

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

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

1. Call to Order
2. Invocation
3. A. Roll Call
- B. Employee Milestone Awards for March 2022
- C. Donation to East Ridge Creative Arts for No-Shave April – Police Department
4. Consent Agenda:
 - A. Approval of Minutes March 24, 2022 Council Meeting
 - B. Approval of January 2022 Financial Report
5. Communication from Citizens
6. Communication from Councilmembers
7. Communication from City Manager
8. Old Business:
 - A. **ORDINANCE NO. 1160** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02, TO R-3 APARTMENT DISTRICT (1st reading – tabled March 10, 2022 and March 24, 2022)
9. New Business:
 - A. **ORDINANCE NO. 1164** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE TO AMEND TITLE 7, EAST RIDGE CITY CODE, CHAPTER 2, FIRE CODE TO DELETE SECTION 308.1.4 OF THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, PREVIOUSLY ADOPTED BY ORDINANCE NO. 1094, AND REPLACE WITH NEW LANGUAGE (1st reading)
 - B. **ORDINANCE NO. 1165** – AN ORDINANCE TO AMEND TITLE 8, SECTION 8-317 OF THE EAST RIDGE MUNICIPAL CODE TO UPDATE THE CERTIFICATE OF COMPLIANCE RESTRICTIONS RELATED TO THE CONSTRUCTION OF A RETAIL PACKAGE LIQUOR STORE (1st reading)

- C. **ORDINANCE NO. 1166** – AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 6-B(1) OF THE CHARTER (1st reading)
- D. **RESOLUTION NO. 3253** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY VICE MAYOR CHAUNCEY TO THE EAST RIDGE BOARD OF ZONING APPEALS
- E. **RESOLUTION NO. 3254** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE BOARD OF ZONING APPEALS
- F. **PUBLIC HEARING FOR RESOLUTION NO. 3255** – APPROVAL OF SIGN VARIANCE REQUEST – 6801 RINGGOLD ROAD
- G. **RESOLUTION NO. 3255** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE A VARIANCE TO THE CITY’S SIGN ORDINANCE NO. 1028 TO ALLOW A REDUCTION IN THE FRONT SETBACK OF A PROPOSED MONUMENT SIGN ON PROPERTY LOCATED AT 6801 RINGGOLD ROAD, TAX MAP #170J-B-043
- H. **RESOLUTION NO. 3256** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH HHM, CERTIFIED PUBLIC ACCOUNTANTS, FOR AUDITING SERVICES AS REQUIRED BY THE STATE OF TENNESSEE AND OTHER REGULATORY AGENCIES
- I. **RESOLUTION NO. 3257** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AMENDING THE RULES AND REGULATIONS FOR A TENT LOTTERY
- J. **RESOLUTION NO. 3258** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) TIGER 50-INCH FLAIL HEAD ATTACHMENT FROM CHATTANOOGA TRACTOR AND EQUIPMENT THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING SWC-246, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b)
- K. **RESOLUTION NO. 3259** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO PROCEED WITH NEGOTIATIONS WITH BP CONSTRUCTION, BASED UPON THE SUBMITTED PROPOSAL TO REVITALIZE THE ADJACENT PROPERTIES LOCATED AT 4214 RINGGOLD ROAD AND 1501 TOMBRAS AVENUE
- L. Discussion of Resurfacing Projects
- M. Discussion of Tentative Agenda Items for the April 28, 2022 Council Meeting (see Attachment A)

10. Adjourn

**ATTACHMENT A
TENTATIVE AGENDA ITEMS
FOR APRIL 28, 2022**

3. B. Presentation of Letters of Commendation for Seven Firefighters and Two Police Officers – Chief Williams

8. **Old Business:**
 - A. **ORDINANCE NO. 1160** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02, TO R-3 APARTMENT DISTRICT (2nd and final reading)

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

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

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

9. **New Business:**
 - A. **PUBLIC HEARING FOR ORDINANCE NO. ____** - Rezoning of 1200 South Seminole Drive from R-1 residential District to R-2 Residential Duplex District

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

 - C. **PUBLIC HEARING FOR RESOLUTION NO. ____** - Sign Variance for Portofino’s

 - D. **RESOLUTION NO. ____** - Approval of Sign Variance for Portofino’s

 - E. **RESOLUTION NO. ____** - Approval of TDOT Mowing Contract

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

**March 24, 2022
6:00 pm**

The East Ridge City Council met pursuant to notice on March 24, 2022, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

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

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

Judge Wilson – Discussion with Council – Judge Wilson stated he was appointed last August to fill in after the previous Judge resigned. At that time, he did not think he wanted to run when the seat came up for election, but since that time, he stated he has enjoyed his time on the bench at East Ridge and would like to run for the position. He wanted to bring this before Council because he did not want to mislead anyone and asked if the Council had any reservations about him running for the Judge’s position. He also would like for the Council to consider the Judge’s compensation which can only be adjusted every eight years. The Mayor and Councilmembers thanked him for his service, stating they have heard nothing but good things about him and would be pleased if he wants to run. The Mayor would also like to go ahead and address the compensation.

Approval of Minutes March 10, 2022 Council Meeting – Councilmember Witt made a motion, seconded by Vice Mayor Chauncey, to approve the March 10, 2022 minutes. The vote was unanimous. Motion approved.

Communication from Citizens:

Marvin Scott, 1041 S. Seminole Drive, stated he sent Councilmembers a video of water coming off the ridge where apartments are being considered for rezoning.

James Citty, 1001 S. Seminole, stated he is concerned about the liability from stormwater run-off.

Communication from Councilmembers:

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

Mayor Williams discussed the following:

- March 28 at 6 pm – The Mayor will conduct a discussion on border region legislation at Local Coffee.

- April 2 at 10 am (moved from April 1) – There will be a grand opening for Pioneer Frontier Playground. City Manager Dorsey will send out a press release.
- April 2 – Chattanooga Cruise in at Camp Jordan Park. This is the largest in the region and will take place rain or shine.
- April 9-10 – Bug-a-Palūza at Camp Jordan.
- April 16, 10 am–2:30 pm – Swing Into Spring at the McDonald Farm Park sponsored by Hamilton County
- April 28 – May 8 Thrillville – This is a reputable carnival event. No weapons will be allowed and no underage drop-offs. They have had these events at Atlanta Motor Speedway, Hank Aaron Stadium, among others. Mr. Dorsey stated they did an impressive presentation.
- The Mayor handed out a roadway surface analysis done by a company named Roadbotics, with the worse 45 streets in East Ridge that need paving. We have not had a paving schedule for some time. The Mayor would like to add a road resurfacing discussion to the next agenda in order to repair some of these roads.

Communication from City Manager:

- He stated everyone is excited about the playground opening.
- The Hamilton County Election Commission changed the polling sites back to the Community Center, the American Legion, and East Ridge United Methodist Church. Polling sites were changed to Camp Jordan Arena in the last election because of the COVID virus. We changed the rules and location for the tent lottery, so now we will have to revise the rules in order to reflect the polling location changes.

Old Business:

ORDINANCE NO. 1160 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02, TO R-3 APARTMENT DISTRICT (1st reading – tabled March 10, 2022) – Attorney Harry Cash read on caption. The Mayor stated that the applicant, Asa Engineering is requesting that this be tabled again until the April 14th meeting in order to hold a community meeting. Mayor Williams made a motion, seconded by Councilmember Helton, to table this item until the April 14th meeting. The vote was unanimous. Motion approved. Kenny Custer, Asa Engineering, stated they have scheduled a community meeting on April 6, 2022 at 6 pm at the Community Center. They will post signs about the meeting.

ORDINANCE NO. 1161 – 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 1503 MCDONALD ROAD, TAX MAP #169L-M-019 AND 1509 MCDONALD ROAD, TAX MAP #169M-H-018, FROM C-1 TOURISM COMMERCIAL DISTRICT AND

C-2 GENERAL COMMERCIAL DISTRICT TO M-3 WAREHOUSE AND WHOLESALE DISTRICT (2nd and final reading) – Attorney Cash read on caption. Kenny Custer, Asa Engineering, 714 Cherry Street, Chattanooga, Tennessee, stated a storage facility is one of the better uses for the property. Councilmember Witt made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1161 on second and final reading. Vice Mayor Chauncey made a motion, seconded by Councilmember Cagle, to amend the motion that this will be an indoor storage facility and will adhere to the current architectural design standards. Mr. Cagle asked how much buffer would there be between this facility and the residential area. Mr. Howell stated there would be a 30-foot buffer. Roll call vote: Vice Mayor Chauncey - yes; Councilmember Cagle - yes; Councilmember Helton - no; Councilmember Witt - no; Mayor Williams - yes. Motion to amend was approved. Roll call vote on the original motion was unanimous. Motion approved.

ORDINANCE NO. 1162 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2022 OPERATING BUDGET, ORDINANCE NO. 1147, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd and final reading) – Attorney Cash read on caption. City Manager Dorsey stated this amendment includes purchase of a police vehicle, a Street Department truck, a donation to the Fire Department for equipment, and purchase of a garbage truck. Vice Mayor Chauncey made a motion, seconded by Councilmember Cagle, to approve Ordinance No. 1162 on second and final reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1163 – AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 6-B(2) OF THE CHARTER TO PROVIDE THAT THE CITY COURT CLERK IS APPOINTED BY THE CITY MANAGER, TO REMOVE THE CITY RESIDENCY AND REGISTERED VOTER REQUIREMENT, AND TO REMOVE THE TERM OF THE CITY COURT CLERK (2nd and final reading) – Attorney Cash read on caption. Councilmember Helton made a motion, seconded by Councilmember Witt, to approve Ordinance No. 1163 on second and final reading. The vote was unanimous. Motion approved.

New Business:

RESOLUTION NO. 3249 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO DONATE \$500 TO EAST RIDGE HIGH SCHOOL FOR TEACHER APPRECIATION – Attorney Cash read on caption. Mr. Dorsey stated we make donations every year in the amount of \$500 for each of the four schools. Vice Mayor Chauncey made a motion, seconded by Councilmember Cagle, to approve Resolution No. 3249. The vote was unanimous. Motion approved.

RESOLUTION NO. 3250 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO WAIVE THE FEE FOR USE OF CAMP JORDAN ARENA BY EAST RIDGE ELEMENTARY SCHOOL FOR THEIR FIFTH

GRADE GRADUATION – Attorney Cash read on caption. Interim Parks and Recreation Director Skiles, stated this event would be on May 24th from 8:30 – 10:30 am. Staff recommends approval. Councilmember Cagle made a motion, seconded by Councilmember Witt, to approve Resolution No. 3250. The vote was unanimous. Motion approved.

RESOLUTION NO. 3251 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE APPROVING A TEMPORARY USE PERMIT FOR THE EAST RIDGE NEEDY CHILD FUND TO HOLD AN OUTDOOR SALE FUNDRAISER IN THE PARKING LOT OF THE EAST RIDGE ANTIQUE MALL – Attorney Cash read on caption. Chief Building Official Howell stated this event will be held at 6501 Slater Road from 10 am – 6 pm. Proceeds from the vendor spaces go to the Needy Child Fund. Councilmember Helton made a motion, seconded by Vice Mayor Chauncey, to approve Resolution No. 3251. The vote was unanimous. Motion approved.

RESOLUTION NO. 3252 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR TO EXECUTE THE CAMP JORDAN PARKWAY MAINTENANCE CONTRACT WITH WOLFTEVER DEVELOPMENT, LLC – Attorney Cash read on caption. Mr. Dorsey stated this is for lawn care and landscaping from the intersection at Ringgold Road to the West Chickamauga Creek bridge. There is no charge to the City. Councilmember Helton made a motion, seconded by Councilmember Witt, to approve Resolution No. 3252. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the April 14, 2022 Council Meeting (see Attachment A)

Employee Milestone Awards for March 2022 – The Mayor stated there will be two awards for March.

Old Business:

ORDINANCE NO. 1160 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02, TO R-3 APARTMENT DISTRICT (2nd and final reading) – This item was tabled again to the April 14, 2022 meeting.

New Business:

RESOLUTION NO. ____ – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY VICE MAYOR CHAUNCEY TO THE EAST RIDGE BOARD OF ZONING APPEALS – No discussion

RESOLUTION NO. ____ – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY COUNCILMEMBER CAGLE TO THE EAST RIDGE BOARD OF ZONING APPEALS – No discussion.

PUBLIC HEARING FOR RESOLUTION NO. ____ FOR SIGN VARIANCE REQUEST – 6801 RINGGOLD ROAD

RESOLUTION NO. ____ - SIGN VARIANCE FOR 6801 RINGGOLD ROAD – Chief Building Official Howell stated this is for the Townplace Inn and Suites. This property has a large right-of-way, and they are requesting it be reduced to zero feet. It would not impede vision at the intersection; there would still be fifteen feet behind the sidewalk.

The Mayor would like to add Discussion of Judge's compensation to the next agenda.

City of East Ridge

Summary Financial Statement of Revenues and Expenditures
January 2022

Spent YTD 58.33%

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	2,476,116	3,207,953	52.56%	58.33%
31200	Property Taxes (Delinquent)	475,000	319,685	372,625	78.45%	58.33%
31610	Local Sales Tax - Co. Trustee	2,900,000	1,668,392	1,898,452	65.46%	58.33%
31611	Incremental State Sales Tax	2,931,269	2,931,269	4,871,958	166.21%	58.33%
31710	Wholesale Beer Tax	400,000	238,521	241,532	60.38%	58.33%
31800	State Net Allocation	250,000	48,673	22,294	8.92%	58.33%
31810	Minimum Business Licenses	5,000	2,537	1,395	27.90%	58.33%
31824	Solicitors' Permit	100	50	0	0.00%	58.33%
31827	5% State Commission	22,000	3,129	1,395	6.34%	58.33%
31912	* Cable TV Franchise Tax	309,800	95,793	62,112	20.05%	58.33%
31961	Liens Collected by Trustee	28,000	7,234	3,492	12.47%	58.33%
32120	Wrecker Licenses	350	350	350	100.00%	58.33%
32200	Alcoholic Beverage Tax	150	132	132	88.09%	58.33%
32210	Beer Licenses & Etc.	7,000	6,499	5,727	81.81%	58.33%
32220	Liquor Licenses	4,800	3,550	5,100	106.25%	58.33%
32225	Fireworks Fees/Permits	3,000	0	0	0.00%	58.33%
32226	Annual Fireworks Permit Fee	300	0	0	0.00%	58.33%
32610	Building Permits	120,000	60,131	117,211	97.68%	58.33%
32615	Fire Preventions/Permits	2,000	700	950	47.50%	58.33%
32620	Electrical Permits	30,000	15,957	15,182	50.61%	58.33%
32630	Plumbing Permits	12,000	7,036	8,313	69.28%	58.33%
32640	Natural Gas Permits	2,000	1,436	1,232	61.60%	58.33%
32650	Excavating Permits (St. Opening	2,500	1,630	1,850	74.00%	58.33%
32660	Zoning Permits	2,000	1,150	200	10.00%	58.33%
32671	Regular Sign Permits	5,000	3,905	2,880	57.60%	58.33%
32672	Temporary Sign Permits	300	150	300	100.00%	58.33%
32690	Plan Review Fees	0	50	0	0.00%	58.33%
32691	Tree Trimming Permits	100	50	80	70.00%	58.33%
32905	Other Code Enforcement Fees	20,000	6,172	19,090	95.45%	58.33%
32960	Yard Sale Permits	200	100	50	25.00%	58.33%
32990	Mechanical Permits	10,000	5,483	7,351	71.11%	58.33%
33140	ARPA Funds - Federal	0	0	3,142,492	0.00%	58.33%
33190	FEMA?TEMA 2021	0	0	55,741	0.00%	58.33%
33410	State Law Enforcement Education	37,600	0	0	0.00%	58.33%
33430	State Fire Service Educational Grant	20,000	0	0	0.00%	58.33%
33490	TN Cares Act (Governor's Grant)	0	315,360	246,749	0.00%	58.33%
33510	State Sales Tax	2,139,858	1,010,835	1,209,404	56.52%	58.33%
33511	Interstate Telecom. Sales Tax	0	2,938	1,761	0.00%	58.33%
33512	Sportsbetting	0	0	8,268	0.00%	58.33%
33513	Occupcity Tax	0	0	1,577	0.00%	58.33%
33515	State Sales Tax/Telecommunications	0	0	432	0.00%	58.33%
33520	State Income Tax	0	7,480	0	0.00%	58.33%
33530	** State Beer Tax	13,000	5,174	5,379	41.38%	58.33%
33540	State Mixed Drink Tax	50,000	24,418	41,543	83.09%	58.33%
33552	State-City Streets And Transportation	41,748	20,825	20,487	49.07%	58.33%
33560	Seized/Awarded by State	0	0	0	0.00%	58.33%
33591	* TVA - Gross Receipts Tax	247,552	119,901	115,077	46.49%	58.33%
33593	Corporate Excise Tax	6,000	0	0	0.00%	58.33%
34121	Clerks' Fees - Business Tax	1,500	810	695	46.33%	58.33%
34211	Accident Report Charges	1,000	835	737	73.70%	58.33%
34212	Driver Licenses Reinstatement Fee	2,000	1,340	1,960	98.00%	58.33%

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
34221	Ridgeside Fire Service Contract	107,807	60,470	62,888	58.33%	58.33%
34231	Police Services	0	0	8,876	0.00%	58.33%
34314	Mowing	8,820	0	0	0.00%	58.33%
34500	Donations - New Animal Shelter	2,500	2,000	3,980	0.00%	58.33%
34510	Donations - Dog Park	0	0	0	0.00%	58.33%
34515	Rabies & Spay/Neuter Cert.	500	60	30	6.00%	58.33%
34516	Registration	1,000	210	125	12.50%	58.33%
34517	Adoption	3,000	2,475	2,123	70.77%	58.33%
34518	Board & Impound Fees	1,000	580	265	26.50%	58.33%
34520	A/S Donations-Designated	2,500	2,105	2,590	103.60%	58.33%
34641	Indoor Soccer Income	135,000	80,357	127,754	94.63%	58.33%
34642	Community Center Income	13,000	565	10,820	83.23%	58.33%
34643	Outdoor Soccer Fees	60,000	14,501	29,130	48.55%	58.33%
34644	Baseball Fees	25,000	9,519	11,612	46.45%	58.33%
34645	Softball Fees	19,500	9,560	10,885	55.82%	58.33%
34646	Gate	12,000	0	5,880	49.00%	58.33%
34647	McBrien Indoor Facility	8,000	4,630	150	1.88%	58.33%
34648	Adult League - Softball	35,000	17,460	21,326	60.93%	58.33%
34649	Concerts/Events - Camp Jordan	10,000	2,000	27,649	276.49%	58.33%
34651	Multi-Purpose Building (Arena)	100,000	46,750	58,086	58.09%	58.33%
34652	Pavilion Rental	12,000	7,655	8,555	71.29%	58.33%
34653	Track Rental	3,500	2,476	910	26.00%	58.33%
34654	Field Rental	85,000	65,805	26,433	31.10%	58.33%
34655	Amphitheater	5,000	1,700	2,350	47.00%	58.33%
34656	Concessions	40,000	17,234	25,166	62.91%	58.33%
34657	Overnight - Rv Rental	12,000	6,150	10,765	89.71%	58.33%
34658	Tournament Team Fees	1,500	0	0	0.00%	58.33%
34712	Sponsorship/Parks & Rec	5,000	2,000	1,000	20.00%	58.33%
34720	Football Gate	1,500	743	4,733	315.50%	58.33%
34751	Basketball Gate	15,000	7,999	5,951	39.67%	58.33%
34742	Basketball Player Fees	7,600	7,867	21,769	286.43%	58.33%
34743	Football Player Fees	10,800	3,658	6,610	61.20%	58.33%
34744	Photography	1,200	0	909	75.72%	58.33%
34745	Vending/Concessions	5,000	2,766	4,649	92.97%	58.33%
34746	Cheerleading	1,000	655	2,675	267.50%	58.33%
34747	Rent-Arena Equipment	37,000	22,891	25,247	68.24%	58.33%
34749	Soccer Field Rentals	60,000	37,230	8,648	14.41%	58.33%
34760	Library Charges	1,200	143	293	24.39%	58.33%
34761	Library - Copies	1,500	259	324	21.63%	58.33%
34794	Community Center M. Fee	1,500	0	0	0.00%	58.33%
35100	Municipal Court Fines & Costs	325,000	143,515	244,105	75.11%	58.33%
35120	Public Defender Fees	0	0	925	0.00%	58.33%
35150	Diversion Filing	300	0	0	0.00%	58.33%
36100	Interest Earnings	5,000	3,072	771	15.43%	58.33%
36211	Rent - Cell Tower	18,000	10,457	7,539	41.89%	58.33%
36330	Sale Of Equipment	20,000	13,252	44,138	220.69%	58.33%
36350	Insurance Recoveries	20,000	85,194	184,447	922.24%	58.33%
36724	Settlements (Lawsuits)	0	6,140	0	0.00%	58.33%
36901	Pipes/Culverts	4,000	1,916	2,709	67.72%	58.33%
36902	Repayment - Damages- Traffic Device	0	0	100	0.00%	58.33%
36903	Christmas Parade	400	0	310	77.50%	58.33%
36905	Designated Police-Sale of Vehicles	0	0	12,384	0.00%	58.33%
36932	Proceeds - Loan/Lease Purchase	0	0	696,079	0.00%	58.33%
36990	Miscellaneous Revenues	20,000	2,279	20,868	104.34%	58.33%
36992	Hamilton County	0	7,500	0	0.00%	58.33%
37200	AHO - Fines/Court Costs	3,000	75	1,660	55.33%	58.33%
	Use of Fund Balance		0	0	0.00%	58.33%

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
Total Revenues		17,474,719	10,129,668	17,478,698	100.02%	58.33%
EXPENDITURES						58.33%
41000	General Government	1,674,315	763,403	978,651	58.45%	58.33%
41100	Administrative	1,034,733	565,068	594,989	57.50%	58.33%
41111	City Council	120,222	49,946	79,391	66.04%	58.33%
41210	Municipal Court	342,755	168,990	217,690	63.51%	58.33%
41520	City Attorney	122,075	54,283	67,535	55.32%	58.33%
41800	Buildings & Grounds Maintenance	305,508	148,887	146,535	47.96%	58.33%
41900	City Hall Complex	43,103	24,174	26,247	60.89%	58.33%
42100	Police	1,619,367	1,162,483	1,555,033	96.03%	58.33%
42121	Criminal Investigation	524,703	403,174	417,078	50.57%	58.33%
42123	Patrol	2,433,035	1,343,679	1,517,076	62.35%	58.33%
42125	Traffic Division	151,586	95,088	95,307	62.87%	58.33%
42200	Fire Department	2,453,986	1,388,797	2,568,534	104.67%	58.33%
42400	Building/Planning/Zoning	655,029	339,977	347,151	53.00%	58.33%
43110	Highway And Street	734,910	212,996	224,815	30.59%	58.33%
43120	Traffic Control & Street Markers	322,798	142,781	160,058	49.58%	58.33%
43150	Grants	0	0	0	0.00%	58.33%
43170	Transfer Station/Brush Pit/Fleet	7,600	4,680	5,714	59.05%	58.33%
44140	Animal Control	262,618	133,451	167,202	63.67%	58.33%
44410	Parks and Recreation	842,536	478,211	508,253	60.32%	58.33%
44420	Multi-Purpose Recreation Bldg	233,692	137,167	137,621	58.89%	58.33%
44430	Community Center	199,773	75,315	93,650	46.88%	58.33%
44440	ERHS Complex	0	0	0	0.00%	58.33%
44450	McBrien Complex	18,350	7,936	5,835	31.80%	58.33%
44610	Soccer - Recreation	55,000	8,614	19,112	34.75%	58.33%
44620	Soccer - Indoor	64,550	25,698	44,796	69.40%	58.33%
44630	Baseball/Softball	59,400	20,762	18,221	30.68%	58.33%
44640	Football/Cheer	10,450	4,034	10,785	103.20%	58.33%
44650	Adult Softball	29,850	0	22,126	74.12%	58.33%
44700	Basketball	14,750	8,375	11,383	77.18%	58.33%
44710	Adult Basketball	4,350	17,985	6,451	148.29%	58.33%
44800	Libraries	218,527	118,747	137,917	63.11%	58.33%
44810	History Museum	400	204	129	32.24%	58.33%
46500	Community Development Programs	5,000	855	4,898	97.95%	58.33%
47200	Economic Development	2,519,431	2,108,709	2,570,495	102.03%	58.33%
49100	Debt Service	90,317	117,020	0	0.00%	58.33%
49400	Capital Projects - Transfer Out	0	0	0	0.00%	58.33%
Total Expenditures		17,174,719	10,131,488	12,760,676	73.02%	
Total	## General Fund	0	-1,819	4,695,493		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
33450	State TIP Grant	1,075,085	0	0	0.00%	58.33%
33550	2017 Gas Tax	175,000	98,451	136,476	77.99%	58.33%
33551	State Gasoline And Motor Fuel Tax	570,000	283,361	321,806	56.46%	58.33%
36100	Interest Earnings	100	63	68	67.84%	58.33%
36330	Sale of Equipment	0	0	1,440	0.00%	58.33%
	Total Revenues and Other Sources	1,820,185	381,875	459,790	25.26%	58.33%
EXPENDITURES						
43190	State Street Aid	1,660,856	295,282	164,424	9.78%	58.33%
	Total Expenditures	1,660,856	295,282	164,424	9.78%	58.33%
Total	## State Street Aid Fund	159,329	86,594	297,366		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
33114	TML Driver Safety Grant	4,000	0	0	0.00%	58.33%
33425	Aquatic Stream Clean Grant	1,000	1,000	0	0.00%	58.33%
33493	TML Safety Grant	3,000	0	0	0.00%	58.33%
33574	State - Equipment Recycling Grant	0	0	0	0.00%	58.33%
36100	Interest Earnings	0	27	12	0.00%	58.33%
36420	Police Traffic Safety Grant	13,500	4,566	8,818	65.32%	58.33%
36421	TN AM Grants	0	0	1,000	0.00%	58.33%
36422	Target Grant	1,000	1,000	0	0.00%	58.33%
36423	Maddie's Fund	0	0	0	0.00%	58.33%
36424	Governor's Grant	0	493,968	0	0.00%	58.33%
36425	DOJ Covid 19 Grant	0	0	0	0.00%	58.33%
36426	TN Cares Grant - Library	0	0	0	0.00%	58.33%
36427	Covid-19 Homeland Security	0	0	0	0.00%	58.33%
36711	Safety Conservation Grant	4,000	0	0	0.00%	58.33%
36920	THS089-Police	0	0	2,522	0.00%	58.33%
36921	Homeland Security - Police	0	0	0	0.00%	58.33%
36922	Homeland Security - Fire	0	0	0	0.00%	58.33%
36924	GHSO (2016) Traffic	0	0	0	0.00%	58.33%
36925	BYRNE Grants - DOJ	0	0	0	0.00%	58.33%
36962	Operating Transfers-Capital Projects	17,000	0	0	0.00%	58.33%
	Total Revenues and Other Sources	43,500	500,561	12,352	28.40%	58.33%
EXPENDITURES						
41000	General Government	157,000	146,336	0	0.00%	58.33%
43150	Grants	43,500	20,312	362,865	833.76%	58.33%
	Total Expenditures	43,500	166,648	362,865	833.76%	58.33%
Total	## Grant Fund	0	333,913	-350,333		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
33197	Federal/State Grants	10,000	0	10,988	109.88%	58.33%
33560	Seized/Awarded by State	35,000	1,271	34,838	99.54%	58.33%
35200	Drug Fines	20,000	6,435	10,223	51.11%	58.33%
35400	Sale of Confiscated Property	0	0	500	0.00%	58.33%
	Total Revenues and Other Sources	65,000	7,706	56,548	87.00%	58.33%
EXPENDITURES						
42129	Drug Investigation and Control	65,000	57,086	101,976	156.89%	58.33%
	Total Expenditures	65,000	57,086	101,976	156.89%	58.33%
Total ## Drug Investigation Fund		0	-49,380	-45,427		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
31611	Incremental State Sales Tax Revenue	2,463,461	2,050,453	2,523,468	102.44%	58.22%
	Interest Earnings	150	8	15	9.68%	58.33%
	Transfer In	0	20,000	0	0.00%	58.33%
	Total Revenues and Other Sources	2,463,611	2,070,461	2,523,482	102.43%	58.33%
EXPENDITURES						
	Economic Development	1,868,258	1,888,258	2,697,742	144.40%	58.33%
	Debt Payment	595,173	0	0	0.00%	58.33%
	Total Expenditures	2,463,431	1,888,258	2,697,742	109.51%	58.33%
Total	## Economic Development Fund	150	182,203	-174,260		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
33190	FEMA/TEMA 2021	0	0	157,520	0.00%	58.33%
34416	Special Assessment - Garbage	1,503,360	972,999	954,859	63.51%	58.33%
34418	Extra Cans	1,000	1,540	1,120	112.00%	58.33%
34420	Dumpster Rentals	7,500	3,800	2,238	29.83%	58.33%
34421	Recycling Rev	250	0	0	0.00%	58.33%
34422	Recycling - Transfer Station	1,600	2,133	2,331	145.66%	58.33%
34426	Sale Of Mulch	2,500	2,924	40	1.60%	58.33%
34430	Refuse Collection And Disposal	7,500	1,866	1,757	23.43%	58.33%
36330	Sale of Equipment	5,000	0	0	0.00%	58.33%
36350	Insurance Recoveries	0	796	0	0.00%	58.33%
	Total Revenues and Other Sources	1,528,710	986,058	1,119,864	73.25%	58.33%
EXPENDITURES						
43200	Solid Waste	1,400,041	753,853	758,054	54.15%	58.33%
	Total Expenditures	1,400,041	753,853	758,054	54.15%	58.33%
Total	## Solid Waste Fund	<u>128,669</u>	<u>232,205</u>	<u>361,780</u>		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
31920	Room Occupancy Tax	400,000	274,038	370,139	92.53%	58.33%
36100	Interest Earnings	1,000	377	443	88.55%	58.33%
37940	Transfer In	887,931	286,793	0	0.00%	58.33%
	Total Revenues and Other Sources	1,288,931	561,208	370,582	28.76%	58.33%
EXPENDITURES						
49100	CJ Parkway Streetscape	74,518	8,059	0	0.00%	58.33%
49110	Camp Jordan - Phase One - 2019	168,111	125,016	0	0.00%	58.33%
49111	Camp Jordan - Phase Two - 2020	144,450	0	115,357	79.86%	58.33%
49114	Refunding Bond Issue - 2021	0	0	99,352	0.00%	58.33%
49200	2004 - Camp Jordan/Fire Station 2	203,480	4,005	0	0.00%	58.33%
49300	2015 - BAN Conversion	90,317	8,915	0	0.00%	58.33%
49310	2015 - Exit One/Capital Projects	207,325	69,363	68,663	33.12%	58.33%
49320	2017 - Exit One - I75	313,330	258,541	0	0.00%	58.33%
49410	Public Safety - Capital Outlay Note	66,910	66,502	67,249	100.51%	58.33%
49411	Public Safety - Capital Outlay Note	35,924	1,429	962	2.68%	58.33%
49412	Public Safety - Capital Outlay Note	30,000	60,000	30,000	100.00%	58.33%
49420	Public Works - Capital Outlay Note	35,235	35,160	0	0.00%	58.33%
	Total Expenditures	1,369,600	636,990	381,582	27.86%	58.33%
Total	## TML Loan Fund	-81,169	-75,782	-11,000		

FISCAL YEAR ENDING 06/30/2022		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2021	FY 2022	YTD	Avg Yr %
REVENUE						
33113	LPRF 2018 - Pioneer Playground	500,000	0	33,924	6.78%	58.33%
33120	TDOT 2015 Multi Modal Grant	2,722,562	0	0	0.00%	58.33%
33559	Grant - State of TN	0	0	0	0.00%	58.33%
34510	Dog Dash Grant/Donations	0	0	30,450	0.00%	58.33%
36915	Bond Proceeds	763,366	40,383	664,713	87.08%	58.33%
37940	Operating Transfers - Other Funds	299,181	115,852	451,968	151.07%	58.33%
	Total Revenues and Other Sources	4,285,109	156,235	1,181,054	26.98%	58.33%
EXPENDITURES						
41100	Administrative	0	235	67	0.00%	58.33%
41800	Bldg & Grounds/Maintenance	338,341	0	79,971	23.64%	58.33%
43110	Highway And Street	2,000,000	14,608	20,488	1.02%	58.33%
43121	North Mack Smith Road	50,000	26,740	294,887	589.77%	58.33%
43122	Resurfacing Projects	156,968	0	230,370	146.76%	58.33%
44410	Parks & Recreation	763,366	238,090	600,274	78.64%	58.33%
44421	Splash Pad/Playground	931,434	719	910,449	97.75%	58.33%
44422	Springvale Park	15,000	0	0	0.00%	58.33%
44423	Dog Park - Town Center	0	0	6,127	0.00%	58.33%
47200	Economic Development	30,000	0	0	0.00%	58.33%
	Total Expenditures	4,285,109	280,391	2,142,633	50.00%	58.33%
Total	## Capital Projects Fund	0	-124,156	-986,579		



City of East Ridge

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

Building and Codes Department

ORDINANCE NO. 1160

AGENDA MEMORANDUM

TO: Mayor, Council; City Manager
FROM: Michael Howell, Chief Building Official
SUBJECT: Rezone of 1023 South Seminole Drive and tax parcel # 156N F 015.02 and 016
DATE: February 15, 2022

On February 7th, 2022, Asa Engineering petitioned the East Ridge Planning Commission to rezone the properties located at 1023 South Seminole Drive from R-1 (residential district) and an unaddressed property in the 3000 block of Ringgold Road, tax map #156N F 015.02 and 016 from O-1 (office district) & C-2 (general commercial district) to R-3 (apartment district).

The Planning Commission approved the request. Asa Engineering has requested the rezone case move forward to city council for review and approval.

Tabled 3/10/2022 and 3/24/2022

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

ORDINANCE NO. 1160

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 1023 SOUTH SEMINOLE DRIVE, CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 3000 BLOCK OF RINGGOLD ROAD, CURRENTLY ZONED O-1 OFFICE DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT, TAX MAP #156N-F-015.02 AND 016, TO R-3 APARTMENT DISTRICT

WHEREAS, Asa Engineering, on behalf of the owner, Shreenathji Properties, LLC and Pragnesh Patel, has petitioned the East Ridge Planning Commission to recommend to the Mayor and Councilmembers of the City of East Ridge, Tennessee, the rezoning of properties located at 1023 South Seminole Drive, currently zoned R-1 Residential District, and an unaddressed property in the 3000 block of Ringgold Road, currently zoned O-1 Office District and C-2 General Commercial District, tax map #156N-F-015.02 and 016, to R-3 Apartment District. The properties are more particularly described as follows:

Part of Lots 1 thru 5, Bennett's Subdivision, Plat Book 1, Page 18, ROHC, and being the properties described in Deed Book 10990, Page 490 and Deed Book 11049, Page 800, ROHC. Tax Map 156N-F-015.02 and 016

WHEREAS, the East Ridge Planning Commission held a public hearing on this petition on February 7, 2022, where it reviewed the rezoning request and heard and considered all statements concerning the petition; and

WHEREAS, the East Ridge Planning Commission, by motion, recommended approval of the rezoning petition on February 7, 2022; and

WHEREAS, the applicant has properly advertised in a paper of general circulation in the City of East Ridge that they will make application to the City Council of the City of East Ridge to request approval of the rezoning; 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 within a distance of 300 feet from the affected property; and

WHEREAS, the East Ridge City Council held a public hearing on March 10, 2022, at which time all interested parties were given an opportunity to be heard.

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

Section 1. That the zoning regulations and the zoning map of the City of East Ridge, Tennessee, be and the same hereby are amended to rezone the properties located at 1023 South Seminole Drive, currently zoned R-1 Residential District, and an unaddressed property in the 3000 block of Ringgold Road, currently zoned O-1 Office District and C-2 General Commercial District, tax map #156N-F-015.02 and 016, to R-3 Apartment District, for uses consistent with such zoning.

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 _____, 2022

Passed on Second Reading _____, 2022

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



Chattanooga-Hamilton County Regional Planning Agency
Zoning Change Application Form

CASE NUMBER: 2022-0030		Date Submitted: 12/22/2021					
<i>Sections 1-7 below to be filled out by Applicant- RPA staff will assist if needed</i>							
1 Applicant Request							
Rezone From: O-1, C-2, R-1		Rezone To: R-3	Total acres in request area: 4.8				
2 Property Information							
Property Address: 1023 S Seminole Dr and an unaddressed property in the 3000 blk of Ringgold Rd		Property Tax Map Number 156N-F-015.02 & 016					
3 Proposed Development							
Reason for request/Project description:		Apartment Development					
4 Site Characteristics							
Current Use:		Vacant and Single Family House					
Adjacent Uses:		Commercial and Single Family Residential					
5 Applicant Information							
Name: ASA Engineering (C/O Allen Jones)							
Address (street, city, state, zip): 714 Cherry St, Chattanooga, TN 37402							
Phone: 423-805-3700		Email: ajones@asaengineeringinc.com					
Primary Contact (if different than applicant information):							
Address (street, city, state, zip):							
Phone:		Email:					
← 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: Shreenathji Properties, LLC & Pragnesh Patel							
Address (street, city, state, zip): 1015 S Seminole Dr, Chattanooga, TN 37412							
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: \$295	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Credit	<input type="checkbox"/>	Check
<input checked="" type="checkbox"/>	Notice signs	Number of notice signs: 2					
Municipality: East Ridge		Planning District: 6		Neighborhood: Missionary Ridge			
County Commission District: 8		City Council District: 0					
PC meeting date: East Ridge		Application processed by: Jennifer Ware					
Staff Recommendation:		PC Action/Date:		Legislative Action/Date/Ordinance:			

Chattanooga-Hamilton County Regional Planning Agency

CASE NUMBER: 2022-0030 **APPLICANT:** ASA Engineering c/o Allen Jones **PROPERTY OWNER:** Shreenathji Properties, LLC & Pragnesh Patel

PROPERTY ADDRESS: 1023 S Seminole Drive and 3000 Blk of Ringgold Road **TAX MAP PARCEL ID:** 156N-F-015.02 & 016 **SIZE OF REQUEST AREA:** 4.8 acres

JURISDICTION: East Ridge **REQUEST:** Rezone from O-1, C-2, R-1 to R-3 for multi-family apartment development.

REASON FOR REQUEST/PROJECT DESCRIPTION: A request to rezone from O-1 Office District, C-2 General Commercial, and R-1 Residential to R-3 Residential Apartment District to develop multi-family apartments.

PROPERTY DESCRIPTION

EXISTING LAND USE Vacant (Tax Map 156N-F-015.02) Single-Family (Tax Map 156N-F-016)	SURROUNDING LAND USES <u>North:</u> Commercial <u>East:</u> Commercial/Single-Family <u>South:</u> Single-Family <u>West:</u> Vacant	ACCESS S. Seminole Dr. and Ringgold Rd.
PROPOSED RESIDENTIAL DENSITY 15 du/ac	ADJACENT RESIDENTIAL DENSITY 1 du/ac	NATURAL RESOURCES There are slopes present on the property with an approximate 50% grade.

ZONING

- ZONING HISTORY**
- Case 2006-0023 was a request to rezone one of the parcels (3118 Ringgold Rd.) included in this request to R-3 Residential Apartment District for an apartment complex. The Planning Commission approved the staff recommendation which was to “approve, subject to a maximum of 10 units as shown on site plan.” The East Ridge City Council denied the case due to having an issue with zoning a property from commercial to residential.
 - Case 2018-0097, a request to rezone these parcels from O-1, C-2, and R-1 to R-3 Residential Apartment District for an apartment complex with 80 units. The request was denied by East Ridge City Council through ordinance #1080.

ZONE DISTRICT COMPATIBILITY	USE	CURRENT O-1 ZONE	CURRENT C-2 ZONE	CURRENT R-1 ZONE	PROPOSED R-3 ZONE
	Single-Family Residential	<input checked="" type="checkbox"/> when located in same building as principle permitted use	<input checked="" type="checkbox"/> when located in same building as principle permitted use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Multi-Family Residential	<input checked="" type="checkbox"/> when located in same building as principle permitted use	<input checked="" type="checkbox"/> When located in same building as principle permitted use	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Commercial Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Institutional Lodging	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	DEVELOPMENT STANDARDS Lot Size	CURRENT O-1 ZONE N/A	CURRENT C-2 ZONE N/A	PROPOSED R-1 ZONE 10,000 sf with public sewer	PROPOSED R-3 ZONE One lot of 10,000 sf plus 2,000 sf for each additional

				unit (on sewer)
Lot Frontage	60'	N/A	75'	60'
Setbacks	Front: 25' Side: 10' when abutting residential district Rear: 25' when abutting residential district	Front: 25' Side: 10' Rear: 25' against R-1, R-2, R-3, R-55, RZ-1, or RT-1	Front: 25' Side: 10' Rear: 25'	Front: 25' Side: 10' Rear: 25'
Building Height	2 ½ stories or 35' except for every foot of additional height over 35', the building shall be set back 1 additional foot from all property lines	No building shall exceed in height the shortest distance from building to nearest boundary of a Residential district	2 ½ stories or 35' except for every foot of additional height over 35', the building shall be set back 1 additional foot from all property lines	2 ½ stories or 35' except for every foot of additional height over 35', the building shall be set back 1 additional foot from all property lines
Density	N/A	N/A	N/A	18 du/ac

DISCUSSION OF STAFF RECOMMENDATION

Yes No See Comments

COMPATIBILITY WITH COMPREHENSIVE PLAN

The Hamilton County Comprehensive Plan's Development Policy identifies these parcels as falling within Development Intensity Level 5. Level 5 areas are considered areas that have a high road network density and are in close proximity to a major road intersection, and have the most potential for infill and redevelopment that is urban, walkable, and the most potential for future public services and facilities. These areas are usually highly populated and developed, and development patterns include a wide range of residential and non-residential uses and densities.

Yes No See Comments

COMPATIBILITY WITH ADJACENT LAND USES

The parcels are surrounded by single-family residences to the east, west, and south. The parcels to the north are developed commercial uses including self-storage, small corner store, and wholesale/warehousing. The commercial development extends up to the intersection of S Seminole and Ringgold Road.

Yes No See Comments

COMPATIBILITY WITH DEVELOPMENT FORM

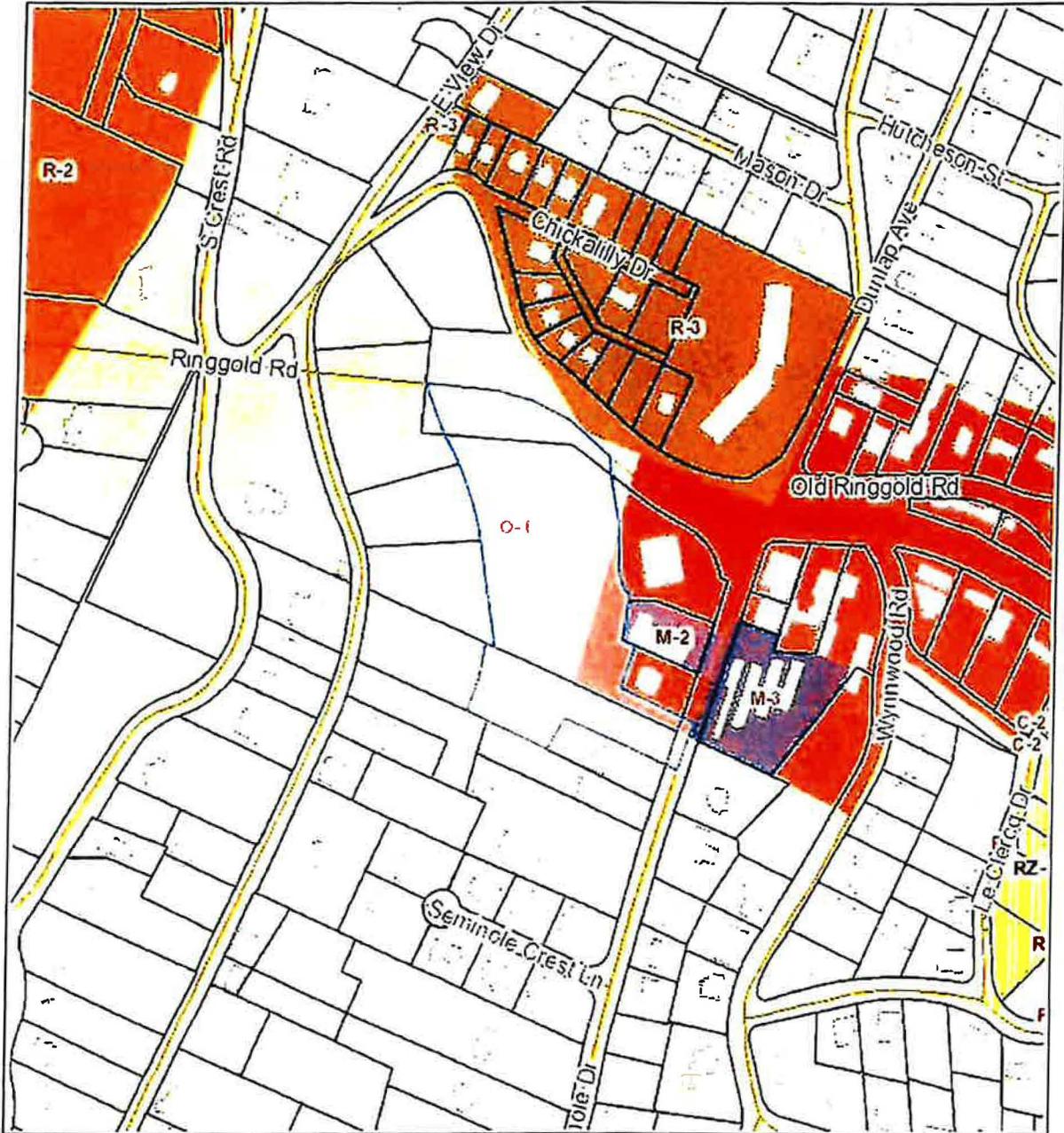
The surrounding development form is larger lots with one and two-story single-family residences to the east, west, and south. There is a commercial node that extends down S Seminole Road and along Ringgold Road.

Yes No See Comments

CONCERNS REGARDING LOCATION, LIGHTING, OR HEIGHT

The introduction of multi-family development in this area may cause negative impacts on adjacent residences, specifically related to increased parking, traffic, and on-site lighting. If the application is approved, conditions related to landscaping, parking, and lighting may need to be considered. The following conditions of restricting access to Ringgold Road, number of units, increased landscaping against residences, and dumpster location may need to be considered.

2022-0030 Rezoning from O-1, C-2 & R-1 to R-3



S SEMINOLE DR

RINGGOLD RD



SITE DATA

Owner:
 Street Address:
 Tax Map:
 Lot Size:
 District Zone:
 Proposed Zone:
 Proposed Use:
 Proposed Units:
 Proposed Density:
 Parking Spaces:
 Parking Ratio:

Site: SEMINOLE PHOENIX TRNG LLC &
 PHOENIX PATRI, RINGGOLD DR, 1027 & SEMINOLE DR,
 16677 015 01 & 16677 015,
 10 AC,
 O-1, C-2 & R-1

Approximate:
 Units:
 15 Units / Acre
 128 Spaces
 1:81 Spaces/Unit

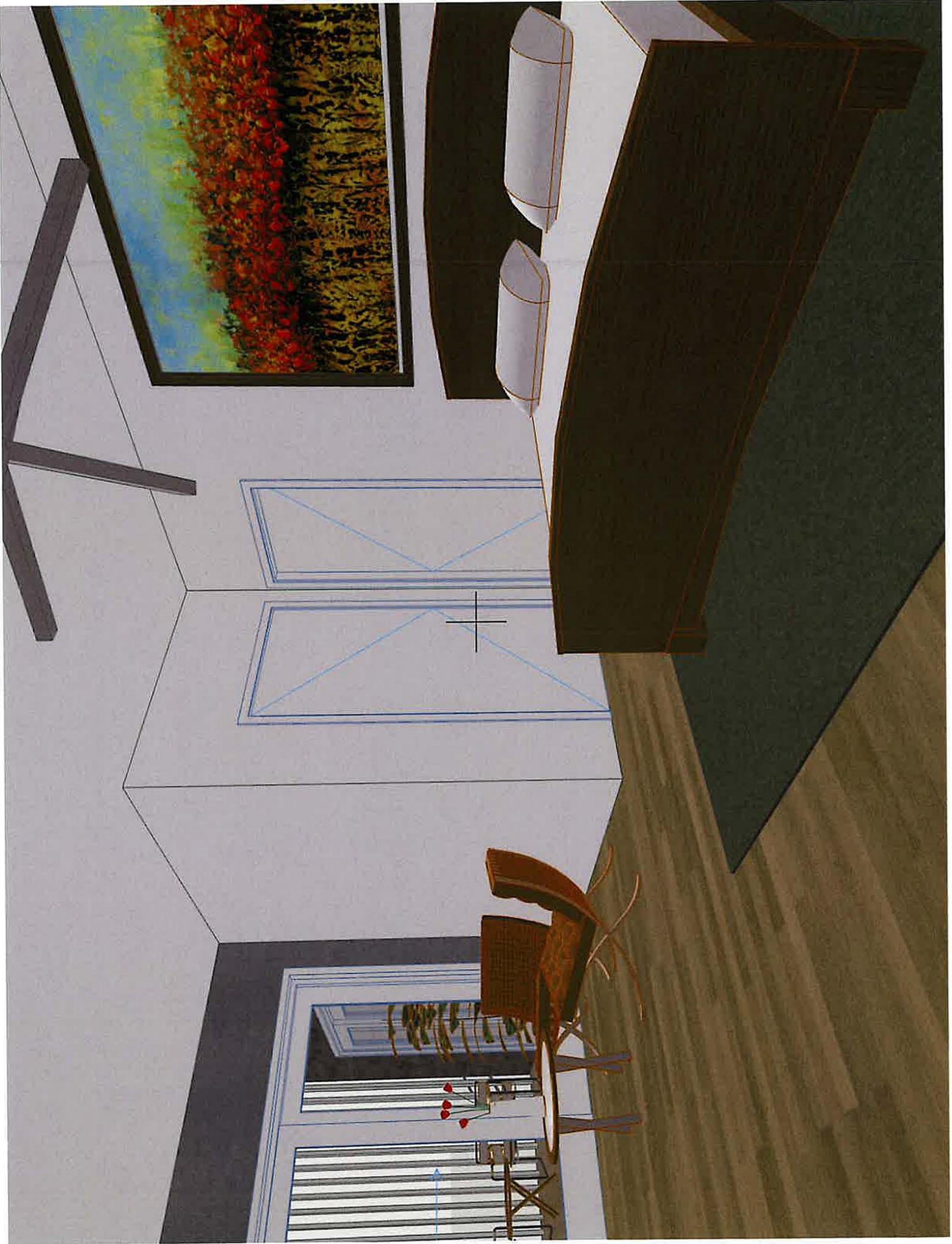


ASA
 115 Engineering & Consulting, Inc.
 115 Ch...
 Columbus, OH 43210
 614.465.1100
 asa@asa-engineering.com

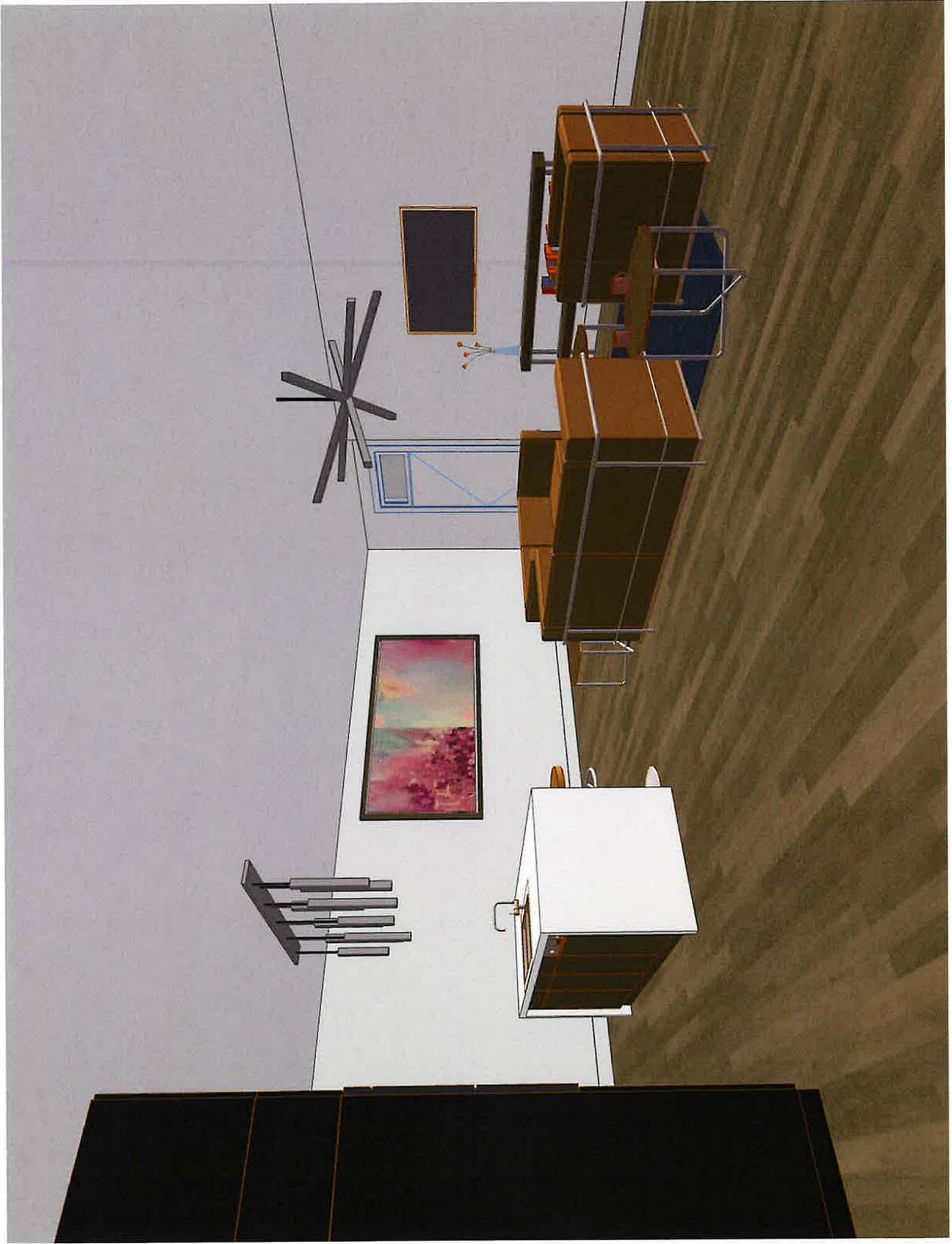












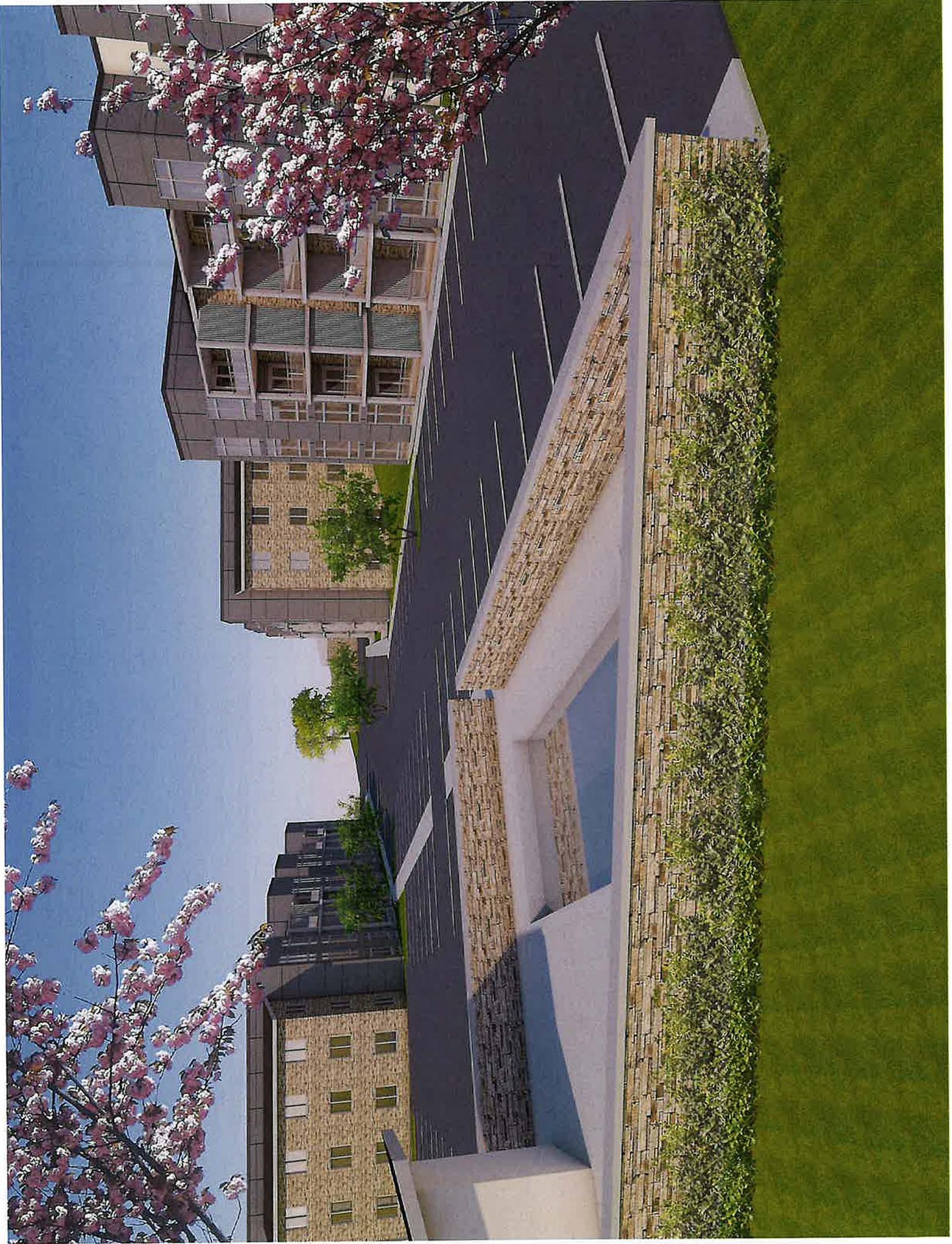










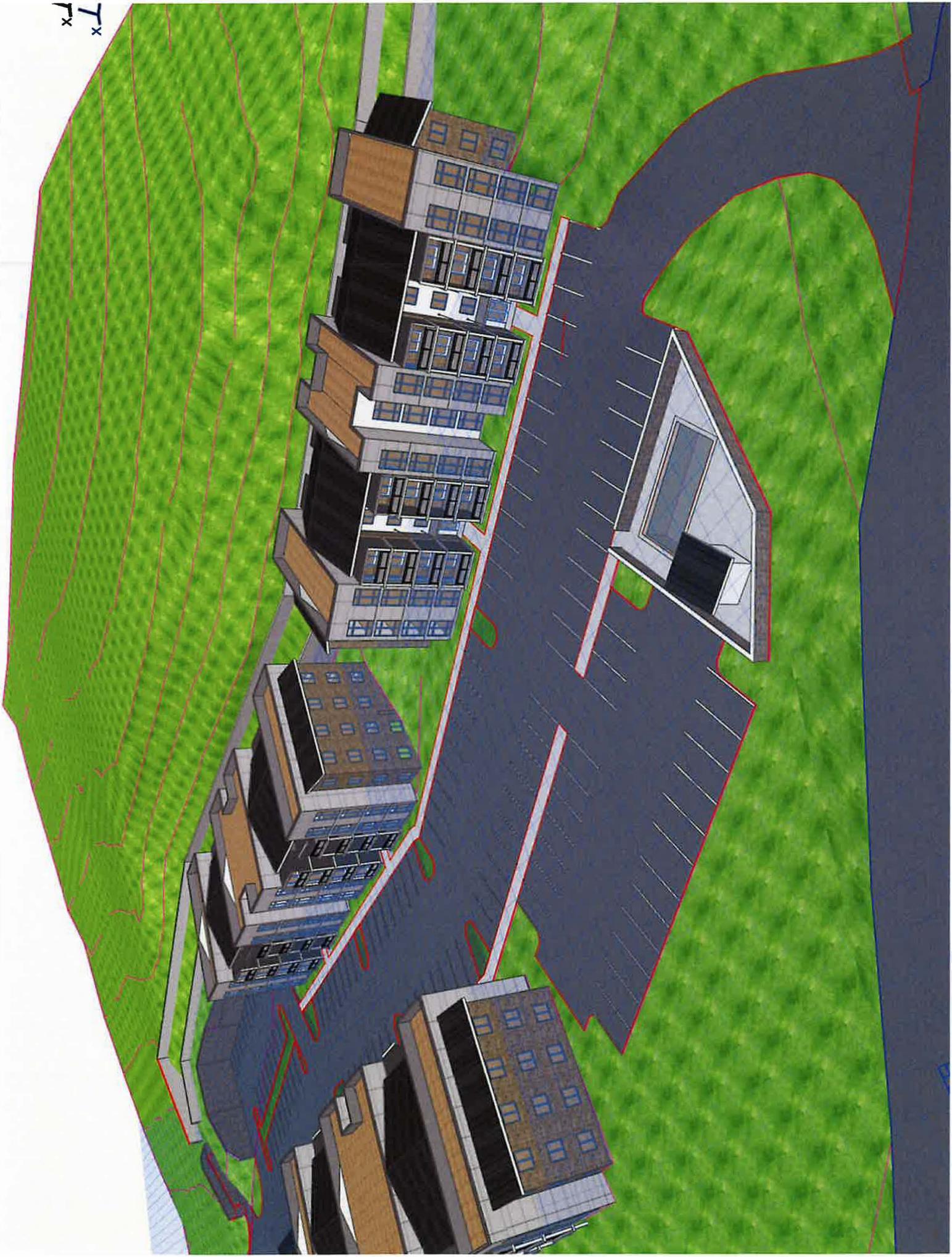








T_x
F_x









ORDINANCE NO. 1164



**City of East Ridge
Fire Rescue Department
Office of the Fire Marshal**

4214 Ringgold Rd., East Ridge, Tennessee 37412
Office: (423) 867-7100 Fax: (423) 867-9418

Michael Williams
Fire Chief
mwilliams@eastridgetn.gov

Mike Flynn Jr
Fire Marshal
mflynnjr@eastridgetn.gov

TO: Mayor and Council

FROM: Mike Flynn, Jr.

SUBJECT: Code amendment to ordinance 1094 (Fire and Life Safety Code)

DATE: March 10, 2022

Mayor and Council,

Section 308.1.4, of the 2018 International Fire Code reads as follows:

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

- 1. One- and two-family dwellings.*
- 2. Where buildings, balconies and decks are protected by an automatic sprinkler system.*
- 3. LP-gas cooking devices that have LP-gas container with a water capacity not greater than 2 ½ pounds.*

Proposed Amendment:

“ All charcoal burners and open-flame cooking devices shall not be stored or operated on balconies or within 10 feet of a building.

Exception:

- 1. One- and two-family dwellings.***

On average, thousands of fires occur every year due to grills, which results in injuries and property loss. As you know, the City of East Ridge has numerous multi-family dwellings. All of which present difficult tactical problems for our fire personnel. To minimize the risks to our citizens residing in these complexes and our firefighters, the Fire Marshal's office has proposed this amendment. Please let me know if you have any questions.

ORDINANCE NO. 1164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE TO AMEND TITLE 7, EAST RIDGE CITY CODE, CHAPTER 2, FIRE CODE TO DELETE SECTION 308.1.4 OF THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, PREVIOUSLY ADOPTED BY ORDINANCE NO. 1094, AND REPLACE WITH NEW LANGUAGE

WHEREAS, thousands of fires occur every year due to the usage of grills, which result in injuries and property loss, and can be particularly hazardous in multi-family dwellings; and

WHEREAS, the current International Fire Code does not allow operation of charcoal burners and open-flame cooking devices on balconies or within 10 feet of a building, with certain exceptions, but does allow for storage of these devices.

WHEREAS, the Fire Marshall is recommending that Section 308.1.4 of the International Building Code be deleted in its entirety and replaced with the following language,

“All charcoal burners and open-flame cooking devices shall not be stored or operated on balconies or within 10 feet of a building. Exception: One and two-family dwellings.”

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, That Title 7, East Ridge City Code, Chapter 2, Fire Code, Section 308.1.4 of the 2018 International Building Code is hereby deleted in its entirety and replaced with the following:

“All charcoal burners and open-flame cooking devices shall not be stored or operated on balconies or within 10 feet of a building. Exception: One and two-family dwellings.”

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

Passed first reading _____, 2022

Passed second reading _____, 2022

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



City of East Ridge

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

ORDINANCE NO. 1165

AGENDA MEMO

TO: Mayor and Council

FROM: Chris Dorsey, City Manager

SUBJECT: Ordinance to amend Title 8 section 8-317(2) to extend time allowance for package store construction

DATE: April 6, 2022

This ordinance amends Title 8, section 8-317(2) by allowing additional time for the two entities to finish construction of their respective retail package stores. Delays in construction due to labor and supply shortages from COVID have increased the amount of time needed for completion. Both projects are well underway but will not meet the upcoming May 13, 2022 deadline. The amendment adds two additional three-month extensions if needed to complete construction.

Respectfully,

Chris Dorsey

ORDINANCE NO. 1165

**AN ORDINANCE TO AMEND TITLE 8, SECTION 8-317
OF THE EAST RIDGE MUNICIPAL CODE TO
UPDATE THE CERTIFICATE OF COMPLIANCE
RESTRICTIONS RELATED TO THE CONSTRUCTION
OF A RETAIL PACKAGE LIQUOR STORE**

WHEREAS, the sale of retail package liquor was approved by the voters of the City of East Ridge, Tennessee, at the November 2020 referendum election; and

WHEREAS, currently Ordinance #1139 details the timeframe for completion of construction of a retail package store to one 6-month period with two 3-month extensions; and

WHEREAS, construction on both retail package stores is underway but somewhat delayed due to supply and labor issues mainly caused by COVID; and

WHEREAS, an additional two 3-month extensions are needed to ensure the completion of construction of the retail package stores within a reasonable time frame.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of East Ridge that Title 1 of the East Ridge Municipal Code is hereby amended as follows:

That Title 8, Chapter 3, Section 8-317(2) be replaced in its entirety by the following:

§8-317. Restrictions upon issuance of Certificate of Compliance

(2) Time period for action. The Certificate of Compliance issued herein shall be valid for a period of six (6) months from the date of issuance and thereafter shall become void and of no effect whatsoever if the store is not open. If requested in writing by the applicant and approved by the City Manager, up to four (4) three (3) month extensions may be granted by the City Manager when necessary to avoid undue hardship on the applicant. In any event, the written request must be both received and approved prior to the expiration of the initial six (6) month period or prior to the expiration of any of the three extensions. In the event the store is not open within the period prescribed by this provision, then the Certificate of Compliance will be automatically void and of no further effect, the application will be deemed void and of no further effect and a certification thereof will be sent to the Alcoholic Beverage Commission of the State of Tennessee and the local liquor store privilege license issued pursuant to such application shall be considered canceled and revoked.

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 _____, 2022

Passed on Second Reading _____, 2022

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

ORDINANCE NO. 1166

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
Date: April 14, 2022
RE: Charter Amendment

There is a discrepancy in paragraph one of Section 6-B(1) of the East Ridge City Charter. Specifically, in November 2020, the citizens of East Ridge voted to substitute the residency requirement of the City Judge to Hamilton County. Only sentence one of 6-B(1) was changed at the last election to reflect the change in residency to Hamilton County, Tennessee. Sentence two still contains the residency requirement of the City. To correct this error, the Charter needs to be amended by referendum to substitute Hamilton County in the second sentence.

Additionally, the second sentence currently prohibits the Municipal Court Judge from holding any other elected office, either Federal, State, County or Municipal. The Tennessee Judicial Canons only prohibit judges from holding other *nonjudicial* elected offices, either Federal, State, County or Municipal. If the City wants to clarify the prohibition in the current charter by only prohibiting judges from holding other nonjudicial elected offices, the City would need to pass an ordinance and submit this question in referendum to the voters of East Ridge, Tennessee.

The next state general election is August 4, 2022.

ORDINANCE NO. 1166

AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 6-B(1) OF THE CHARTER

BE IT ORDAINED by the City Council of the City of East Ridge, Tennessee, as follows:

SECTION 1:

That at the general state election to be held on August 4, 2022 (the “Election”), there shall be submitted in referendum to the people of East Ridge, Tennessee, the question of amending the first paragraph of Section 6-B(1) of the East Ridge City Charter to correct an error in the second sentence by substituting the residency requirement to Hamilton County and also amend the second sentence to clarify that no City Judge may hold other nonjudicial elected offices, either Federal, State, County or Municipal.

SECTION 2:

That to accomplish said referendum, the Election Commission of Hamilton County, Tennessee, is hereby directed to place upon the ballots to be used within the precincts of the City of East Ridge, Tennessee, during said election the following words and figures:

PROPOSAL: The first paragraph of Section 6-B(1) of the Charter for the City of East Ridge, Tennessee, is proposed to be amended in the second sentence to correct an error by substituting the residency requirement for the City Court Judge from the City of East Ridge to Hamilton County, Tennessee, and is also proposed to be amended to clarify that no City Court Judge may hold other nonjudicial elected offices, either Federal, State, County, or Municipal, such that the first paragraph of Section 6-B(1) would state as follows:

*The City Judge shall be at least thirty (30) years of age and a person licensed to practice law in the State of Tennessee, and shall, before his/her election, have been a resident of the State of Tennessee for five (5) years and a resident of Hamilton County, Tennessee for at least one (1) year prior to his/her qualification for office. He/She shall not have been convicted of a crime involving moral turpitude, shall hold no other **nonjudicial** elected*

*office, either Federal, State, County, or Municipal, shall be elected by majority popular vote in the same manner as Councilmembers of the City, and shall remain a resident of **Hamilton County, Tennessee** as long as he/she shall serve.*

Shall Section 6-B(1) be amended by revising the second sentence to substitute the residency requirement to Hamilton County, Tennessee, the full text of which appears in the PROPOSAL above.

FOR THE AMENDMENT []
AGAINST THE AMENDMENT []

Shall Section 6-B(1) be amended by revising the second sentence to clarify that no East Ridge Municipal Court Judge shall hold other nonjudicial elected offices, either Federal, State, County, or Municipal, the full text of which appears in the PROPOSAL above.

FOR THE AMENDMENT []
AGAINST THE AMENDMENT []

CITY JUDGE, CLERK AND EMPLOYEES OF CITY COURT
[current text of second sentence]

SECTION 6-B(1). The City Judge shall be at least thirty (30) years of age and a person licensed to practice law in the State of Tennessee, and shall, before his/her election, have been a resident of the State of Tennessee for five (5) years and a resident of Hamilton County, Tennessee for at least one (1) year prior to his/her qualification for office. He/She shall not have been convicted of a crime involving moral turpitude, shall hold no other elected office, either Federal, State, County, or Municipal, shall be elected by majority popular vote in the same manner as Councilmembers of the City, and shall remain a resident of the County as long as he/she shall serve.

SECTION 3.

BE IT FURTHER ORDAINED, that, with the exception provided in Sections 1 and 2, all laws constituting the present Charter of the City of East Ridge, Tennessee, not in conflict with this amendatory home rule ordinance, be and the same are continued in full force and effect, and all laws or parts of laws in conflict therewith are hereby repealed.

SECTION 4.

BE IT FURTHER ORDAINED, that if any clause, sentence, paragraph, section, or part of this ordinance shall be held to be unconstitutional or void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding such part, if any, as may be held to be invalid.

SECTION 5.

BE IT FURTHER ORDAINED, that this Ordinance shall be published in full by the Clerk of the City Council in the daily newspaper of general circulation in the City of East Ridge, Tennessee, after the passage thereof on second and final reading.

SECTION 6.

BE IT FURTHER ORDAINED, that the Clerk of the City Council shall certify the passage of this Ordinance to the Hamilton County Election Commission and request that the proposed amendment to the City Charter of the City of East Ridge, Tennessee, be placed on the ballot to be used in the state election to be held on or about August 4, 2022.

SECTION 7.

BE IT FURTHER ORDAINED, that the cost of the referendum election shall be paid from the general funds of the City of East Ridge, Tennessee.

SECTION 8.

BE IT FURTHER ORDAINED, that a copy of this ordinance be furnished by the Finance Director to the Election Commission of Hamilton County as its authority to hold such referendum and to make such provision for the advertising and implementation of such referendum as is necessary.

SECTION 9.

BE IT FURTHER ORDAINED, that the Hamilton County Election Commission shall certify to the Clerk of the City Council of the City of East Ridge, Tennessee, the result of said election, and the said Clerk shall cause said certification to be made a part of the minutes of the City Council.

SECTION 10.

BE IT FURTHER ORDAINED, that a copy of this ordinance be published by the City in accordance with law.

SECTION 11.

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

Passed first reading _____, 2022.

Passed second reading _____, 2022.

Brian W. Williams, Mayor

Attest:

Christopher J. Dorsey, City Manager

Approved to form:

Mark W. Litchford, City Attorney



City of East Ridge

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

Janet Middleton
City Recorder

RESOLUTION NOS. 3253 & 3254

AGENDA MEMORANDUM

TO: Mayor and City Council
City Manager

FROM: Janet Middleton, City Recorder

SUBJECT: ZONING APPEALS BOARD APPOINTMENTS

DATE: March 17, 2022

The following terms for the Zoning Appeals Board expired on April 8, 2022.

Mac Pendley	Councilmember Cagle	4/9/19 - 4/8/22
Eric Zitzow	Vice Mayor Chauncey	8/26/21 – 4/8/22
		<i>Filled unexpired term</i>

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

RESOLUTION NO. 3253

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPOINTMENT OF _____ BY VICE MAYOR CHAUNCEY TO THE EAST RIDGE BOARD OF ZONING APPEALS

WHEREAS, the East Ridge Board of Zoning Appeals fulfills an important role with regard to providing an appeals process for property owners concerning decisions or determinations made by an administrative official in the enforcement of the zoning ordinance; and

WHEREAS, the term of Eric Zitzow expired on April 8, 2022.

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 Board of Zoning Appeals for the term of April 9, 2022 – April 8, 2025.

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 _____ 2022.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

RESOLUTION NO. 3254

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EAST RIDGE, TENNESSEE, APPROVING
THE APPOINTMENT OF _____ BY
COUNCILMEMBER CAGLE TO THE EAST RIDGE
BOARD OF ZONING APPEALS**

WHEREAS, the East Ridge Board of Zoning Appeals fulfills an important role with regard to providing an appeals process for property owners concerning decisions or determinations made by an administrative official in the enforcement of the zoning ordinance; and

WHEREAS, the term of Mac Pendley expired on April 8, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge, Tennessee, hereby approves the appointment of _____ by Councilmember Cagle to the East Ridge Board of Zoning Appeals for the term of April 9, 2022 – April 8, 2025.

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 _____ 2022.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



City of East Ridge

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

Building and Codes Department

RESOLUTION NO. 3255

MEMORANDUM

TO: Mayor, Council, and City Manager

FROM: Michael Howell – Building Official

SUBJECT: Sign Variance – 6801 Ringgold Road (Townplace Inn & Suites)

DATE: March 21, 2022

Steve Taylor with Southern Advertising Signs has submitted a sign variance request on behalf of Dynamic Group. Mr. Taylor is seeking council approval to reduce the front setback of the proposed 49 square foot monument sign from 15 feet to zero. Signs with an area greater than 40 square feet are required 15 ft setback from closest point of sidewalk edge or public right of way, whichever is farthest from street curb.

Brian Williams
Mayor

Mike Chauncey
Vice-Mayor

Jacky Cagle
Councilmember

Esther Helton
Councilmember

Andrea Witt
Councilmember

Chris Dorsey
City Manager

RESOLUTION NO. 3255

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPROVE A VARIANCE TO THE CITY'S SIGN ORDINANCE NO. 1028 TO ALLOW A REDUCTION IN THE FRONT SETBACK OF A PROPOSED MONUMENT SIGN ON PROPERTY LOCATED AT 6801 RINGGOLD ROAD, TAX MAP #170J-B-043

WHEREAS, Steve Taylor with Southern Advertising Signs, representing Dynamic Group, has petitioned the City of East Ridge pursuant to and in conformity with the Zoning Ordinance and the City's sign ordinance, to approve a variance to the City's sign ordinance to allow a reduction in the front setback of a proposed 49 square-foot monument sign from fifteen feet to zero feet on property located at 6801 Ringgold Road, Tax Map #170J-B-043; and

WHEREAS, the City Council has determined that such use is appropriate and desirable; and

WHEREAS, the proposed use of the tract of land is consistent with the plans and policies of the City, is in harmony with the general purpose and intent of the zoning ordinance and regulations and the City's on-premise sign ordinance, and is compatible with the character of the adjacent properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AS FOLLOWS:

Section 1. The City Council hereby approves a variance to the sign ordinance to allow a reduction in the front setback of a proposed 49 square-foot monument sign from fifteen feet to zero feet on property located at 6801 Ringgold Road, Tax Map #170J-B-043.

Section 2. The passage of this Resolution is subject to the following requirements:

- A. Steve Taylor, with Southern Advertising Signs, representing Dynamic Group, will comply with all applicable provisions of the zoning ordinance and sign ordinance, including any local, state, and federal requirements.

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 _____ 2022.

Brian W. Williams, Mayor

ATTEST:

Christopher J. Dorsey, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



Front of
Sign to back
Side of sidewalk
2.5 feet

9ft to curb
of drive way
entrance

TownePlace Suites
Sign Location



City of East Ridge

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

Finance Department
Diane Qualls, Director

RESOLUTION NO. 3256

MEMO

TO: Mayor, Council and City Manager

FROM: Diane Qualls, CMFO

DATE: 04/05/2022

RE: Audit Contract

Tennessee Code Annotated, Section 6-56-105, requires that all Tennessee municipalities are audited in a timely manner . A copy of said audit is filed with the Comptroller of the Treasury within six months of the end of the fiscal year. HHM, a certified public accountants have submitted their proposal to do our audit. The cost for this year's audit will be \$ 31,500, an increase of \$ 2,000 over last year.

If a single audit is required, this pertains to a threshold for grants there will be an additional cost of \$ 5,000.

After Council has approved this, I will execute the contract within the CARS system, Contract and Report System. The Comptroller's Office must approve the contract and sign it and the process begins.

RESOLUTION NO. 3256

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH HHM, CERTIFIED PUBLIC ACCOUNTANTS, FOR AUDITING SERVICES AS REQUIRED BY THE STATE OF TENNESSEE AND OTHER REGULATORY AGENCIES

WHEREAS, the State of Tennessee, pursuant to and in conformity with applicable State law, requires the City of East Ridge, Tennessee to have an annual audit of its accounts; and

WHEREAS, it is appropriate that the City enter into a contract with HHM to perform said audit for a fee not to exceed \$31,500.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE that the City Manager or his designee is hereby authorized to enter into a contract with HHM to perform the required auditing services for the City of East Ridge for the period from July 1, 2021 to June 30, 2022, for a fee not to exceed \$31,500.

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 _____ 2022.

Brian W. Williams, Mayor

Attest:

Christopher J. Dorsey, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney



CERTIFIED PUBLIC ACCOUNTANTS

April 4, 2022

To the Mayor and City Council Members
City of East Ridge, Tennessee
1517 Tombras Avenue
East Ridge, TN 37412

Dear Mayor and Council:

Thank you for allowing us to submit this transmittal letter to perform audit services for the City of East Ridge for the year ending June 30, 2022.

We have served as the City's auditor for the prior fiscal years and wish to continue our relationship. We believe that our expertise, as demonstrated during the prior year's audits, proves that we are qualified to serve the City of East Ridge.

Our proposed fee to audit the City of East Ridge's financial statements including the East Ridge Industrial Development Board, for the fiscal year ending June 30, 2022, is \$31,500. If a single audit is required, the additional fee for the single audit will be \$5,000. Assistance with bookkeeping will be billed at our standard hourly rates and discussed with management prior to commencing such work.

We appreciate the opportunity to submit this proposal and trust it is responsive to your requirements. Should you require additional information, please do not hesitate to call.

Sincerely yours,

A handwritten signature in black ink that reads 'Jason Martin'. The signature is written in a cursive, flowing style.

Jason Martin, CPA, CFE, MBA
For the Firm



City of East Ridge

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

RESOLUTION NO. 3257

AGENDA MEMO

TO: Mayor and Council

FROM: Chris Dorsey, City Manager

SUBJECT: Resolution to amend the rules for the tent lottery

DATE: April 6, 2022

The Hamilton County Election Commission has moved the voting precinct locations back to their pre-2020 locations. This means that two of the precincts will be back at the Community Center. This resolution amends they tent lottery rules to reflect that. The rules from the last amendment are pretty much still in place but changes to the location and map references are included. The map is the same one that the Council had approved before the move in 2020 to Camp Jordan Arena.

Respectfully,

Chris Dorsey

RESOLUTION NO. 3257

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AMENDING THE RULES AND REGULATIONS FOR A TENT LOTTERY

WHEREAS, the City of East Ridge approved Ordinance No. 1016 on September 8, 2016 which established a lottery system to determine the locations of candidates' tents on City property designated as official poll location(s); and

WHEREAS, the rules and regulations of such lottery were determined by the City Council on September 22, 2016; and

WHEREAS, the official East Ridge polling locations for the 2022 Primary and subsequent elections have been moved back to their original sites away from Camp Jordan Arena, with two of the polling locations returning to the Community Center; and

WHEREAS, with this location change, staff is recommending that the rules and regulations of the tent lottery be amended and restated as follows:

1. There shall be twelve (12) sites marked off (12 ft. x 12 ft.) in the designated area adjacent to City Hall/Community Center. Maximum tent size is 10 ft. x 10 ft.
2. There will be only one (1) tent site allowed per candidate.
3. All tents regardless of location **MUST** be erected a minimum of 6 feet from the curb.
4. A lottery shall be held seven (7) days prior to the election date at 12:00 Noon at City Hall, 1517 Tombras Avenue, East Ridge, TN. A candidate or a unique representative must be present for each candidate participating in the lottery. One person can only represent one candidate. No multiples. Once the drawing starts no other names will be allowed to be submitted.
5. The drawing shall be conducted by the City Recorder or designee in case of absence.
6. The first name drawn shall have the opportunity to select the site they desire to locate their tent; the second name drawn shall have the opportunity to select the site they desire to locate their tent; and so on until the last name is read.
7. The candidates shall be allowed to set up their tents on their designated location sites (determined by the lottery) **no more than 24 hours prior** to the opening of the polls on Election Day, and further, the tents must be removed within 24 hours following the election date.
8. Tents cannot come into contact with bushes or trees in a manner that causes damage. No cutting of branches or bushes, or any other type damage, will be allowed.
9. Tents may not be set up or tied/staked down on any paved areas (includes parking lot)
10. Candidates must use sandbags, or other similarly weighted items, to keep their tents in place. No tent stakes allowed in the ground.
11. If any candidate is found to be in violation of these rules, the Police Chief is authorized to remove the tent structure from City property immediately.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the rules and regulations listed above are the official rules and regulations for the tent lottery system to determine the locations of candidates' tents on City property designated as official poll location(s).

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 _____, 2022

Brian W. Williams, Mayor

Attest:

Christopher J. Dorsey, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney



City of East Ridge

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

STREET DEPARTMENT
Chris Vaughn, Supervisor

RESOLUTION NO. 3258

MEMORANDUM

TO: Mayor and Council
City Manager

FROM: Chris Vaughn, Street Department Supervisor

SUBJECT: Equipment Purchase – 50” Flail Head Attachment for New Holland Tractor

DATE: April 5, 2022

The Street Department is requesting approval to purchase a Tiger 50” Flail Head Attachment for the New Holland Tractor from Chattanooga Tractor and Equipment using TN state contract #246 in the amount of \$17,920. This will replace the current attachment which is beyond repair.

RESOLUTION NO. 3258

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE ONE (1) TIGER 50-INCH FLAIL HEAD ATTACHMENT FROM CHATTANOOGA TRACTOR AND EQUIPMENT THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING SWC-246, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b)

WHEREAS, the City of East Ridge Police Department is in need of one (1) flail head attachment for the New Holland tractor; and

WHEREAS, the City of East Ridge is allowed to purchase from the Department of General Services Statewide Contract Listing, pursuant to T.C.A. 12-3-1201(b), without obtaining competitive bids; and

WHEREAS, the statewide contract price from Chattanooga Tractor and Equipment for one (1) flail head attachment is \$17,920.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the City Manager or his designee is hereby authorized to purchase, and execute all documents necessary to purchase one (1) flail head attachment for the New Holland tractor from Chattanooga Tractor and Equipment in the amount of \$17,920 through the Tennessee Department of General Services State-Wide Contract Listing SWC-246, pursuant to Tennessee Code Annotated 12-3-1201(b).

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 _____, 2022.

Brian W. Williams, Mayor

Attest:

Christopher J. Dorsey, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney



City of East Ridge

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

RESOLUTION NO. 3259

AGENDA MEMO

TO: Mayor and Council
FROM: Chris Dorsey, City Manager
SUBJECT: Request for Proposals for McBrien School Property
DATE: April 11, 2022

The Request for Proposals for developing the properties at 4214 Ringgold Road and 1501 Tombras Avenue ended on February 24, 2022. The lone submitter was BP Construction, Inc. Their proposal is enclosed with your agenda notebook.

BP Construction has proposed to redevelop the approximately 8-acre property of the former McBrien School as a mixed-use development to “provide a professional, entertainment, recreational, and residential destination” for East Ridge. The booklet presentation outlines various possibilities for the land, all of which call for removal of the existing structures. Please read through the booklet for more information.

I recommend approval for the City to proceed with negotiations with BP Construction based upon the submitted proposal.

Respectfully,

Chris Dorsey

RESOLUTION NO. 3259

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO PROCEED WITH NEGOTIATIONS WITH BP CONSTRUCTION, BASED UPON THE SUBMITTED PROPOSAL TO REVITALIZE THE ADJACENT PROPERTIES LOCATED AT 4214 RINGGOLD ROAD AND 1501 TOMBRAS AVENUE

WHEREAS, on January 10, 2022, the City of East Ridge advertised for a Request for Proposals to identify a developer with the interest, resources, and experience to purchase and develop the adjacent properties located at 4214 Ringgold Road and 1501 Tombras Avenue into a desirable addition to the City; and

WHEREAS, proposals were received on February 24, 2022, with one proposal submitted by BP Construction; and

WHEREAS, City staff has maintained a file with the proposal received.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the City is authorized to proceed with negotiations with BP Construction, based upon the submitted proposal to revitalize the adjacent properties located at 4214 Ringgold Road and 1501 Tombras Avenue.

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

Adopted this _____ day of _____ 2022.

Brian W. Williams, Mayor

Attest:

Christopher J. Dorsey, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney

DISCUSSION OF RESURFACING PROJECTS



City of East Ridge

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

Building and Codes Department

AGENDA MEMORANDUM

TO: Mayor, Council; City Manager

FROM: Michael Howell – Building Official

SUBJECT: Rezone of 1200 South Seminole Drive (Tax Map ID#168F C 008)

DATE: April 5, 2022

On April 4th, 2022, Nathan Garmany petitioned the East Ridge Planning Commission to rezone an existing duplex located at 1200 South Seminole Drive from R-1 Single Family District to R-2 Residential Duplex District.

Planning Commission approved the request. Mr. Garmany has requested the rezone case move forward to city council.

Mike Howell

From: Nathan Garmany >
Sent: Monday, April 4, 2022 5:43 PM
To: Mike Howell
Subject: Redone

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Michael,

We do want to move forward with the rezoning and short term rental.

Nathan Garmany
Lead Pastor
Freedom Church Chattanooga

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

CASE NUMBER: 2022-078

APPLICANT: Freedom Church Attn:
Nathan Garmany

PROPERTY OWNER: Freedom Church
Assembly of God

PROPERTY ADDRESS: 1200 S. Seminole
Drive

TAX MAP PARCEL ID: 168F C 008

JURISDICTION: East Ridge

SIZE OF PROPERTY: 0.56 acres

REQUEST: Rezone from R-1 to R-2

REASON FOR REQUEST/PROPOSED USE: A request to rezone from R-1 Residential District to R-2 Residential Duplex District to use former church parsonage as a Short-Term Vacation Rental.

PROPERTY DESCRIPTION

EXISTING LAND USE
Church Parsonage

SURROUNDING LAND USES
North: Single-Family Residential
East: Church
South: Single-Family Residential
West: Church

ACCESS
The parcel is accessed from S. Seminole Drive.

ZONING

ZONING HISTORY

- There is no recent zoning history for the site.
- The Short-Term Vacation Rental ordinance was passed by East Ridge City Council in 2018.
- Case 2002-0007, a request to rezone 3535A Bennett Road (approximately 800' to the east of the site) from R-1 Residential District to R-2 Residential Duplex District to bring an existing duplex into compliance. The request was approved.

**ZONE DISTRICT
COMPATIBILITY**

USE	CURRENT R-1 ZONE	PROPOSED R-2 ZONE
Single-Family Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Two-Family Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>
Office	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
DEVELOPMENT STANDARDS	CURRENT R-1 ZONE	PROPOSED R-2 ZONE
Lot Size	10,000 sf	10,000 sf
Setbacks	Front: 25' Side: 10' Rear: 25'	Front: 25' Side: 10' Rear: 25'
Building Height	2 ½ stories or 35' except for every foot of additional height over 35', the building shall be set back 1 additional foot from all property lines	2 ½ stories or 35' except for every foot of additional height over 35', the building shall be set back 1 additional foot from all property lines

DISCUSSION OF STAFF RECOMMENDATION

Yes No See
Comments

COMPATIBILITY WITH COMPREHENSIVE PLAN

The Development Policy from the Comprehensive Plan 2030 update identifies this site as being in intensity level 5. Level 5 describes the development potential appropriate for infill and redevelopment that is urban and walkable with the most potential for future public services. The plan states that older areas may need

infrastructure improvements to encourage redevelopment.

The proposed rezoning is supported by the recommendations of the Comprehensive Plan for the area which recommends that infill and redevelopment should occur in Level 5. Unlike non-residential or higher density residential uses, the land use impacts of short-term vacation rentals relative to single family residential uses are difficult for staff to project; unless a specific request notes a large number of bedrooms or a large parking area, it is difficult for staff to determine whether or not the request will generate a land use impact.

Yes No See Comments

COMPATIBILITY WITH ADJACENT LAND USES

The site is surrounded by single-family residences to the north and south. There is a church located on the east and west side of the site. The site was previously used a church parsonage. The proposed rezoning would introduce two-family residential uses to the area.

Yes No See
Comments

COMPATABILITY WITH DEVELOPMENT FORM

The single-family residences to the north and south of the site are typically one-story homes on 0.25 to 0.50 acre lots. The churches to the east and west of the site are large, two-story institutional buildings with large parking lots. The proposed rezoning would introduce two-family residential uses into the area.

Yes No See
Comments

CONCERNS REGARDING LOCATION, LIGHTING, OR HEIGHT

The proposed rezoning to R-2 Residential Duplex District would not introduce concerns related to location, lighting or height.



LOCATION MAP

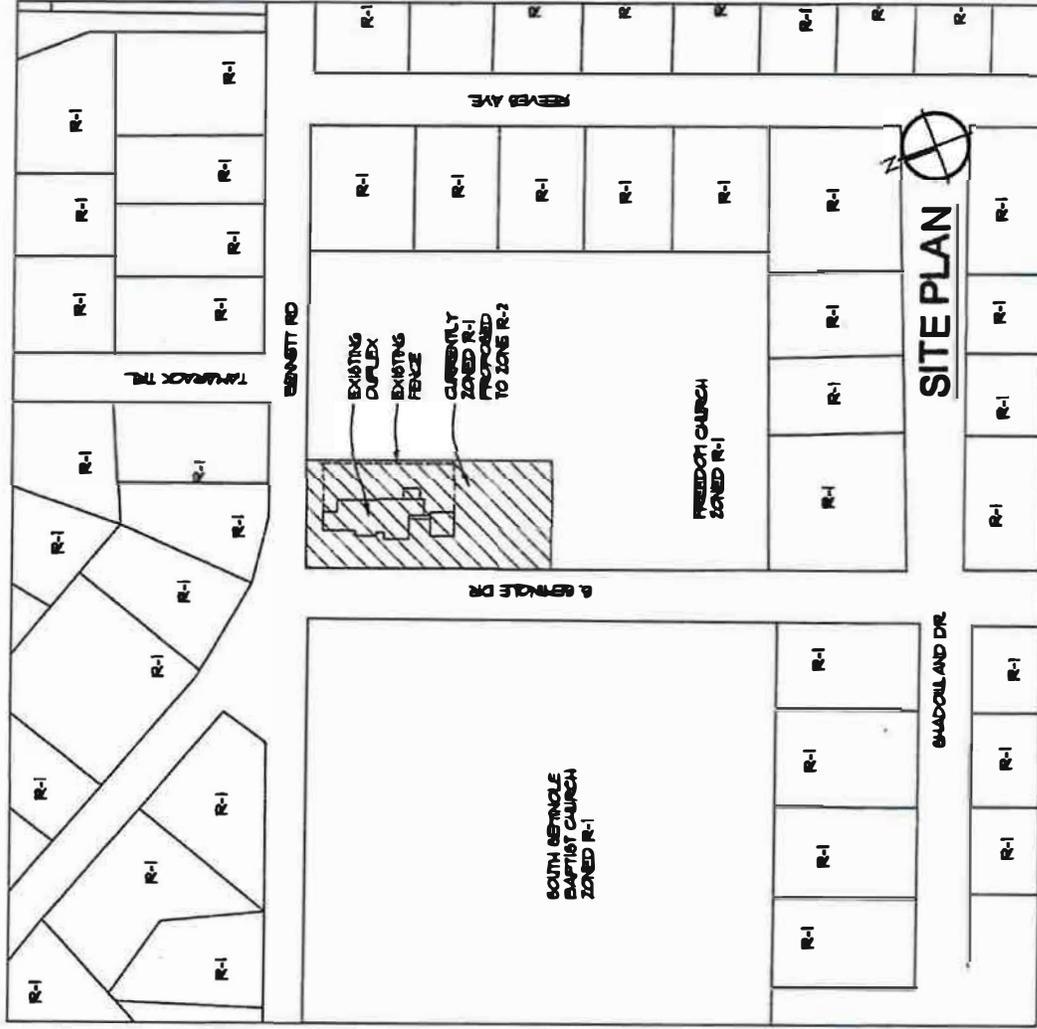
NOTES:

- A. CURRENT ZONING IS R-1
- B. BUILDING AREA IS 2,032 SF
- C. PROPERTY AREA IS 10,622.6-SF
- D. USE EXISTING DUPLEX
- E. TRASH BY CITY GARBAGE CANS

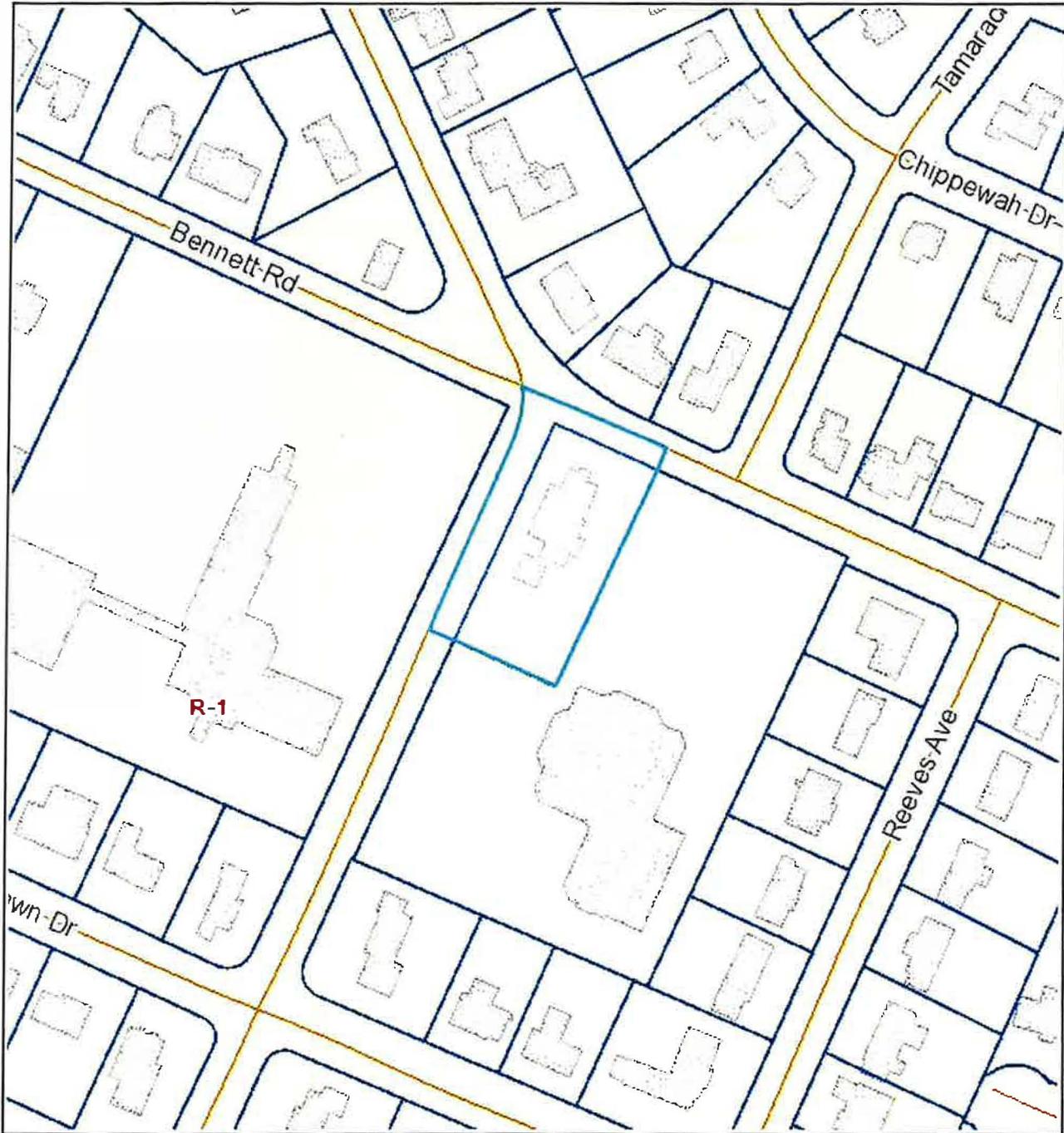


SCALE: 1" = 100' - FEBRUARY 19, 2022
 PARCEL ID: 148 C 000
 LEGAL DESCRIPTION: PT LOT 15 C H BENNETTS AMENDED PDS P06

EAST RIDGE TN CHURCH ASSEMBLY OF GOD
 FOR: FREEDOM CHURCH
 1018 A. BENTON DR
 CHATTANOOGA, TN 3742
 CONTACT: PASTOR NATHAN GARTMAN OR PASTOR ROB KOECH
 423-678-1099



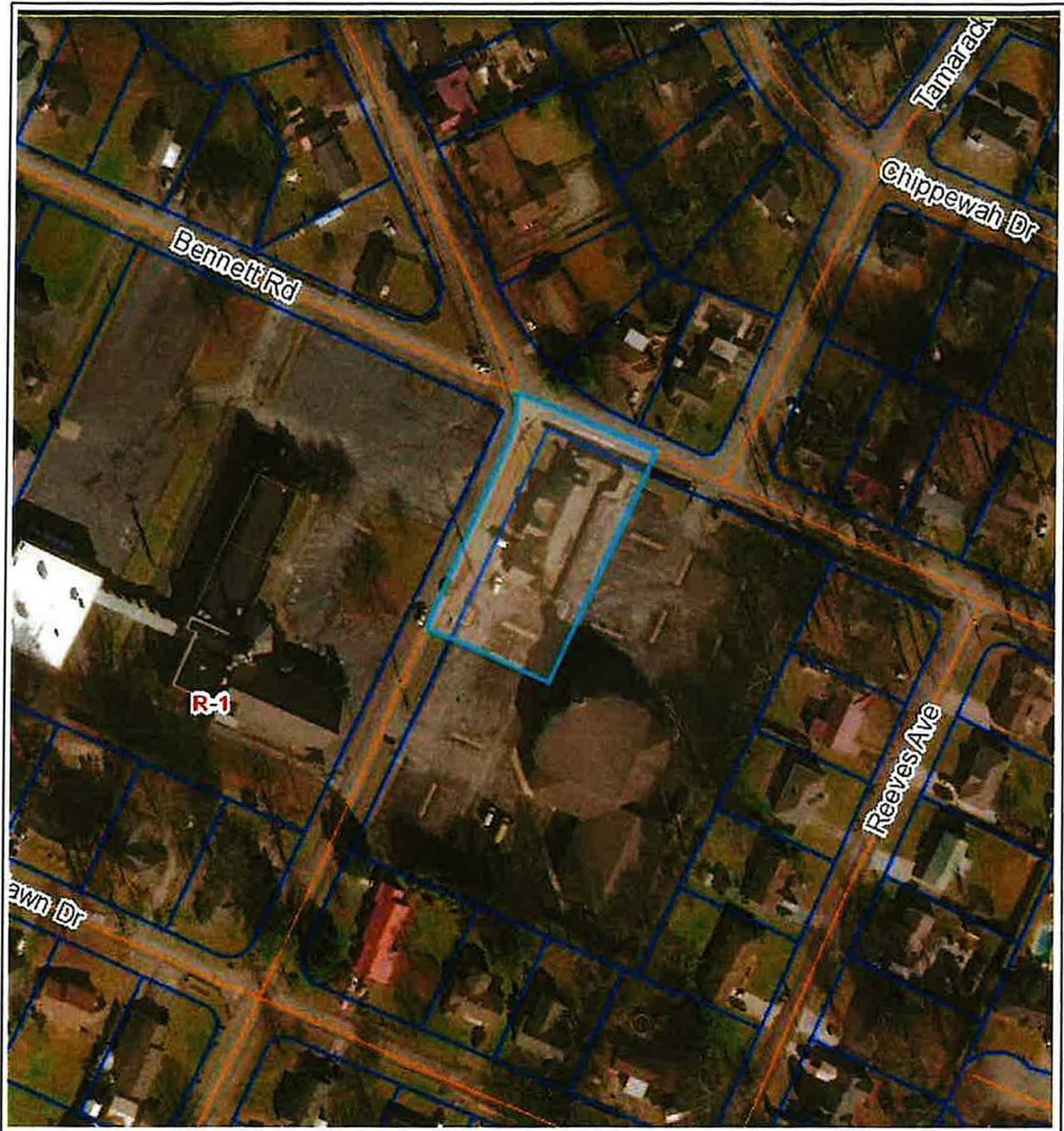
2022-0078 Rezoning from R-1 to R-2



2022-0078 Rezoning from R-1 to R-2



2022-0078 Rezoning from R-1 to R-2



2022-0078 Rezoning from R-1 to R-2





City of East Ridge
Department of East Ridge Fire Rescue
Division of Building/Codes
 1517 Tombras Avenue, East Ridge, Tennessee 37412
 Office: (423) 867-7711 Fax: (423) 867-7340

Rezone Application

Applicant Information

Applicant Name: FREEDOM CHURCH

Applicant Address: 1212 S SEMINOLE DR
CUATLANCOGA, TN 37412

Applicant Phone Number(s): (423) 629-1200 x25

Property Information

Property Address: 1200 S SEMINOLE DR **Tax Parcel Number:** 168 F-C-008

Property Zoning: R-1 **Requested Zoning:** R-2

Requested Rezone Purpose: The house and property was built in the 1940's
to our knowledge it has been a duplex from the beginning or soon after.
We are looking at residential lease or a short term rental situation.
We need it to be zoned for a duplex.

\$200.00 Fee Paid	<u>\$200.00</u>
Method of Pmt.	<u>CK # 6729</u>


 Signature of Applicant

- A map showing location of property, all adjacent streets and/or rights-of-way, property boundaries, and frontages should be included with this application. Such information is obtainable at <http://gis.hamiltontn.gov/mapmaker/home.asp>.
- Proof of ownership of the property must be included with application.
- Use an additional sheet to attach any comments on case background or information that are pertinent to this application.

To whom it may concern,

This property has been a challenge for the church recently (Freedom Church, 1212 South Seminole Drive, East Ridge).

The church has always used it as staff housing since 2001 when the church purchased it. Recently in the summer of 2020 we moved out of the house. We have tried to lease the property for over a year and a half commercially with no luck.

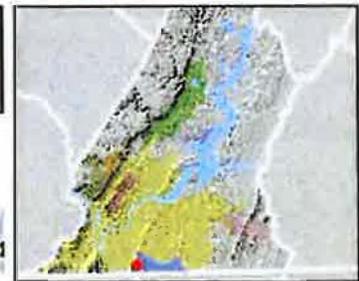
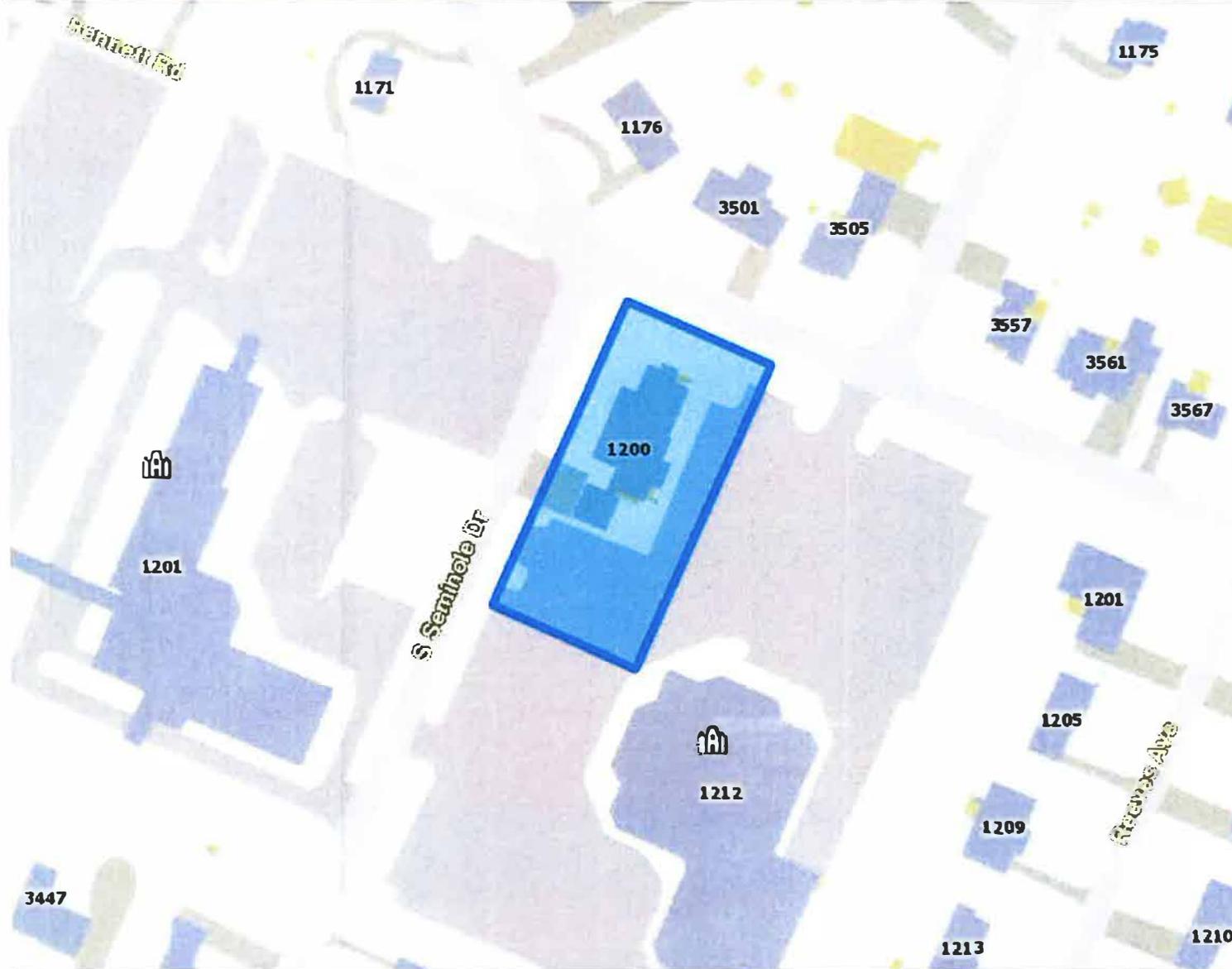
We recently had a second opinion in commercial leasing. That agent suggested short term rental as the property would be cleaned almost weekly and would not have the situation of long term problems with a residential lease. After some research he did advise that we not continue to try and lease the house as commercial. He felt that too many businesses had better options on Ringgold Road and would have to do quite a bit of construction to turn the house into a business.

The property and house in question sits at the front corner of our church property. As you can see that is the corner of South Seminole and Bennett. It is directly in front of our church building. This is a unique situation and we would rather steer away from a long term residential situation. We need this property in top shape weekly for our church property and our members.

We are asking that the property be zoned as R2 for these reasons.

Thank you,
Nathan Garmany
Freedom Church Chattanooga, Lead Pastor

GISMO 5



Legend

- Parcels
- Addressing <1200
- County Boundary
- Recycling Centers
- Healthcare Facilities
- Emergency Services Locations
 - FIRE
 - MEDIC
 - POLICE
- Cemeteries
- Religious Facilities
- Schools
- Building Footprints
- Miscellaneous Structures
- Driveways
- Parking
- Water Bodies
- Other Water Bodies
- Recreational Areas
 - Surrounding Hamilton

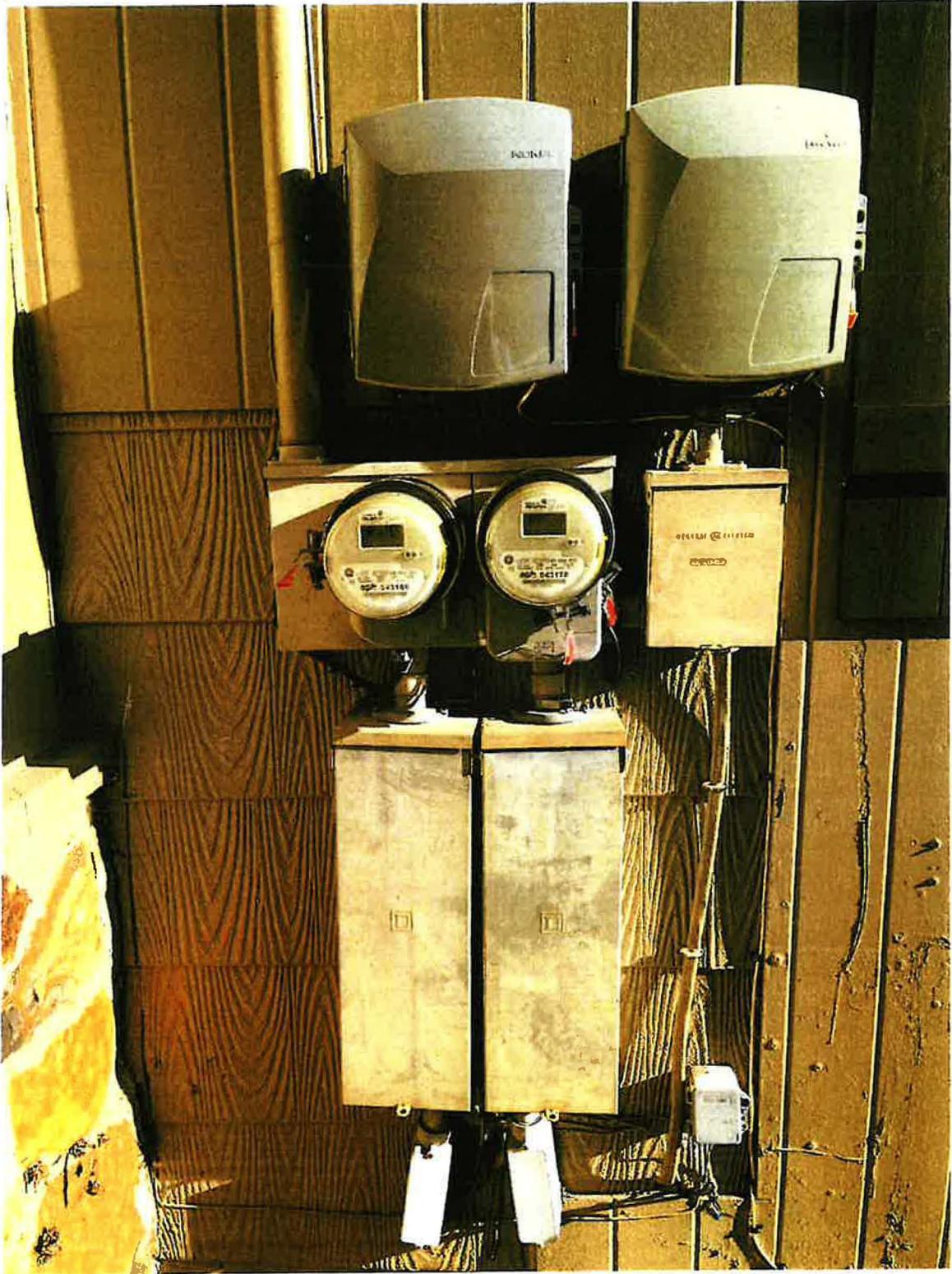
0 100.00 200.0 Feet

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.







City of East Ridge

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

Building and Codes Department

MEMORANDUM

TO: Mayor, Council, and City Manager

FROM: Michael Howell – Building Official

SUBJECT: Sign Variance – 6511 Ringgold Road (new Portofino’s restaurant)

DATE: April 5th, 2022

Tyler Tharpe is requesting a sign variance to install a roof mounted sign for the new Portofino’s restaurant. Proposed signs create an arrow point facing both east and west to Ringgold Road as shown on attached drawing sheet A2.1.

Finished construction height of building with parapet wall is thirty-two feet three & one-half inch, proposed top of sign would finish out at 42 feet three & one-half inch in height, creating a sign ten feet in height from roof deck. (Measurements for building and proposed sign were scaled from approved drawings attached).

Sign ordinance 1028 – Section P, roof signs, including those mounted to the roof structure and those painted on the roof surface are prohibited.



VR-22-4

Variance Request

Status: Active

Date Created: Mar 28, 2022

Applicant

Tyler Tharpe
qtn@emersonrussell.com
32 Emmerson Drive
East Ridge, Tennessee 30741
423-834-0683

Location

6511 RINGGOLD RD
East Ridge, TN 37412

Owner:

ERWD LLC
32 EMMERSON DR ROSSVILLE, GA 30741

Property Owner Information

Name

Emerson Russel

Mailing Address

32 Emmerson Drive

City

Rossville

State

GA

Zip

30741

Phone Number

Email

er@emersonrussell.com

Application Information

Applicant Relationship to Owner

Superintendent

Specific Nature of Request of Appeal

Sign request

The laws of the State of Tennessee require that certain conditions on the property, not the personal problems of the applicant or owner, be present before a variance may be granted. Your answers to the following questions are required to help determine these conditions:

Why would any person have difficulty in using this property for any use permitted in the zone it is located (such as unusual shape, topography, easements, etc.) that would make the property unusable without a variance?

Yes, without a sign I cannot open the resturant

Would a variance, if granted, be a detriment to the public good?

No

Explain how the hardship on the use of this property without the variance requested would apply to this property regardless of the owner.

It would be harder for people to find the restaurant.

Has the hardship on the use of this property without the requested variance been created as a result of an act by the applicant?

No

How does the hardship on the use of the property relate only to this property and not related to other properties in the same zone throughout the City of East Ridge?

This is the only Portofinos restaurant. Without this sign other signs in the area will block it.

Applicant Signature

Signature of Applicant

Tyler Kyle Tharpe

03/25/2022

Internal Use Only

Decision

--

Board of Zoning Appeals Findings

--

City Council Findings

--

Attachments

Portofinos parcel 2.png

Uploaded by Tyler Tharpe on Mar 28, 2022 at 1:40 pm

 6511 Ringgold Warranty Deed.pdf

Uploaded by Tyler Tharpe on Mar 28, 2022 at 1:38 pm

History

Date

Mar 25, 2022 at 2:04 pm

Mar 28, 2022 at 1:40 pm

Mar 29, 2022 at 3:28 pm

Mar 29, 2022 at 3:28 pm

Mar 30, 2022 at 8:48 am

Activity

Tyler Tharpe started a draft of Record VR-22-4

Tyler Tharpe submitted Record VR-22-4

completed payment step Application Fee on Record VR-22-4

approval step Intake Review was assigned to Melissa Mahoney on Record VR-22-4

Melissa Mahoney assigned approval step Intake Review to Michael Howell on Record VR-22-4

Timeline

Label

 Application Fee

Status

Paid

Activated

Mar 28, 2022 at 1:40 pm

Completed

Mar 29, 2022 at 3:28 pm

Assignee

-

Due Date

-

Label	Status	Activated	Completed	Assignee	Due Date
 Intake Review	Active	Mar 29, 2022 at 3:28 pm	-	Michael Howell	-
 Zoning Board of Appeals Review	Inactive	-	-	-	-
 Variance Decision	Inactive	-	-	-	-
 Decision Letter	Inactive	-	-	-	-

Name and Address of New Owner:
EMERSON RUSSELL TRUST
32 EMERSON DRIVE
ROSSVILLE, GA 30741

Send Tax Bills To:
EMERSON RUSSELL TRUST

This Instrument Prepared By:
Debbie Hayworth-Underwood
CHOICE TITLE COMPANY, Inc.
7703 Nashville Street
Ringgold, GA 30736

Map & Parcel No: 169L-L-007

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and legal sufficiency of which are hereby irrevocably acknowledged, **Theresa Langston King, Devisee Under the Will of Maxine K Langston, whose will is Probate in Estate No. 12-P-459 in the Chancery Court of Hamilton County, Tennessee, Jesse Dewayne Langston, Jr., Devisee Under the Will of Maxine K Langston, whose will is Probate in Estate No. 12-P-459 in the Chancery Court of Hamilton County, Tennessee, and Judith I Wirtz, Individually and as Executor of the Will of Wilma M Ingram, whose will is Probated in Estate No. 20-P-046 in the Chancery Court of Hamilton County, Tennessee, "the Grantor,"** has this day bargained and sold and by these presents does hereby sell, give, transfer and convey unto of **EMERSON RUSSELL TRUST, also doing business as the LEE PARKWAY PROPERTIES TRUST, "the Grantee,"** the following described real estate in Hamilton County, Tennessee:

All that tract or parcel of land lying and being in the Second Civil District of Hamilton County, Tennessee and being known and designated as Lot Nos. 26, 27, 28, 29, 30, 42, 43, 44, 45 and 46, Block C, McDonald Estates as shown by plat recorded in Plat Book 14, page 5 in the Register's Office of Hamilton county, Tennessee.

LESS AND EXCEPT from the above described property any portion which lies within the bounds of Ringgold Road, a/k/a U. S. Highway 41.

LESS AND EXCEPT from the above described property that portion conveyed in Book 1372, page 389 in the Register's Office of Hamilton County, Tennessee.

*Property known as 6511 Ringgold Road, East Ridge, TN 37412
Map Parcel: 169L-L-007*

For prior title see Book 1285, page 170, Book 1114, page 679, Book 1245, page 278 in the Register's Office of Hamilton County, Tennessee. Also see Probate File 20-P-046 and Probate File 12-P-459 in the Chancery Court of Hamilton County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Any governmental zoning and subdivision ordinances or regulations in effect thereon.

All applicable conditions, restrictions, reservations, easements, etc. as shown on recorded plat.

All matters as shown or stipulated on recorded plat.

The accuracy of the Index Book of the said Register's Office; and any other matters which an accurate survey of the Property might disclose.

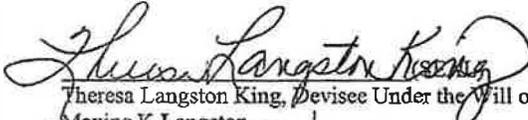
Subject to Limited Controlled Access to Ringgold Road, a/k/a U. S. Highway 41.

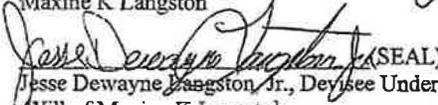
TO HAVE AND TO HOLD said real estate unto the Grantee, and the Grantee's successors, heirs and assigns, forever in fee simple.

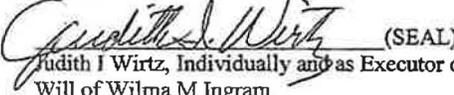
Grantor covenants that it is lawfully seized and possessed of said real estate, has good right and lawful authority to convey the same, that the title thereto is clear, free and unencumbered (except as hereinbefore specifically set out), and will forever warrant and defend said title against any and all lawful claims of all persons.

WHEREAS, it has been determined that all debts and claims against the Estate have been fully paid.

IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed on the 18th day of September, 2020.


 Theresa Langston King, Devisee Under the Will of
 Maxine K Langston

 (SEAL)
 Jesse Dewayne Langston, Jr., Devisee Under the
 Will of Maxine K Langston

 (SEAL)
 Judith I Wirtz, Individually and as Executor of the
 Will of Wilma M Ingram

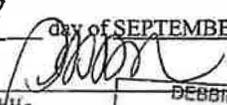
STATE OF GEORGIA

COUNTY OF CATOOSA

Personally appeared before me, a Notary Public in and for said State and County, Theresa Langston King, Devisee Under the Will of Maxine K Langston, whose will is Probate in Estate No. 12-P-459 in the Chancery Court of Hamilton County, Tennessee, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal this 18 day of SEPTEMBER, 2020.

Notary Public
My Commission Expires:

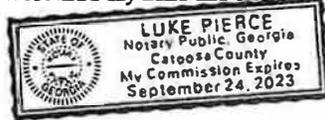

 DEBBIE UNDERWOOD
 NOTARY PUBLIC
 Catoosa County
 State of Georgia
 My Comm. Expires 09/23/2022

STATE OF GEORGIA

COUNTY OF CATOOSA

Personally appeared before me, a Notary Public in and for said State and County, Jesse Devayne Langston, Jr., Devisee Under the Will of Maxine K Langston, whose will is Probate in Estate No. 12-P-459 in the Chancery Court of Hamilton County, Tennessee, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal this 18 day of SEPTEMBER, 2020.



[Signature]
Notary Public
My Commission Expires: _____

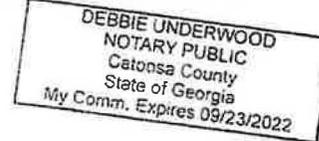
STATE OF GEORGIA

COUNTY OF CATOOSA

Personally appeared before me, a Notary Public in and for said State and County, Judith I Wirtz, Individually and as Executor of the Will of Wilma M Ingram, whose will is Probated in Estate No. 20-P-046 in the Chancery Court of Hamilton County, Tennessee, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal this 18 day of SEPTEMBER, 2020.

[Signature]
Notary Public
My Commission Expires: _____



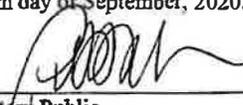
AFFIDAVIT OF VALUE

STATE OF GEORGIA)
)
COUNTY OF CATOOSA)

The undersigned hereby offers this instrument for recording within the meaning of the statutes of the State of Tennessee under Tenn. Code Ann. Section 67-4-409, and hereby swears and affirms that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$800,000.00 , which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Shegna Russell Kincaid
(Affiant)

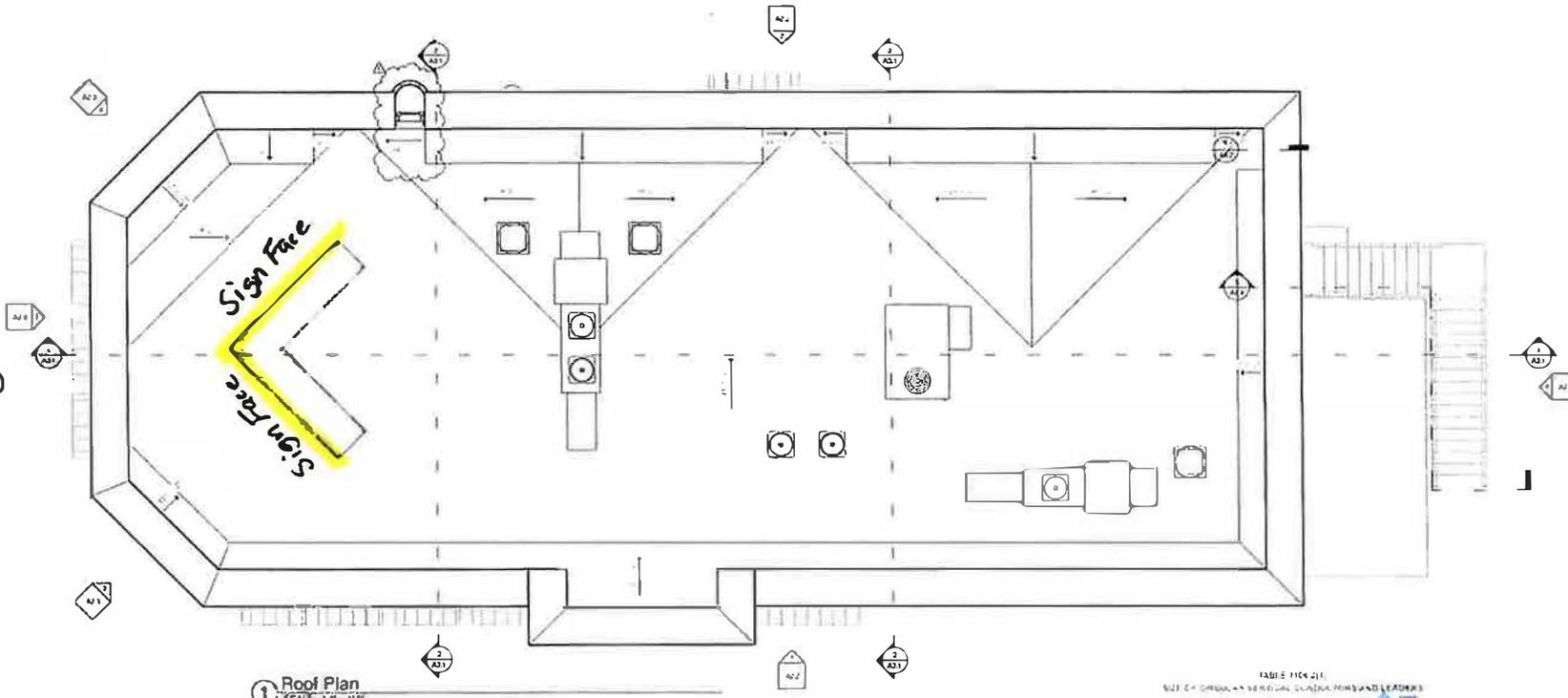
Sworn to and subscribed before me this
18th day of September, 2020.



Notary Public
My commission expires: _____
File No. 9539-20-TN

DEBBIE UNDERWOOD
NOTARY PUBLIC
Catoosa County
State of Georgia
My Comm. Expires 09/23/2022

Ringgold Road



1 Roof Plan
SCALE: 1/4" = 1'-0"

TABLE 1104.2(1)
MIN. CH. CIRCUM. AS SET FORTH IN TABLES 1104.2(1) AND 1104.2(2)

DIAMETER OF LEADER (INCHES)

ROOF AREA CALC. (SQ. FT.)
1116.50 SQ. FT.

Plans Reviewed for Code Compliance
International Building Code Section 107.3.1

Roof Drainage Calculations

MUNICIPAL INSPECTION PARTNERS
REVIEW - ENFORCE - INSPECT



1713 cowlart street | po box 4888
chattanooga, tennessee
telephone 423 756 2929



A NEW BUILDING FOR:
PORTOFINO'S
6511 RINGGOLD ROAD
EAST RIDGE, TN 37412

DOT SCALE DRAWINGS
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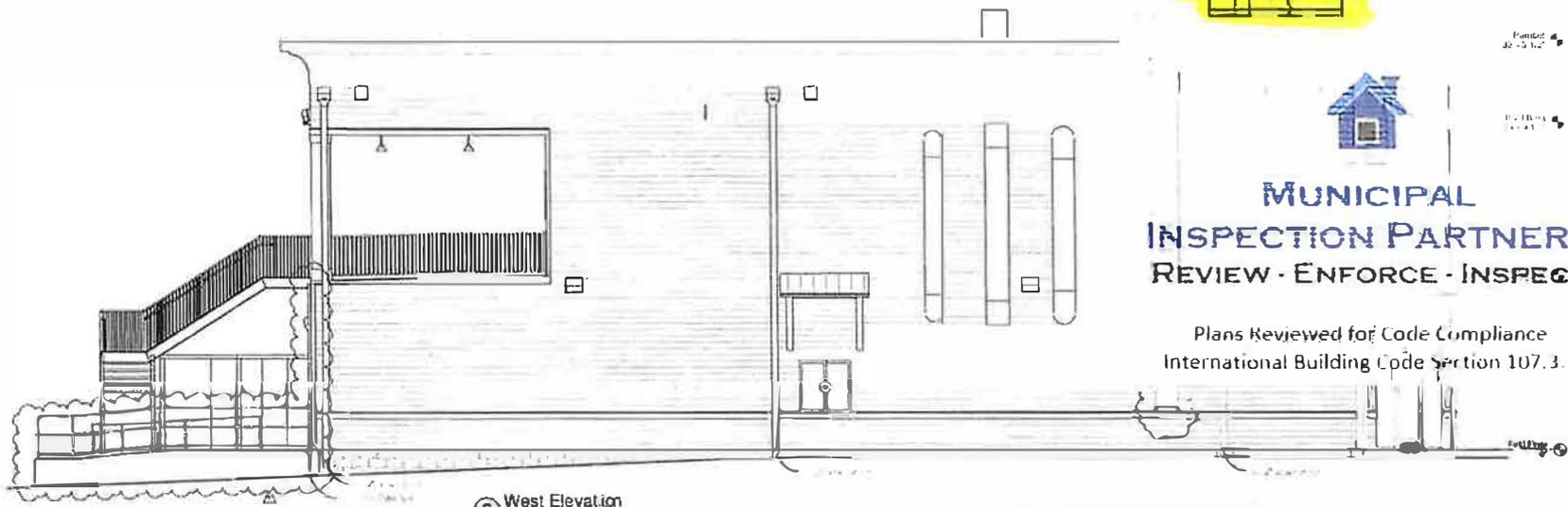
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DATE: 7-23-2021

PROJECT: 1713 COWLE STREET, CHATTANOOGA, TN 37412



1 East Elevation
SCALE: 1/8" = 1'-0"



2 West Elevation
SCALE: 1/8" = 1'-0"



**CAUGHMAN
CAUGHMAN
ARCHITECTS**

1713 cowlart street | po box 4698
chattanooga tennessee
telephone 423 756 2929

seal



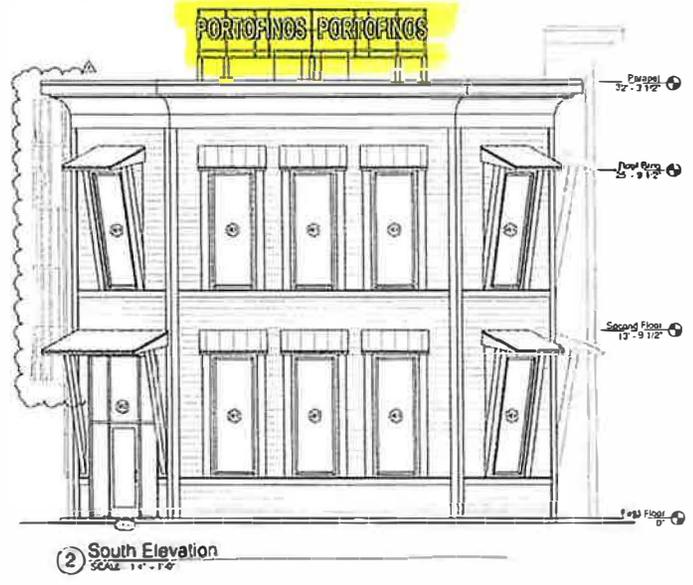
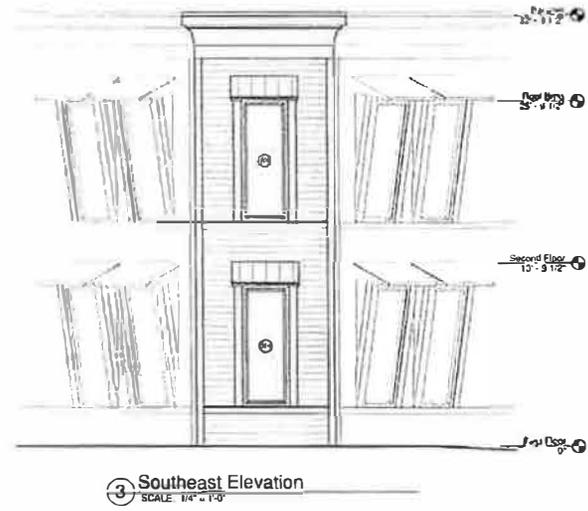
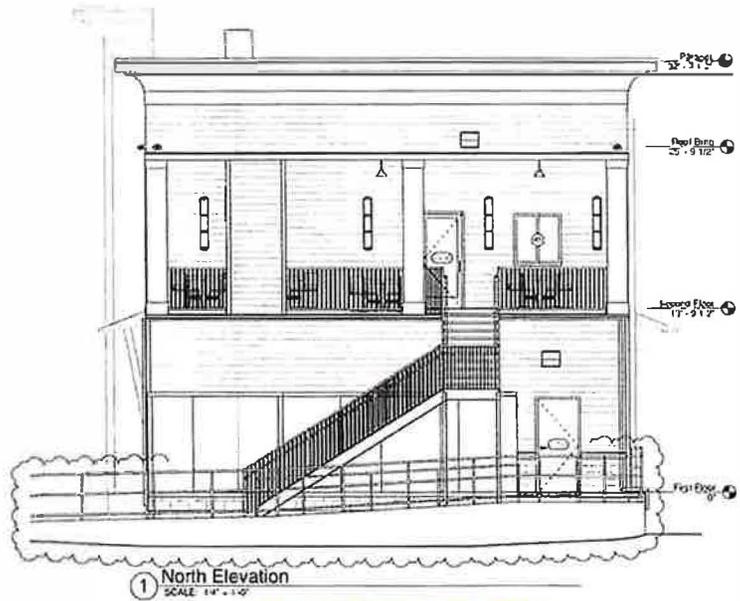
A NEW BUILDING FOR:
PORTOFINO'S
6511 RINGGOLD ROAD
EAST RIDGE, TN 37412

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dimensions only. do not obtain
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with the contract documents.
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7-23-2021

**MUNICIPAL
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Plans Reviewed for Code Compliance
International Building Code Section 107.3.1

**BUILDING
ELEVATIONS
A2.2**



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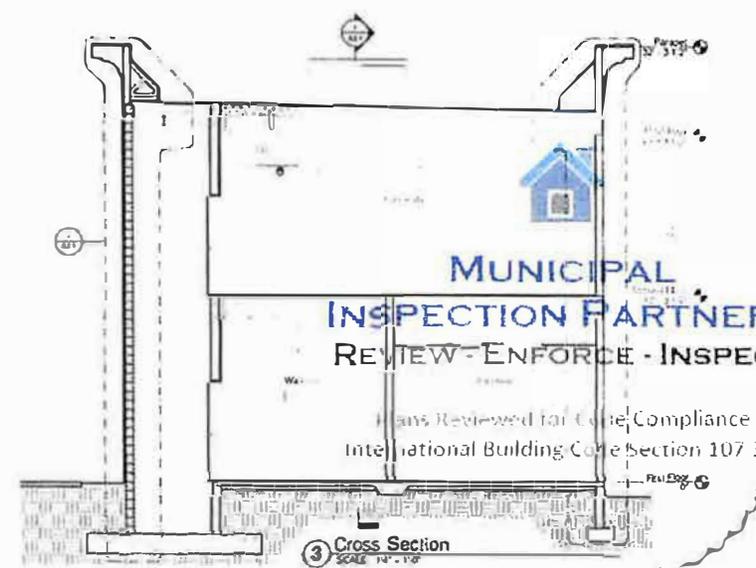
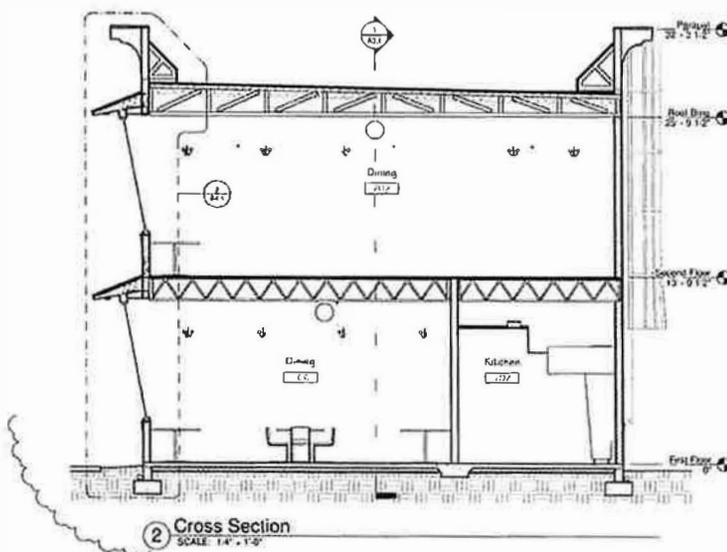
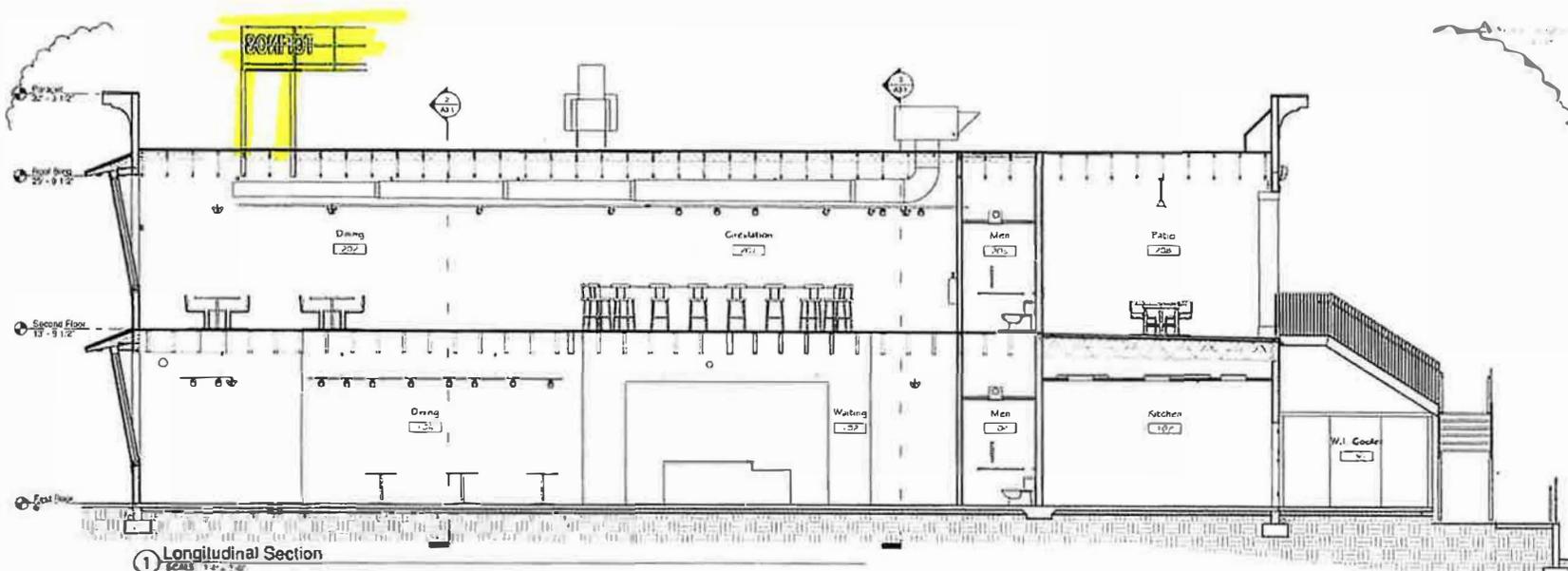


A NEW BUILDING FOR:
PORTOFINO'S
6511 RINGGOLD ROAD
EAST RIDGE, TN 37412

**MUNICIPAL
INSPECTION PARTNERS
REVIEW - ENFORCE - INSPECT**

Plans Reviewed for Code Compliance
International Building Code Section 107.3.1

DO NOT SCALE DRAWINGS
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BUILDING ELEVATIONS
A2.3



1713 covart steel | po box 4848
chattanooga, tennessee
telephone 423 756 2929



A NEW BUILDING FOR:

PORTOFINO'S

6511 RINGGOLD ROAD
EAST RIDGE, TN 37412

DO NOT SCALE DRAWINGS
Dimensions shown on this drawing are approximate and should not be used for construction or other purposes without the approval of the architect.

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DATE: 7-23-2021

BUILDING SECTIONS

A3.1



City of East Ridge

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

Administration

AGENDA MEMO

TO: Mayor and Council
FROM: Janet Middleton
SUBJECT: State ROW Mowing Contract
DATE: April 11, 2022

Mayor and Council,

We have received the 2022/2023 Mowing contract from TDOT in the amount of \$8,820 for 6 mowing cycles. This will be the annual renewal contract for the scope of work city staff has undertaken for the last several years.

**CONTRACT
BETWEEN THE STATE OF TENNESSEE,
DEPARTMENT OF TRANSPORTATION
AND
City of East Ridge**

This Contract, by and between the State of Tennessee, Department of Transportation, hereinafter referred to as the "State" and City of East Ridge, hereinafter referred to as the "Contractor," is for the provision of a special agreement for mowing, as further defined in the "SCOPE OF SERVICES."

Contractor Edison Registration ID # 0000002874
Contract #: CMA 2341

A. SCOPE OF SERVICES:

- A.1. The Contractor shall provide all service and deliverables as required, described, and detailed herein and shall meet all service and delivery timelines as specified by this Contract.
- A.2. Tenn. Code Ann. § 54-5-201 provides that the State is authorized to enter into contracts with municipalities regarding the improvement and maintenance of streets over which traffic on state highways is routed.
- A.3. Tenn. Code Ann. § 54-5-202 provides that streets constructed, reconstructed, improved and maintained by the State shall be of a width and type that the State deems proper, but the width so constructed, reconstructed, improved and maintained shall not be less than eighteen feet (18'); and, in the case of resurfacing and maintenance, from curb to curb where curbs exist, or the full width of the roadway where no curbs exist.
- A.4. Tenn. Code Ann. § 54-5-203 provides that the State is authorized to enter into contracts with municipalities that are organized to care for streets to reimburse, subject to the approval of the State, for improvements and maintenance.
- A.5. Tenn. Code Ann. § 54-16-106 provides that the highway authorities of the state, counties, cities, and town are authorized to enter into agreements with each other respecting the improvement and maintenance of controlled-access facilities, defined by Tenn. Code Ann. § 54-16-101 as a highway or street specially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement of access from abutting properties.
- A.6. Tenn. Code Ann. § 54-5-139 provides that the State may enter into a contract with a qualified county to perform maintenance activities upon the rights-of-way of state highways located outside of municipalities and metropolitan governments; and, that the reimbursement shall be on an actual cost basis.
- A.7. The State is hereby contracting with the Contractor for the improvements and maintenance specified in Attachment "Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities," attached and incorporated hereto as part of this Contract.

B. TERM OF CONTRACT:

This Contract shall be effective on July 1, 2022 ("Effective Date"), and extend for a period of twelve (12) months after the Effective Date ("Term"). The State shall have no obligation for goods or services provided by the Contractor prior to the Effective Date.

C. PAYMENT TERMS AND CONDITIONS:

C.1. Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed **Eight Thousand Eight Hundred Twenty Dollars and Zero Cents (\$8820.00)**. The payment rates in section C.3 shall constitute the entire compensation due the Contractor for all service and Contractor obligations hereunder regardless of the difficulty, materials or equipment required. The payment rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the payment rates detailed in section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

C.2. Compensation Firm. The payment rates and the maximum liability of the State under this Contract are firm for the duration of the Contract and are not subject to escalation for any reason unless amended.

C.3. Payment Methodology. The Contractor shall be compensated based on the payment rates herein for units of service authorized by the State in a total amount not to exceed the Contract Maximum Liability established in section C.1.

- a. The Contractor's compensation shall be contingent upon the satisfactory completion of units, milestones, or increments of service defined in section A.
- b. The Contractor shall be compensated for said units, milestones, or increments of service based upon the following payment rates:

Service Description	Amount (per compensable increment)
"Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities"	See Exhibit A

C.4. Travel Compensation. The Contractor shall not be compensated or reimbursed for travel, meals, or lodging.

C.5. Invoice Requirements. The Contractor shall invoice the State only for completed increments of service and for the amount stipulated in section C.3, above, and present said invoices no more often than monthly, with all necessary supporting documentation, to:

Anthony Wallace
 Operations District Supervisor
 Tennessee Department of Transportation
 7474 Volkswagen Drive
 Chattanooga, TN 37416

- a. Each invoice shall clearly and accurately detail all of the following required information (calculations must be extended and totaled correctly).
 - (1) Invoice Number (assigned by the Contractor)
 - (2) Invoice Date
 - (3) Contract Number (assigned by the State)

- (4) Customer Account Name: Tennessee Department of Transportation
- (5) Customer Account Number (assigned by the Contractor to the above-referenced Customer)
- (6) Contractor Name
- (7) Contractor Tennessee Edison Registration ID Number Referenced in Preamble of this Contract
- (8) Contractor Contact for Invoice Questions (name, phone, and/or fax)
- (9) Contractor Remittance Address
- (10) Description of Delivered Service
- (11) Complete Itemization of Charges, which shall detail the following:
 - i. Service or Milestone Description (including name & title as applicable) of each service invoiced
 - ii. Number of Completed Units, Increments, Hours, or Days as applicable, of each service invoiced
 - iii. Applicable Payment Rate (as stipulated in Section C.3.) of each service invoiced
 - iv. Amount Due by Service
 - v. Total Amount Due for the invoice period

b. The Contractor understands and agrees that an invoice under this Contract shall:

- (1) include only charges for service described in Contract Section A and in accordance with payment terms and conditions set forth in Contract Section C;
- (2) only be submitted for completed service and shall not include any charge for future work;
- (3) not include sales tax or shipping charges; and
- (4) initiate the timeframe for payment (and any discounts) only when the State is in receipt of the invoice, and the invoice meets the minimum requirements of this section C.5.

C.6. Payment of Invoice. A payment by the State shall not prejudice the State's right to object to or question any payment, invoice, or matter in relation thereto. A payment by the State shall not be construed as acceptance of any part of the work or service provided or as approval of any amount invoiced.

C.7. Invoice Reductions. The Contractor's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the State, on the basis of audits conducted in accordance with the terms of this Contract, not to constitute proper remuneration for compensable services.

C.8. Deductions. The State reserves the right to deduct from amounts, which are or shall become due and payable to the Contractor under this or any contract between the Contractor and the State of Tennessee any amounts, which are or shall become due and payable to the State of Tennessee by the Contractor.

C.9. Prerequisite Documentation. The Contractor shall not invoice the State under this Contract until the State has received the following documentation properly completed.

- a. The Contractor shall complete, sign, and present to the State the "Authorization Agreement for Automatic Deposit Form" provided by the State. By doing so, the Contractor acknowledges and agrees that, once this form is received by the State, payments to the Contractor, under this or any other contract the Contractor has with the State of Tennessee, may be made by ACH; and
- b. The Contractor shall complete, sign, and return to the State the State-provided W-9 form. The taxpayer identification number on the W-9 form must be the same as the Contractor's Federal Employer Identification Number or Social Security Number referenced in the Contractor's Edison registration information.

D. STANDARD TERMS AND CONDITIONS:

- D.1. Required Approvals. The State is not bound by this Contract until it is signed by the contract parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this contract, said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.2. Modification and Amendment. This Contract may be modified only by a written amendment signed by all parties hereto and approved by both the officials who approved the base contract and, depending upon the specifics of the contract as amended, any additional officials required by Tennessee laws and regulations (said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.3. Termination for Convenience. The State may terminate this Contract without cause for any reason. Said termination shall not be deemed a breach of contract by the State. The State shall give the Contractor at least thirty (30) days written notice before the effective termination date. The Contractor shall be entitled to compensation for satisfactory, authorized service completed as of the termination date, but in no event shall the State be liable to the Contractor for compensation for any service which has not been rendered. Upon such termination, the Contractor shall have no right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- D.4. Termination for Cause. If the Contractor fails to properly perform its obligations under this Contract in a timely or proper manner, or if the Contractor violates any terms of this Contract, the State shall have the right to immediately terminate the Contract and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the Contractor shall not be relieved of liability to the State for damages sustained by virtue of any breach of this Contract by the Contractor.
- D.5. Subcontracting. The Contractor shall not assign this Contract or enter into a subcontract for any of the services performed under this Contract without obtaining the prior written approval of the State. If such subcontracts are approved by the State, each shall contain, at a minimum, sections of this Contract below pertaining to "Conflicts of Interest," "Nondiscrimination," and "Records" (as identified by the section headings). Notwithstanding any use of approved subcontractors, the Contractor shall be the prime contractor and shall be responsible for all work performed.
- D.6. Conflicts of Interest. The Contractor warrants that no part of the total Contract Amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Contractor in connection with any work contemplated or performed relative to this Contract.
- D.7. Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the Contractor on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
- D.8. Records. The Contractor shall maintain documentation for all charges under this Contract. The books, records, and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the State, the Comptroller of the Treasury, or their duly appointed

representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.

- D.9. Prevailing Wage Rates. All contracts for construction, erection, or demolition or to install goods or materials that involve the expenditure of any funds derived from the State require compliance with the prevailing wage laws as provided in *Tennessee Code Annotated*, Section 12-4-401 *et seq.*.
- D.10. Monitoring. The Contractor's activities conducted and records maintained pursuant to this Contract shall be subject to monitoring and evaluation by the State, the Comptroller of the Treasury, or their duly appointed representatives.
- D.11. Progress Reports. The Contractor shall submit brief, periodic, progress reports to the State as requested.
- D.12. Strict Performance. Failure by any party to this Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Contract shall not be construed as a waiver or relinquishment of any such term, covenant, condition, or provision. No term or condition of this Contract shall be held to be waived, modified, or deleted except by a written amendment signed by the parties hereto.
- D.13. Independent Contractor. The parties hereto, in the performance of this Contract, shall not act as employees, partners, joint venturers, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever.

The Contractor, being a Tennessee governmental entity, is governed by the provisions of the Tennessee Government Tort Liability Act, *Tennessee Code Annotated*, Sections 29-20-101 *et seq.*, for causes of action sounding in tort. Further, no contract provision requiring a Tennessee political entity to indemnify or hold harmless the State beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.

- D.14. State Liability. The State shall have no liability except as specifically provided in this Contract.
- D.15. Force Majeure. The obligations of the parties to this Contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, natural disasters, riots, wars, epidemics, or any other similar cause.
- D.16. State and Federal Compliance. The Contractor shall comply with all applicable State and Federal laws and regulations in the performance of this Contract.
- D.17. Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee. The Contractor agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Contract. The Contractor acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under *Tennessee Code Annotated*, Sections 9-8-101 through 9-8-407.
- D.18. Completeness. This Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Contract supersedes any and all prior understandings, representations, negotiations, and agreements between the parties relating hereto, whether written or oral.

- D.19. Severability. If any terms and conditions of this Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions hereof shall not be affected thereby and shall remain in full force and effect. To this end, the terms and conditions of this Contract are declared severable.
- D.20. Headings. Section headings of this Contract are for reference purposes only and shall not be construed as part of this Contract.

E. SPECIAL TERMS AND CONDITIONS:

- E.1. Conflicting Terms and Conditions. Should any of these special terms and conditions conflict with any other terms and conditions of this Contract, these special terms and conditions shall control.
- E.2. Communications and Contacts. All instructions, notices, consents, demands, or other communications required or contemplated by this Contract shall be in writing and shall be made by certified, first class mail, return receipt requested and postage prepaid, by overnight courier service with an asset tracking system, or by EMAIL or facsimile transmission with recipient confirmation. Any such communications, regardless of method of transmission, shall be addressed to the respective party at the appropriate mailing address, facsimile number, or EMAIL address as set forth below or to that of such other party or address, as may be hereafter specified by written notice.

The State:

Anthony Wallace, Operations District Supervisor
Tennessee Department of Transportation
7474 Volkswagen Drive
Chattanooga, TN 37416
Anthony.Wallace@tn.gov
Telephone # 423-634-4649
FAX # 423-510-1155

The Contractor:

Janet Middleton, City Recorder
City of East Ridge
1517 Tombras Avenue
East Ridge, TN 37412
JMiddleton@eastridgetn.gov
Telephone # 423-867-7711
FAX # 423-867-7340

All instructions, notices, consents, demands, or other communications shall be considered effectively given upon receipt or recipient confirmation as may be required.

- E.3. Subject to Funds Availability. The Contract is subject to the appropriation and availability of State and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate the Contract upon written notice to the Contractor. Said termination shall not be deemed a breach of Contract by the State. Upon receipt of the written notice, the Contractor shall cease all work associated with the Contract. Should such an event occur, the Contractor shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Contractor shall have no right to recover from the State any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- E.4. MUTCD. In accordance with Tenn. Code Ann. 54-5-108, the Contractor shall conform to and act in accordance with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by rules of the State. Particularly, the Contractor shall sign work-zones associated with this Contract in accordance with the aforesaid MUTCD.

E. 5. Maintenance. Nothing contained in this Contract shall change the maintenance obligations governed by the laws of the State of Tennessee, it being the intent of this Contract not to enlarge the present maintenance obligations of the State.

IN WITNESS WHEREOF,

City of East Ridge:

CONTRACTOR SIGNATURE

DATE

PRINTED NAME AND TITLE OF CONTRACTOR SIGNATORY (above)

APPROVED AS TO FORM AND LEGALITY

CONTRACTOR ATTORNEY SIGNATURE

DATE

PRINTED NAME AND TITLE OF CONTRACTOR ATTORNEY SIGNATORY (above)

STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION:

JOE GALBATO III, INTERIM COMMISSIONER

DATE

APPROVED AS TO FORM AND LEGALITY

JOHN REINBOLD, GENERAL COUNSEL

DATE

“EXHIBIT A”
GUIDELINES COVERING MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following items where applicable are eligible for reimbursement by the State to the Contractor under the Special Maintenance Agreement:

Activity	Maintenance Work Type	Unit Of Measure
435	Machine Mowing**	Acres

** Work must be inside the area eligible for reimbursements as detailed in "CITY MAINTENANCE ROADWAY TYPICAL SECTIONS".

Machine Mowing work shall consist of cutting or trimming vegetation primarily consisting of, but not limited to, grasses and invasive weeds on State rights-of-way as detailed below to provide a consistent and aesthetically pleasing standing vegetation height as directed by the State.

Litter Removal Work shall consist of removal of litter from the entire highway rights-of-way where accessible (fence to fence where applicable), including shoulders and excluding the travel lanes on interstate and state routes as detailed below.

Mechanical Sweeping and Street Flushing work shall consist of the removal by mechanical sweeping, or other approved means, of dirt and debris accumulated on the roadway along curbs, gutters, median barriers, bridge curbs and gore areas and ramps at interchanges as detailed below.

INVENTORY OF ELIGIBLE MACHINE MOWING FOR THE MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the eligible mowing area in acres which will be maintained by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount actually expended for machine mowing, not to exceed the number of cycles and the price per acre as detailed below.

Approved Mowing Reimbursement Per Acre:
Calculated Maximum Reimbursement (Mowing):

\$ 45.00
\$8,820.00

Mowing Inventory Worksheet								
Route Number	Roadway Type	Begin Termini (LM)	End Termini (LM)	Median Area (acres)	Controlled Access Area (acres)	Segment Total Area (acres)	Number of Mowing Cycles	Contract Segment Total Area (acres)
I0075	2B	0.000	0.090		3.3	3.3	6	19.8
I0075	2B	0.090	0.480		14.2	14.2	6	85.2
I0075	2B	0.480	0.580		3.6	3.6	6	21.6
I0075	2B	0.580	0.710		4.7	4.7	6	28.2
SR008	1D	0.723	0.730		0.1	0.1	6	0.6
SR008	1G	0.730	0.920	0.6	2.5	3.1	6	18.6
SR008	1G	0.920	1.000	0.3	1.1	1.4	6	8.4
SR008	1G	1.000	1.130	0.4	1.7	2.1	6	12.6
SR008	1D	1.130	1.138		0.1	0.1	6	0.6
Total Contract Area (acres):								196

INVENTORY OF ELIGIBLE LITTER REMOVAL FOR THE MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

CITY MAINTENANCE
ROADWAY TYPICAL SECTIONS

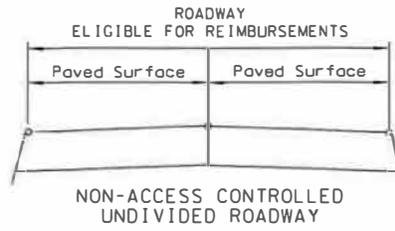


FIGURE 1A

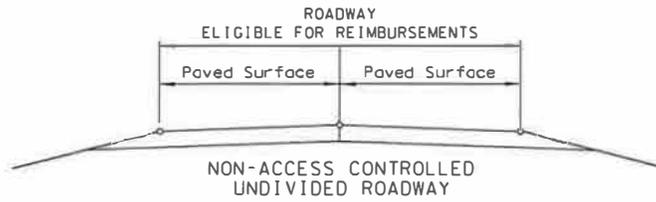


FIGURE 1B

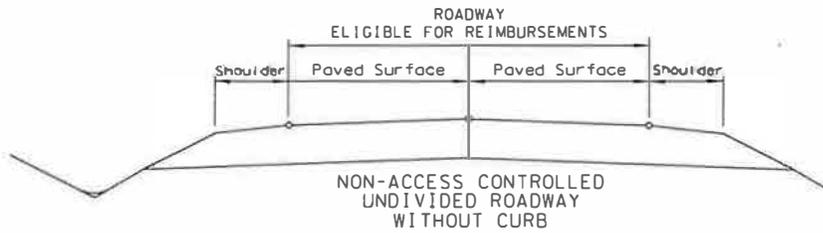


FIGURE 1C

NOTE: IN FIGURES 1A, 1B, AND 1C FOR NON-CONTROLLED ROUTES THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

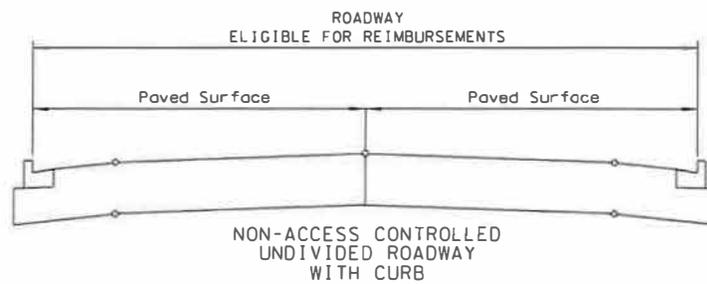


FIGURE 1D

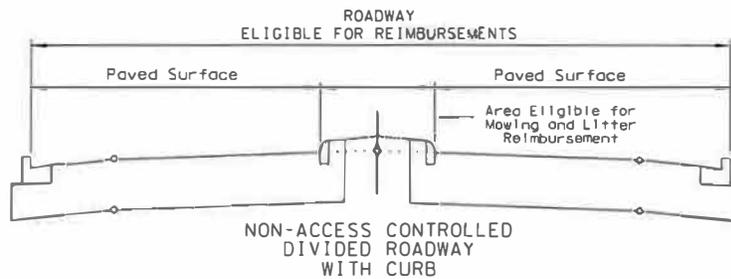


FIGURE 1E

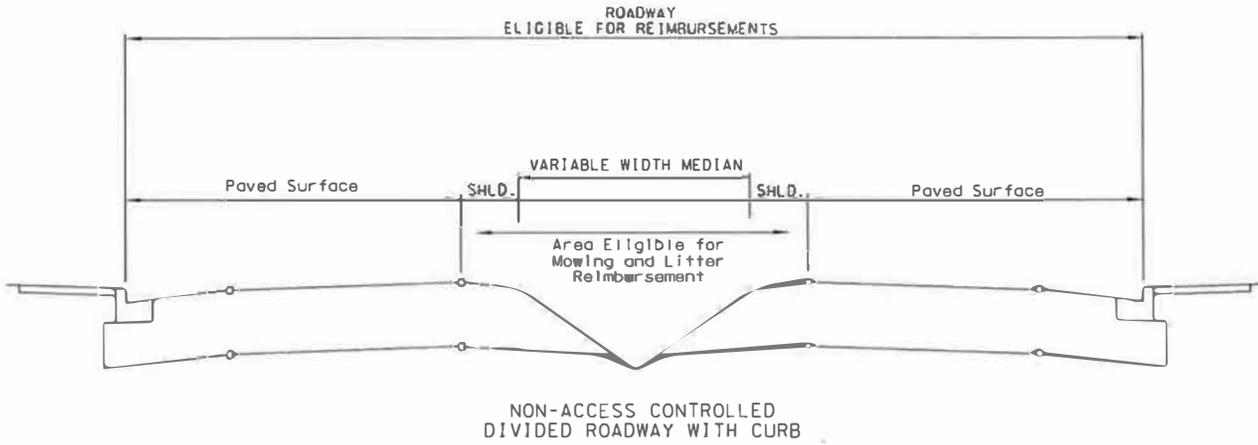


FIGURE 1F

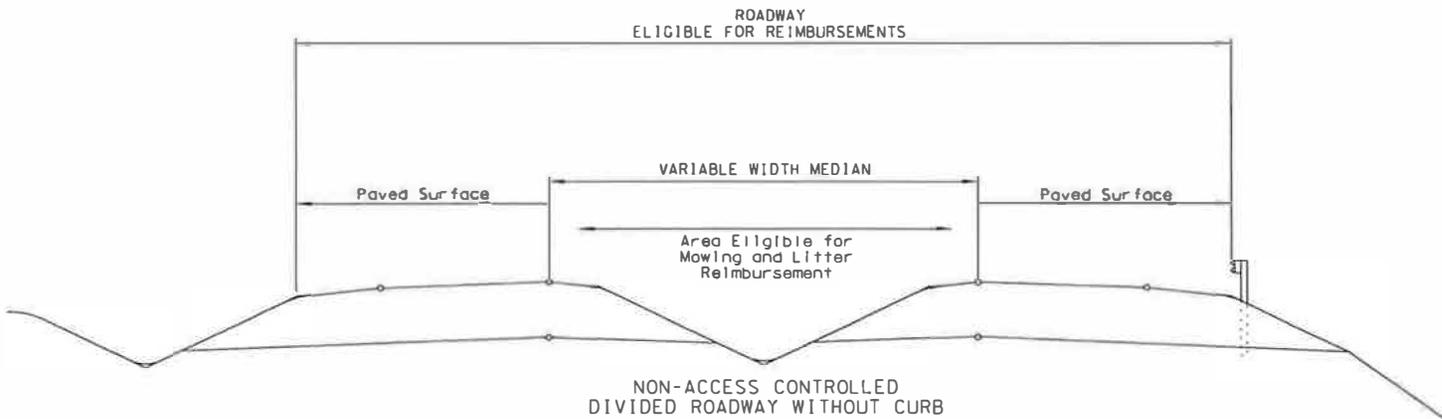


FIGURE 1G

NOTE:
IF FIGURES 1F AND 1G FOR NON-ACCESS CONTROLLED ROUTES
THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

CITY MAINTENANCE
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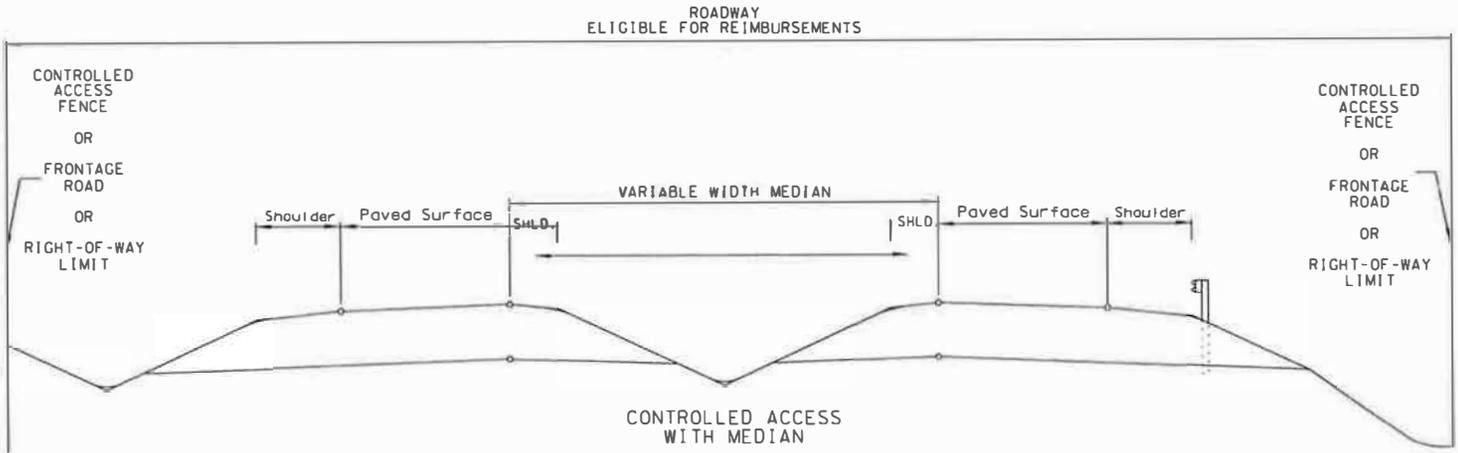


FIGURE 2A

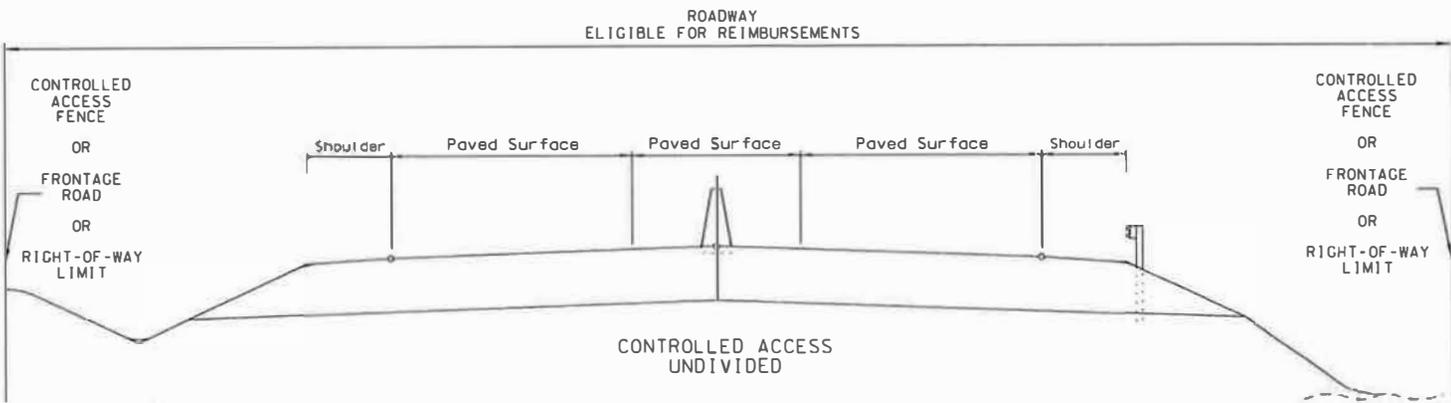


FIGURE 2B