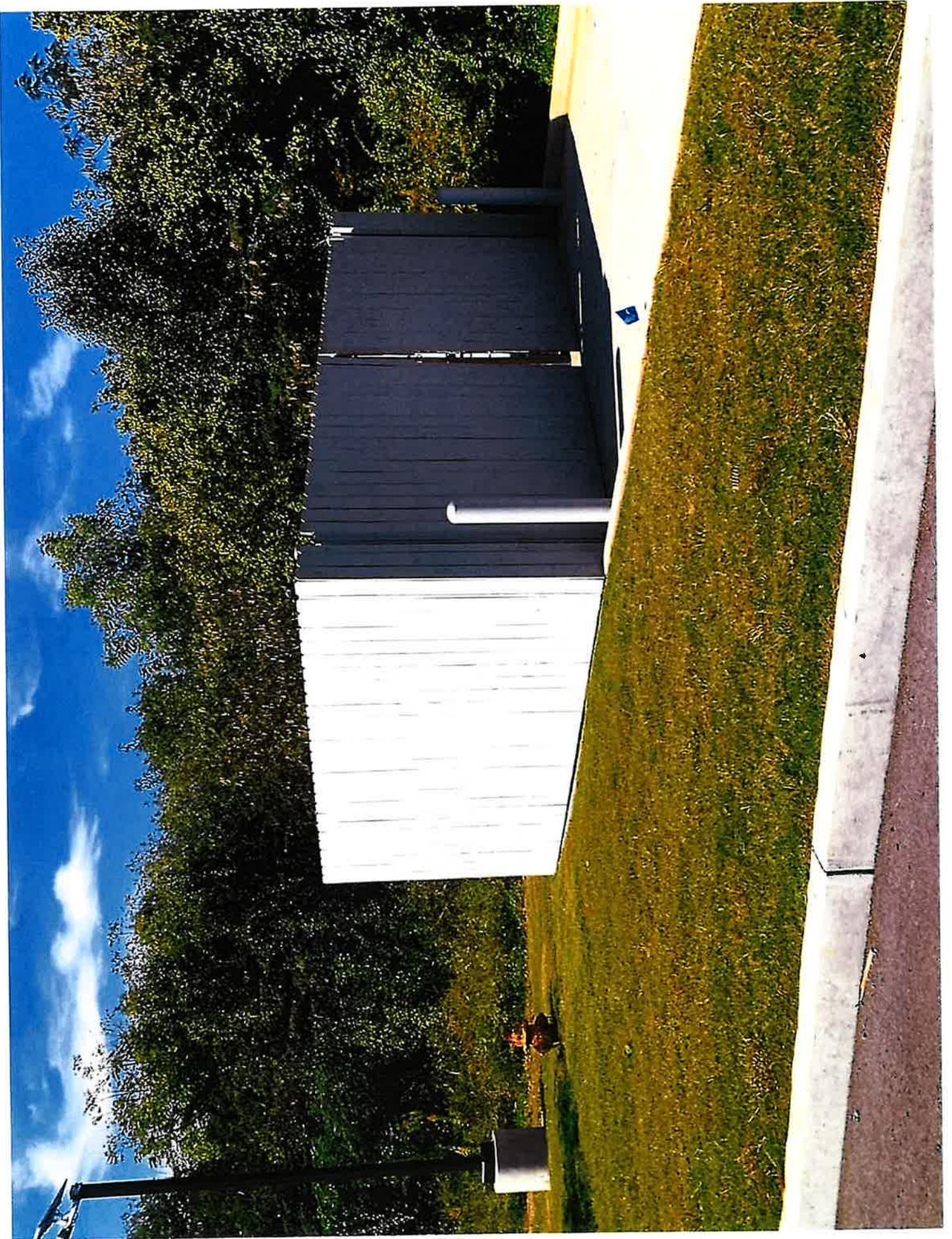


MR 2021-0215 Abandonment

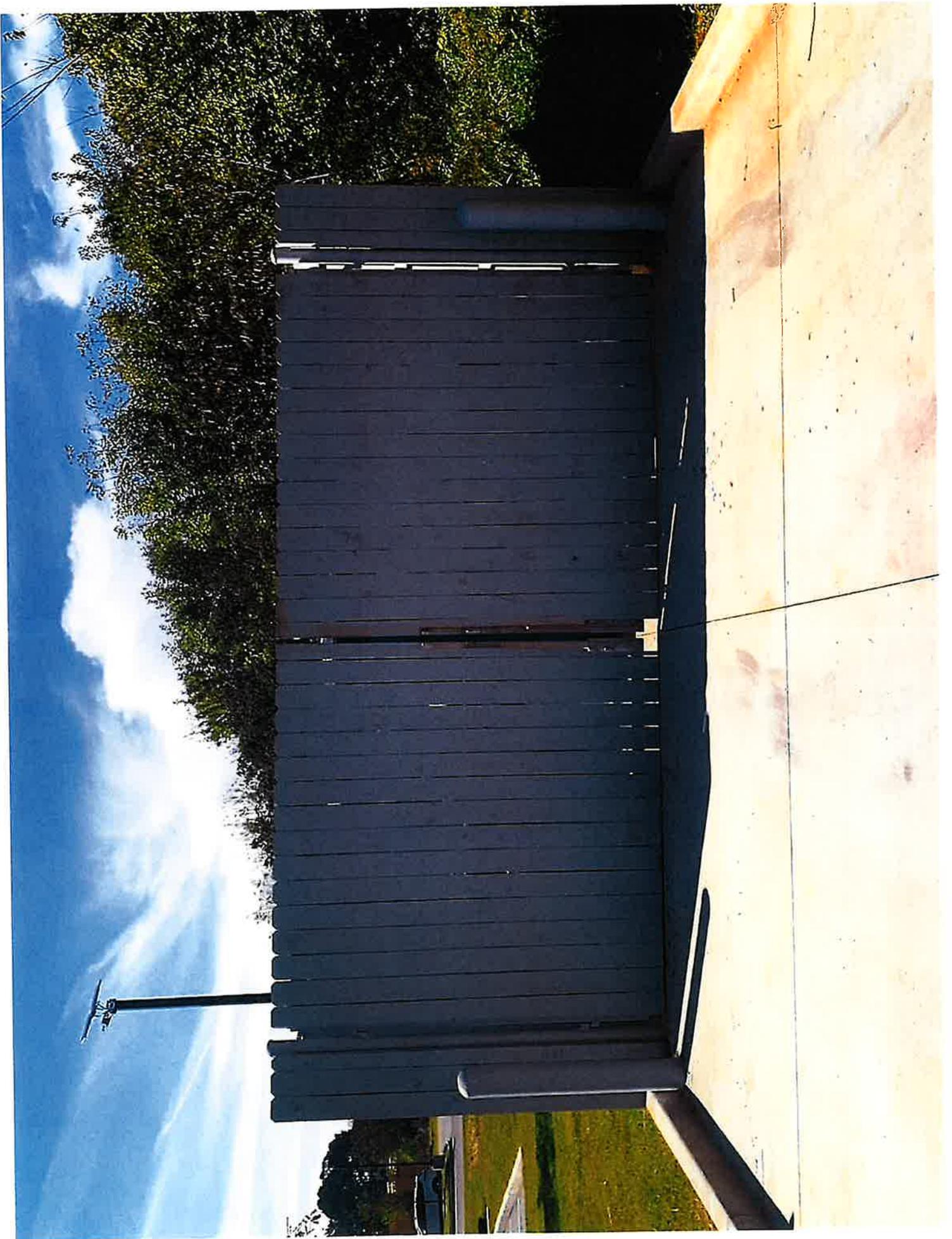


MR 2021-0215 Abandonment











City of East Ridge

1517 Tombras Avenue
East Ridge, Tennessee 37412
(423)867-7711 • www.eastridgetn.gov

Office of the City Recorder

RESOLUTION NO. 3222

AGENDA MEMORANDUM

TO: Mayor and City Council
City Manager

FROM: Janet Middleton, City Recorder

SUBJECT: INDUSTRIAL DEVELOPMENT BOARD APPOINTMENT

DATE: November 15, 2021

With the resignation of James City, effective January 1, 2022, there will be a vacancy on the Industrial Development Board. This is Councilmember Cagle's appointment, and the term will be January 1, 2022 - June 11, 2024.

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

RESOLUTION NO. 3222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE INDUSTRIAL DEVELOPMENT BOARD TO FILL THE UNEXPIRED TERM OF JAMES CITY

WHEREAS, the City of East Ridge, Tennessee established the East Ridge Industrial Development Board (“IDB”) in accordance with T.C.A. § 6-2808 *et seq.* (now codified at T.C.A. § 7-53-101 *et seq.*) pursuant to a resolution duly adopted by then Mayor and City Commission for the City of East Ridge on November 8, 1979; and

WHEREAS, the City Council elects certain of the citizens of the City of East Ridge in accordance with T.C.A. § 7-53-301 to be directors of the IDB.

WHEREAS, due to the resignation of James City, effective January 1, 2021, there will be a vacancy on the IDB.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee hereby approves the appointment of _____ by Councilmember Cagle as a director on the IDB to fill the unexpired term of James City effective January 1, 2021 – June 11, 2024.

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

Adopted this _____ day of _____ 2021.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



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Office of the City Recorder

RESOLUTION NOS. 3223 & 3224

AGENDA MEMORANDUM

TO: Mayor and City Council
City Manager

FROM: Janet Middleton, City Recorder

SUBJECT: LIBRARY BOARD APPOINTMENTS (2)

DATE: December 6, 2021

The Library Board consists of seven members. The Mayor and each Councilmember appoint one member to the Board, to be approved by the Council. The two remaining positions are appointed and approved by the entire Council.

The following terms are set to expire on December 30, 2021.

Cathy Cook	Vice Mayor Chauncey	12/31/18 – 12/30/21
Mary Lambert	Councilmember Helton	12/31/18 – 12/30/21

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

RESOLUTION NO. 3223

**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
LIBRARY BOARD**

WHEREAS, the East Ridge Library Board fulfills an important role with regard directing the affairs of the Library; and

WHEREAS, the City Council appoints certain of the citizens to the City of East Ridge Library Board in accordance with City Code, Title 2, Chapter 1, Section 2-101; and

WHEREAS, the term for Cathy Cook is set to expire on December 30, 2021;

WHEREAS, Vice Mayor Chauncey wishes to appoint _____ to the Library Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee hereby approves the appointment of _____ by Vice Mayor Chauncey to the East Ridge Library Board for the term of December 31, 2021 – December 30, 2024.

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

Adopted this _____ day of _____ 2021.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

RESOLUTION NO. 3224

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EAST RIDGE, TENNESSEE, APPROVING
THE APPOINTMENT OF _____ BY
COUNCILMEMBER HELTON TO THE EAST RIDGE
LIBRARY BOARD**

WHEREAS, the East Ridge Library Board fulfills an important role with regard directing the affairs of the Library; and

WHEREAS, the City Council appoints certain of the citizens to the City of East Ridge Library Board in accordance with City Code, Title 2, Chapter 1, Section 2-101; and

WHEREAS, the term for Mary Lambert is set to expire on December 30, 2021;

WHEREAS, Councilmember Helton wishes to appoint _____ to the Library Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee hereby approves the appointment of _____ by Councilmember Helton to the East Ridge Library Board for the term of December 31, 2021 – December 30, 2024.

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

Adopted this _____ day of _____ 2021.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



City of East Ridge

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Office of the City Recorder

RESOLUTION NO. 3225

MEMORANDUM

TO: Mayor and Council
City Manager

FROM: Janet Middleton

SUBJECT: Cancellation of December 26, 2021 Council Meeting

DATE: November 15, 2021

The second meeting in December falls on the 23rd day of the month.

It has been the practice for many years for the City Council to cancel the second meeting in December if it does not fall on a holiday, since some members may be out of town or want to spend time with their families.

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

RESOLUTION NO. 3225

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EAST RIDGE, TENNESSEE, TO CANCEL
THE SECOND MEETING IN THE MONTH OF
DECEMBER 2021**

WHEREAS, the East Ridge City Council recognizes that its members and city employees wish to spend time with their families over the Christmas holidays; and

WHEREAS, it has been a long-standing tradition for the Council to cancel the second meeting in December in order for its members and employees to enjoy the holiday season; and

WHEREAS, the City has previously published that a Council meeting was scheduled on December 23, 2021 and desires to approve this Resolution to serve as additional public notice of the Council's decision to cancel said meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee hereby cancels the meeting scheduled for December 23, 2021.

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

Adopted this _____ day of _____ 2021.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



EAST RIDGE POLICE DEPARTMENT

4214 Ringgold Road ♦ East Ridge, TN 37412

**Police Administration
(423) 867-3718
Fax (423) 867-9418**

**Stan Allen
Chief of Police**

RESOLUTION NO. 3226

AGENDA MEMORANDUM

TO: Mayor and City Council - City Manager

FROM: Chief Stan Allen

SUBJECT: Canine Retirement

DATE: December 9, 2021

The Police Department has purchased a new police dog and training has been completed. The department is requesting to retire the current canine, Axel, and that the council allow the current handler to take ownership.

RESOLUTION NO. 3226

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO OFFICIALLY RETIRE K-9 OFFICER AXEL AND ALLOW HIS HANDLER, CORPORAL STEAVEN ROGERS, TO TAKE OWNERSHIP OF AXEL

WHEREAS, Officer Axel has served the City of East Ridge Police Department as the K-9 Officer for the past five and one-half years with his handler Corporal Steven Rogers; and

WHEREAS, Officer Axel was born in Hungary and brought to the United States by Cobra Canine in Loudon County, Tennessee; and

WHEREAS, Axel is a certified multi-purpose K-9 Officer in the fields of Narcotic Detection and Patrol Functions; and

WHEREAS, as well as Narcotics Detection, Officer Axel has obtained advanced training and certifications in Article and Evidence Recovery, Human Odor Tracking, Building Searches, Criminal Apprehension, and Obedience; and

WHEREAS, Officer Axel has served the City heroically and courageously during high-stress and life-threatening situations and now it is time for Axel to retire from the City of East Ridge.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee hereby officially retires K-9 Officer Axel so that he can enjoy being a pet in his final years, with all of the love and spoiling that go along with it.

BE IT FURTHER RESOLVED, that Axel's handler, Corporal Steaven Rogers, will take ownership of Axel after the canine's retirement.

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

Adopted this _____ day of _____ 2021.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



City of East Ridge

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Finance Department
Diane Qualls, Director

RESOLUTION NO. 3227

MEMO

TO: Mayor, Council and City Manager

FROM: Diane Qualls, CMFO

DATE: December 3, 2021

RE: Open Checking Account for Federal Forfeiture Funds

I am requesting permission to open a checking account at Sun Trust/Truist Bank for funds that the City will be receiving that will be classified as federal forfeiture funds. These funds must be kept in a separate bank account with specific guidelines as to how the funds can be spent.

RESOLUTION NO. 3227

**A RESOLUTION AUTHORIZING THE CITY
MANAGER OR HIS DESIGNEE TO OPEN A
CHECKING ACCOUNT AT SUNTRUST/TRUIST BANK
FOR FEDERAL FORFEITURE FUNDS**

WHEREAS, the City of East Ridge will be receiving Federal Forfeiture Funds and must open a checking account in which to deposit the funds; and

WHEREAS, the funds must be kept in a separate bank account and will have specific guidelines as to how the funds can be spent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of East Ridge, Tennessee that the City Manager, or his designee, is authorized to open, on behalf of the City, a checking account at SunTrust/Truist Bank for Federal Forfeiture Funds.

BE IT FURTHER RESOLVED that the funds will have specific guidelines as to how they can be spent.

BE IT FURTHER AND FINALLY RESOLVED that this Resolution shall take effect immediately, the public welfare of the City requiring it.

Adopted this _____ day of _____, 2021

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

Approved to Form:

Mark W. Litchford, City Attorney



City of East Ridge

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East Ridge, Tennessee 37412
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Finance Department
Diane Qualls, Director

MEMO

TO: Mayor, Council, and City Manager

FROM: Diane Qualls, CMFO

DATE: December 6, 2021

RE: Budget Amendment

I will be presenting a budget amendment at the first meeting in January which will take care of any revenues and expenditures that have occurred in the past six months that were not in the budget when it was approved by Council.

This will include all the unexpected purchases that the Council has approved at the request of staff such as the purchase of police vehicles, including the 2 that were supposed to arrive before July of this year but did not. Council approved paying for the vehicles from the fund balance.

The funding for the fire truck that is being purchased will also be added to the budget with the amendment.

Brian Williams
Chris Dorsey
Mayor
City Manager

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember