

MINUTES OF THE EAST RIDGE CITY COUNCIL

CALLED MEETING February 3, 2017 – 10:00 am

The East Ridge City Council met pursuant to notice on February 3, 2017, 10:00 am, at East Ridge City Hall. Mayor Lambert called the meeting and all Councilmembers were given notice of the call. The meeting was called for the purpose of the following:

- Discuss/Take Action on Resolution No. 2628 - An amendment to existing State legislation regarding population requirements for rental inspection programs

Mayor Lambert called the meeting to order.

Denny Manning gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Lambert, Vice Mayor Sewell, Councilmember Cagle, Councilmember Helton, City Manager Miller, Interim City Attorney Litchford, and City Recorder Middleton. Councilmember Williams was not present.

Communication from Citizens:

John Britt, 5305 Marion Avenue, is not clear how this will affect him and others as landlords. He is concerned about extra inspections and charges. He is also concerned about how this will affect Airbnb's.

Chief Building Official Custer stated in order for the City to have a rental inspection program, the State Legislature will have to reduce the population requirement, which currently is more than the City's population of 21,000+. He stated currently there is no fee schedule for inspections. Mr. Custer also stated the City wants to develop a program to insure life safety and make sure landlords are taking care of their tenants.

City Manager Miller stated the current population requirement is 27,390 in order to enact a rental inspection program. We have to request from the legislature that they lower the population requirement in order to enact the inspection program. He would also like to have input from the landlords and tenants regarding the program.

Nicole Osborn, Government Affairs Liaison for the City, stated there are two pieces of legislation in the State that could affect Airbnb's and she will keep everyone updated on these.

RESOLUTION NO. 2628 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, REQUESTING THE HAMILTON COUNTY DELEGATION OF THE LEGISLATURE OF THE STATE OF TENNESSEE TO ENACT SUCH PUBLIC ACT WHICH WOULD INCLUDE THE CITY OF EAST RIDGE WITHIN THE POPULATION PARAMETERS OF THE PUBLIC ACT OF 2006 CHAPTER 949, T.C.A. § 13-21-301 – 314 – City Attorney Litchford read on caption. Councilmember Sewell made a motion, seconded by Councilmember Cagle, to approve Resolution No. 2628. Mayor Lambert stated the reason for this called meeting is that the bill filing deadline is February 9th. The vote was unanimous. Motion approved.

The meeting was adjourned.

MINUTES OF THE AGENDA WORK SESSION

February 9, 2017 – 6:00 pm

To Set the Agenda For The
February 23, 2017 Council Meeting

The East Ridge City Council met pursuant to notice on February 9, 2017 at East Ridge City Hall to set the agenda for the February 23, 2017 Council Meeting and other items.

Mayor Lambert called the meeting to order.

Present were: Mayor Lambert, Vice Mayor Sewell, Councilmember Cagle, Councilmember Helton, Councilmember Williams, City Manager Miller, Interim City Attorney Litchford, and City Recorder Middleton.

Old Business:

ORDINANCE NO. 1028 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481), WHICH AMENDS TITLE 14, CHAPTER 2, ARTICLE VI, SECTIONS 108 THROUGH 110 OF THE EAST RIDGE MUNICIPAL CODE, AS IT RELATES TO ON-PREMISE AND OFF-PREMISE SIGN AND BILLBOARD REGULATIONS (2nd and final reading) – Mayor Lambert stated there would be more discussion in tonight’s regular meeting, since it will be 1st reading of this ordinance.

ORDINANCE NO. 1029 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481) CODIFIED AT TITLE 14, CHAPTER 2 OF THE EAST RIDGE MUNICIPAL CODE BY INSERTING A NEW ARTICLE X TO THE EAST RIDGE ZONING ORDINANCE AND ADOPTING ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES WITHIN COMMERCIALY ZONED DISTRICTS OF THE CITY (2nd and final reading) – Chief Building Official Custer stated he would like to pull this ordinance from the agenda. This item must go before the Planning Commission and if approved, there will be a public hearing the first meeting in March.

New Business Discussion:

Request from River City Corvette Club to Use Camp Jordan Arena on August 5, 2017 for a Car Show and waive the fee – Director Martin stated this group makes a donation to the Needy Child Fund, which is normally more than what the City would charge for rental.

Request from Optimist Club to use Camp Jordan Arena on Saturday, June 24, 2017 for a Car Show and waive the fee – Mr. Martin stated this group also donates more back to the Needy Child Fund than what the rental charge would be.

Other Items:

Councilmembers Cagle, Williams and Helton had nothing at this time.

Mayor Lambert discussed establishing a housing redevelopment authority. TCA requirements are to obtain 25 signatures on a petition, which will be filed with the City Clerk. The Clerk will give notice of a public hearing, at which time Council will hear comments from residents. After the hearing, Council will be charged with determining if unsafe dwellings exist in the City. This can be based on age of buildings or sanitary facilities that could endanger life or property. If council determines that such conditions exist, they can adopt a resolution to create the authority.

The Mayor stated that this would give the City a tool that we do not currently have; it can strongly encourage compliance from owners to clean up property. The authority could also condemn buildings. The Mayor stated he never wants to see a situation such as the one that occurred in September 2015 with a local extended stay hotel. He would like for Council to look over the information he has given to them, and give him feedback, possibly within the next month.

The meeting was adjourned.

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

**February 9, 2017
6:30 pm**

The East Ridge City Council met pursuant to notice on February 9, 2017, 6:30 pm at East Ridge City Hall. Mayor Lambert called the meeting to order.

Denny Manning gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Lambert, Vice Mayor Sewell, Councilmember Cagle, Councilmember Helton, Councilmember Williams, City Manager Miller, Interim City Attorney Litchford, and City Recorder Middleton.

Consent Agenda:

- A. Approval of Minutes January 26, 2017 Agenda Work Session
- B. Approval of Minutes January 26, 2017 Regular Council Meeting
- C. Approval of Minutes February 3, 2017 Called Meeting

City Recorder Middleton stated there was a correction to the regular council meeting minutes under New Business, Item E to add in the motion under alternate 2 “*with a hedgerow on the balance.*” Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve the Consent Agenda, as amended. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - yes; Councilmember Helton - yes; Councilmember Williams – yes on January 26th meetings and no on February 3rd meeting; Mayor Lambert - yes. Motion approved.

Councilmember Helton made a motion, seconded by Councilmember Williams, to have alternates to the bid as follows: 1) To have a split rail fence the entire length of the Parkway to the bridge and 2) to have a split rail fence at the hazard areas, such as the retention pond and wetlands. The vote was unanimous. Motion approved.

Communication from Citizens:

Matthew DeGlopper, Pyron Lane, stated the contract with the city attorney should be all inclusive. He also discussed the sign ordinance and the façade grant, stating business owners should not get the grant and then sell their business for a profit.

Communication from Councilmembers:

Councilmembers Helton, Williams and Cagle had nothing at this time.

Vice Mayor Sewell announced that Priscilla Taggart’s husband had passed away. Ms. Taggart is on the school patrol and is already back at work.

Mayor Lambert had nothing at this time.

Communication from City Manager: City Manager Miller had nothing at this time.

Old Business:

ORDINANCE NO. 1027 – PUBLIC HEARING – Mayor Lambert opened the public hearing.

Matthew DeGlopper, Pyron Lane, stated it is practical to give this property back to the developers rather than letting it grow up with weeds. It would be useless to the City.

Mayor Lambert closed the public hearing.

ORDINANCE NO. 1027 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO ABANDON A PORTION OF RIGHT OF WAY AT THE 600 BLOCK OF CAMP JORDAN PARKWAY UNDER THE JURISDICTION OF THE CITY OF EAST RIDGE, TENNESSEE (2nd and final reading) – Interim City Attorney Litchford read on caption. Mayor Lambert stated this is one-third of an acre that was included in a piece of property deeded to the City for the purpose of building a road, which will no longer exist when the new interchange is completed. The developers of that property can use this area for a parking lot for a new business. Councilmember Helton made a motion, seconded by Councilmember Williams, to approve Ordinance No. 1027 on second and final reading. Mr. Cagle stated he still opposes giving the property to the developers. He stated it stops fire engines from taking a short cut to the other side of the park and it could be used as an access for Capehart Lane. Mayor Lambert stated this is problematic for two reasons; (1) the portion of the road would come out almost at the new intersection that will be created, and (2) according to TDOT, if we change any component of the planned configuration of the interchange in any way, we have to start completely over. That could take another three years. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - no; Councilmember Helton - yes; Councilmember Williams - yes; Mayor Lambert - yes. Motion approved.

New Business:

ORDINANCE NO. 1028 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481), WHICH AMENDS TITLE 14, CHAPTER 2, ARTICLE VI, SECTIONS 108 THROUGH 110 OF THE EAST RIDGE MUNICIPAL CODE, AS IT RELATES TO ON-PREMISE AND OFF-PREMISE SIGN AND BILLBOARD REGULATIONS (1st reading) – Interim City Attorney Litchford read on caption. Chief Building Official Custer discussed some of the changes to the ordinance. He stated this has taken over twelve months, but it is still a fluid document that could change over time as new technology is developed. Mr. Custer stated that the abundance of pole signs is the main reason for the update to this ordinance. He also stated that the Codes Department is meeting with companies at night to do testing on LED signs to see how bright they are and to get familiar with the new instrumentation. Mr. Custer stated that smaller businesses, in addition to two 30-day periods, would now have some holidays and the Christmas holiday season to use temporary signs to advertise. He also stated that sandwich boards would now be allowed if the ordinance is approved.

Mr. Custer discussed abandoned signs. City Manager Miller would like to add wording that if the sign is not removed, the city will remove it, charge the individual and then place a lien on the property. Mr. Custer stated that this is in the property maintenance regulations.

Mr. Custer stated that all off-premise signs would now go to a use on review process. Also, distance between billboards will go from 1,000 to 2,000 feet if they are over 100 square feet. This applies to both sides of the right of way.

There will be a public hearing on this ordinance on February 23, 2017 at the regular council meeting. Councilmember Cagle made a motion, seconded by Councilmember Williams, to approve Ordinance No. 1028 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1029 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481) CODIFIED AT TITLE 14, CHAPTER 2 OF THE EAST RIDGE MUNICIPAL CODE BY INSERTING A NEW ARTICLE X TO THE EAST RIDGE ZONING ORDINANCE AND ADOPTING ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES WITHIN COMMERCIAL ZONED DISTRICTS OF THE CITY (1st reading) – Mayor Lambert stated that a request has been made to pull this from the agenda. Chief Building Official Custer stated the changes are limited but this will have to go back before the Planning Commission. Mr. Custer did go over the basic guidelines of the ordinance. He stated that some companies, such as Speedway, Mapco, and Bass Pro use natural stone in their construction, but other companies come in and put up “butler” buildings. This ordinance encourages the use of stone and brick and, but not aluminum or vinyl siding, metal or galvanized products, although galvanized could be a trademark for some businesses.

Grant Consent Agenda:

- 1. RESOLUTION NO 2629 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FOR SLUM AND BLIGHT REMOVAL**
- 2. RESOLUTION NO 2630 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, FIREHOUSE SUBS FY 2017 GRANT**

Interim City Attorney Litchford read Resolution Nos. 2629 and 2630 on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve the Grant Consent Agenda. The vote was unanimous. Motion approved.

Board Appointments – Beer Board, Personnel Board, and Planning Commission – Mayor Lambert stated he is waiting on a response from the person he would like to appoint to the Beer Board.

The Mayor stated there is still a debate on keeping the Personnel Board, because it has never been used. City Manager Miller stated the board would only meet if they get called on an appeal of termination. He stated that staff is currently working on updating the personnel

rules and regulations, so he would like to hold off on this item tonight until the update is completed.

Mayor Lambert stated that one member has resigned from the Planning Commission and another has health issues and probably will not continue. At this time, the Mayor appointed Mike Chauncey to the Planning Commission.

Councilmember Williams would like to have information on when the members roll off of each board.

Mayor Lambert stated that if the City establishes a Redevelopment Authority, it will have to have five members, one of which has to be a resident of public housing or Section 8 housing.

Authorization to Solicit Requests for Proposals for the Engineering Design of Sidewalks on Ringgold Road – City Manager Miller stated we currently have two grants for sidewalks on Ringgold Road. He would like to extend the sidewalks from Belvoir Avenue to the tunnel going west and from either McBrien Road or Moore Road to I-75 going east. He would like to do the west section first, before June 2022, and then be reimbursed from the Border Region. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to authorize the City Manager to solicit request for proposals for the engineering design. The vote was unanimous. Motion approved.

Discuss/Take Action on City Attorney Position – Mayor Lambert stated the City advertised for qualifications for a City Attorney and received four resumes. He stated we could interview all four, some of the four, or do no interviews at all. He stated the only time a change has been made, the position was filled without interviews. The Mayor also stated he is comfortable with the person we have as an interim. Councilmember Cagle made a motion to interview all four candidates. The motion died for lack of a second. Councilmember Cagle made a motion, seconded by Councilmember Helton, to interview the top two candidates. Roll call vote: Vice Mayor Sewell – yes; Councilmember Cagle – yes; Councilmember Helton – yes; Councilmember Williams – yes; Mayor Lambert – no. Motion approved.

Councilmembers stated that their top two candidates are Mark Litchford and Alex McVeagh. Councilmember Cagle made a motion, seconded by Councilmember Helton, to interview both Mr. Litchford and Mr. McVeagh. Roll call vote: Vice Mayor Sewell – yes; Councilmember Cagle – yes; Councilmember Helton – yes; Councilmember Williams – yes; Mayor Lambert – no. Motion approved.

The Mayor scheduled a called meeting for Monday, February 20, 2017 at 5:30 pm for City Attorney interviews.

RESOLUTION NO. 2631 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE HAMILTON COUNTY, TENNESSEE BOARD OF EDUCATION REGARDING TRANSFER OF THE EAST RIDGE ATHLETIC FACILITIES TO THE CITY OF EAST RIDGE – Interim City Attorney Litchford read on caption. Mr. Litchford went over the highlights of the contract. He stated he met with county officials and was told the County would not pay

for upgrades to the athletic facilities. Mr. Litchford also stated that if the County approves the agreement, the City will get title to the property, contingent to reversion conditions found in the contract. If the City fails to improve the properties or cure dangerous conditions, the School Board could retake the properties. Mr. Litchford stated other parties could use the athletic facilities, but the school would have priority. He stated he is comfortable with the agreement. Director Martin introduced Coach Tim James, the football coach at East Ridge High School. Mr. James stated this is a win/win for the kids. Director Martin stated he would have an employee at the school most every day. There will be an initial capital outlay of \$41,000, plus costs of \$58,341 annually. Councilmember Helton stated this agreement “sews good seed” and is good for morale. Vice Mayor Sewell would like Council to consider using the old Fire Station 2 building as a fieldhouse. Coach James stated the facilities could be used for summer youth programs, and football and baseball camps, plus the Construction Academy at the High School could help with the building. Mr. Miller stated this could be done without a tax increase, plus the City could apply for grants for future enhancements. Mr. Cagle stated he feels East Ridge citizens will be double taxed if we take over the facilities. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Resolution No. 2631. The vote was unanimous. Motion approved.

The meeting was adjourned.

**MINUTES OF THE EAST RIDGE CITY COUNCIL
CALLED MEETING
February 20, 2017 – 5:30 pm**

The East Ridge City Council met pursuant to notice on February 20, 2017, 5:30 pm at East Ridge City Hall. Mayor Lambert called the meeting and all Councilmembers were given notice of call. The meeting was called for the purpose of the following:

- Conduct interviews/Take Action on City Attorney Position

Mayor Lambert called the meeting to order.

Mayor Lambert gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Lambert, *Vice Mayor Sewell*, Councilmember Cagle, Councilmember Helton, Councilmember Williams, City Manager Miller, and City Recorder Middleton. Interim City Attorney Litchford was not present representing the City, but was present to be interviewed for the City Attorney position.

Communication from Citizens:

Laura Mathis, 2100 McBrien Road, asked if either firm has represented or is currently representing any Councilmembers. The Mayor will ask this during the interviews.

Matthew De Glopper, 706 Pyron Lane, thinks council has narrowed this down to two good choices. He would also like for Mr. Litchford's firm, if he is appointed, to consider giving the City a flat rate.

Conduct Interviews/Take Action on City Attorney Position

Mayor Lambert stated if there were no objections, Council would interview the candidates in alphabetical order, with Mark Litchford first and Alex McVeagh second. The format would be for each Councilmember and the Mayor to each ask one question, then come back around and ask a second question. They could possibly do a third question, if necessary.

At this time, the Mayor began the interviews.

1. Mark Litchford

- Mayor Lambert (question from a citizen) – Have you in the past or are you currently representing any Councilmember?
 - Mr. Litchford stated he has not and is not currently representing any Councilmember.

- Councilmember Helton – Can you describe your knowledge in personnel rules and regulations.
 - Mr. Litchford stated he has dealt with personnel issues in the private sector, but not in government. He stated in government you have to start with the City code to see what the issue is and then possibly look at state and federal statutes, such as Title 7, the Fair Labor Standards Act and the Family Medical Leave Act. You must be consistent. He also stated that new laws could affect the Affordable Care Act.

- Councilmember Williams – Describe how you have negotiated agreements with developers and property owners in new construction and reconstruction.
 - Mr. Litchford has been involved in negotiations on the private side representing developers, which range from a small free standing retail development to a commercial restaurant on Gunbarrel, plus a multi-use residential 300-unit apartment building. He stated you have to look at various issues, such as zoning, site preparation, and type of development to make sure the revenues offset the incentives given by the City.

- Mayor Lambert – Can you provide an overview of the Border Region Act.
 - Mr. Litchford stated that in 2011, during a slow market, Lt. Gov. Ramsey came up with this legislation to help stimulate development, especially in the City of Kingsport. Mr. Litchford assisted the City during that time with the Border Region District. He stated the benefits are that it allows the City to compete with larger markets and offer incentive packages to businesses that could go to Chattanooga or another city. We get a return on sales tax of 75% of the state's portion, which would be used to offer incentives. He helped get the Border Region certified with the state in 2011.

- Vice Mayor Sewell – Describe your knowledge in the area of a housing authority and the importance of one.
 - Mr. Litchford stated they are a tool given by the legislature to give cities broader powers to take blighted areas or areas not used to their potential and return them to the tax rolls. Even though East Ridge is a home rule, it is still limited by the State. The City could delegate powers to the Housing Authority.

- Councilmember Cagle – What is your experience in defending governmental entities in lawsuits.
 - Mr. Litchford stated he has dealt with people who believe they have been discriminated against by government entities. He has represented clients regarding open records and open meetings violations. He has done this on the private side, not on the government side.

- Councilmember Cagle – Mr. Cagle stated that in Mr. Litchford's application, he stated there was no conflict of interest in representing the city. Mr. Cagle

stated that Mr. Litchford's firm is representing a city employee and the WWTA, which was involved in a lawsuit with East Ridge. He asked Mr. Litchford to explain and also asked him what the Chinese wall is.

- Mr. Litchford stated that Mr. Cagle asked City Manager Miller to check with the Board of Professional Responsibility and they determined there would be no conflict in Mr. Litchford representing the City. If a conflict did arise, his firm has 25 – 30 lawyers that could step in on a certain issue. Mr. Litchford stated the “Chinese wall” refers to everyone in the firm having a private drive on each computer that only the user can access among other things. He also stated that no conflict would arise with the WWTA.
- Vice Mayor Sewell – Describe your knowledge in building and planning in reference to building codes.
 - Mr. Litchford stated you meet with the developer and the building official in the predevelopment stage. You would need to check the regulations, find out permitted uses and look at infrastructure, such as sewers and roads.
- Mayor Lambert – What can you tell us about your previous experience working in the field of municipal law or other law relevant to East Ridge.
 - Mr. Litchford stated he has represented and been on the board of the McKamey Animal Shelter. He did an overhaul of their bylaws, which were all subject to open records. He has also represented clients with disputes with government.
- Councilmember Williams – What has been your capacity and your capability of dealing with day-to-day issues and issues on short notice?
 - Mr. Litchford stated that his firm has a broad spectrum of knowledge and involved in many areas. He resides in Chattanooga, his office is close and he will be available morning or night.
- Councilmember Helton – Please talk about your knowledge of nuisance laws for businesses involved in drugs, gangs, prostitution, etc.
 - Mr. Litchford stated this is a complex area; the activity has to be tied back to the owner. He stated that a housing authority, if established, could take the property.
- Councilmember Cagle – Was your firm representing WWTA when they were involved in a lawsuit with the City.
 - Mr. Litchford stated he is not sure, but he was not involved. Mayor Lambert stated the lawsuit was filed subsequent to 2009 and Attorney Chris Clem represented WWTA.

2. Alex McVeagh

- Mayor Lambert (question from a citizen) – Have you in the past or are you currently representing any Councilmember?
 - Mr. McVeagh stated no, he has not.

- Councilmember Cagle – Explain how you defend us in a lawsuit. The Charter requires that a City Attorney directly manages litigation, but we have coverage through TML so we have additional legal counsel.
 - Mr. Litchford stated that in some of the cases, fireworks, for example, he spent considerable time on them. He also stated that TML provides excellent services, but the City Attorney would still have directed management of the lawsuits.

- Vice Mayor Sewell – Describe your knowledge in building and planning in reference to building codes.
 - Mr. McVeagh stated he has spent the last three and one-half years working on East Ridge issues, and has worked many times with the Chief Building Official. He has drafted briefings on behalf of the City regarding the Administrative Hearing Officer and the Court Clerk. He stated he would also create a searchable database of all the city codes and the ordinances that update the code.

- Mayor Lambert – Can you provide an overview of the Border Region Act.
 - Mr. McVeagh stated the Act allows cities within twelve miles of bordering states and that meet other qualifications to declare a border region in the City. The state returns a portion of the state sales tax to the City. He stated he worked closely with Bo Watson on the Border Region and has also worked closely with Senator Gardenhire and State Representative Gravitt.

- Councilmember Williams – Describe how you have negotiated agreements with developers and property owners in new construction and reconstruction.
 - Mr. McVeagh stated the real estate attorneys in his firm are the best. He stated on the front end he has not physically drafted agreements, but he has personally reviewed agreements that the former City Attorney Hal North drafted for the City.

- Councilmember Helton – Can you describe your knowledge in personnel rules and regulations.
 - Mr. McVeagh stated he has been involved in labor and employment lawsuits. He has worked representing large companies with employee disputes and has been involved in worker’s compensation hearings.

- Councilmember Helton – Please talk about your knowledge of nuisance laws for businesses involved in drugs, gangs, prostitution, etc.
 - Mr. McVeagh stated there is well defined case law and various programs that can be done. He stated that it has to be a nuisance that is clearly defined; you can’t pick and choose. He stated a rental inspection would help. He also stated he had to make the call to condemn the Superior Creek Lodge; it was a tough decision, but the safety of the citizens was first.

- Councilmember Williams – Provide your capacity and capability for day to day and short notice matters.
 - Mr. McVeagh stated this is paramount of a City Attorney. He stated he will be directly accessible and if he is in court, he will provide other names in the firm to call.

- Mayor Lambert – What can you tell us about your previous experience working in the field of municipal law or other law relevant to East Ridge.
 - Mr. McVeagh stated that one area in which he is uniquely qualified is his past experience working with the State of Tennessee. He was the head research analyst for the Judiciary Committee. He reviewed draft amendments and was the main liaison with some of the lobbyists. He has connections in state government that would be helpful.

- Vice Mayor Sewell – Describe your knowledge in the area of a housing authority and the importance of one.
 - Mr. McVeagh stated he has experience working with the City of Chattanooga and believes we should consider having an authority. He stated he has worked on the back end of some of the disputes.

- Councilmember Cagle stated this is a three part question. He asked Mr. McVeagh about conflict of interest and to define a Chinese wall, and he asked if he or his firm is representing WWTA or if they have in the past.
 - Mr. McVeagh stated that a Chinese wall, or an “ethical screen” is part of the Board of Professional Responsibility. The offices in his firm are distinct and some of the attorney’s paths will never cross. He did state that screens are sometimes not realistic, because some of them share paralegals or assistants. In some cases, he could recuse himself from representing either client. He also stated that he has not represented WWTA and also thinks his firm never has.

After the interviews, Mayor Lambert stated that the Council could either discuss, take action, or take more time to process the information.

Councilmember Cagle stated that Mr. McVeagh’s firm has twelve attorneys to act as backup, while Mr. Litchford’s firm only has three.

Vice Mayor Sewell stated that both men are fine attorneys. He stated that one problem was that when Mr. North was the City Attorney, we hired him in at \$90,000. Mr. North told them there was too much to do, so he received another increase and then another increase of \$30,000. He is concerned this could happen again.

Mayor Lambert stated that in the meeting of November 12, 2015, there was a discussion of an increase for City Attorney North from \$120,000 to 132,000. Mr. North stated it was the firm requesting this, because the firm indicated to him that so many people working on East Ridge issues at a reduced rate was problematic. He believes both men are fine attorneys, and we would do well with either one.

Councilmember Helton stated she has checked references. She left messages with Mr. McVeagh's references but did not hear back from them. She talked to four of the six of Mr. Litchford's references. They stated he is responsible, thorough, and does his research. She likes the fact that there are three key attorneys who would be working with the City. She also liked Mr. Litchford's association with McKamey, since we are discussing a new animal shelter.

Councilmember Helton nominated Mark Litchford.

Councilmember Cagle nominated Alex McVeagh.

Councilmember Williams made a motion, seconded by Councilmember Helton, to close the nominations. The vote was unanimous. Motion approved.

Roll call vote: Vice Mayor Sewell - Litchford; Councilmember Cagle - McVeagh; Councilmember Helton - Litchford; Councilmember Williams - Litchford; Mayor Lambert - Litchford. Mr. Litchford was appointed as the new City Attorney.

The Mayor thanked both candidates for their interest in this position.

The meeting was adjourned.

MINUTES OF THE AGENDA WORK SESSION

February 23, 2017 – 6:00 pm

To Set the Agenda For The
March 9, 2017 Council Meeting

The East Ridge City Council met pursuant to notice on February 23, 2017 at East Ridge City Hall to set the agenda for the March 9, 2017 Council Meeting and other items.

Mayor Lambert called the meeting to order.

Present were: Mayor Lambert, Vice Mayor Sewell, Councilmember Cagle, Councilmember Helton, Councilmember Williams, City Manager Miller, City Attorney Litchford, and City Recorder Middleton.

New Business Discussion:

ORDINANCE NO. 1029 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481) CODIFIED AT TITLE 14, CHAPTER 2 OF THE EAST RIDGE MUNICIPAL CODE BY INSERTING A NEW ARTICLE X TO THE EAST RIDGE ZONING ORDINANCE AND ADOPTING ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES WITHIN COMMERCIAL ZONED DISTRICTS OF THE CITY (1st reading) – removed from 2/9/17 agenda – Chief Building Official Custer stated he gave a brief overview of this in a previous meeting. He also stated this has to go back before the Planning Commission and come back before the Council on March 9th.

Discussion of Amending Ordinance No. 914 – SANITATION ORDINANCE – Sanitation Supervisor Petty stated some of the changes regard citizens using city provided cans, what can and cannot be brought to a drop off location, and adding a section for dumpster rentals.

Discussion of Amending FAÇADE GRANT PROGRAM – City Manager Miller discussed the proposed changes dealing with funding this program annually and changing the eligibility requirement from three years to one year. He stated we have only had one grant since the inception of the program, so he would like to make the program more user friendly to people who want to invest in the City. Mr. Miller will bring this back before Council on March 9th.

Discussion of Contract for Auditing Services – Finance Director Qualls stated she is getting everything prepared for the audit. She stated that Henderson, Hutcheson and McCullough also do the audit for the Industrial Development Board. The contract has a small increase from last year.

Discussion of Walmart Grant for Police Department – Chief Reed stated he would like to use the grant funds for a fingerprint machine.

Discussion of Open Records Policy – City Recorder Middleton stated that, according to a new state law, the City must adopt a public records policy by July 1, 2017. The state Comptroller's office has provided a policy for cities to use as a model.

Discussion of Athletic Center at East Ridge High School – Director Martin stated his department has already starting doing work on the facilities. He also stated there is a possibly of getting \$50,000 from the County discretionary funds and \$50,000 from the East Ridge Alumni Association. Mr. Martin stated that Vice Mayor Sewell would like to use the old fire department building that was disassembled for a field house with restrooms. He stated it would cost between \$50,000 and \$80,000 to re-erect the building. Councilmember Cagle suggested using the building for a new animal shelter. City Manager Miller stated we could not build another animal shelter in the same location; we have to do an assessment of all the City’s facilities that are in the floodway. He also stated that if McBrien is renovated, we could relocate all the city departments there. It has to be determined if it is cheaper to renovate the building or tear it down. Councilmember Helton stated if we use the metal building for an animal shelter, it would not fit the new design standards. Chief Building Official Custer that we could build a “butler” building, but it would have to have rock, stucco or brick on all sides that are visible from the street. Mayor Lambert stated that the McBrien building is one of the few historic buildings left and he would like to renovate it. Council discussed the possible costs of the renovation, which Mr. Miller stated could be as high as \$3 million. Mr. Sewell suggested the possibility of selling the Fire and Police station property on Ringgold Road and use that money for a new fire and police station.

Other Items:

Mayor Lambert added item H to the agenda - discuss/take action on a recreation plan and schedule a community meeting. Community Involvement Coordinator Miller stated the City is working with Michael Frixen with the Southeast Tennessee Development District on the recreation plan. Mr. Frixen was also present. Ms. Miller handed out a survey to council for them to do on Survey Monkey. She would also like to schedule a community meeting on April 10th and 24th to get citizen input. Mr. Cagle would like to have the meeting on a Saturday in order for more citizens to come.

Vice Mayor Sewell discussed changing the date of the second meeting in March, which is scheduled for March 23, 2017. Mayor Lambert stated Spring Break is that same week, plus the Legislative Conference in Nashville is March 20th and 21st. There is also a CARTA meeting with Council on March 30th. Mayor Lambert suggested cancelling the meeting and added this to the agenda for tonight’s regular council meeting.

Mayor Lambert stated that petitions are circulating regarding a redevelopment authority. He should have them back within the next week and would like to have a discussion on the subject in the March 9, 2017 meeting.

Mayor Lambert stated that the East Ridge Chapter of the Chattanooga Chamber of Commerce is painting one of the wings at Spring Creek Elementary on March 4, 2017. They are asking for volunteers to work in shifts from 8 am to 12 noon and 12 noon to 4 pm.

The meeting was adjourned.

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

**February 23, 2017
6:30 pm**

The East Ridge City Council met pursuant to notice on February 23, 2017, 6:30 pm at East Ridge City Hall. Mayor Lambert called the meeting to order.

Denny Manning gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Lambert, Vice Mayor Sewell, Councilmember Cagle, Councilmember Helton, Councilmember Williams, City Manager Miller, City Attorney Litchford, and City Recorder Middleton.

Consent Agenda:

- A. Approval of Minutes February 9, 2017 Agenda Work Session
- B. Approval of Minutes February 9, 2017 Regular Council Meeting
- C. Approval of January 2017 Financial Statement
- D. Declaration of Surplus Property

Councilmember Cagle made a motion, seconded by Councilmember Sewell, to approve the Consent Agenda. The vote was unanimous. Motion approved.

Communication from Citizens:

Laura Mathis, 2100 McBrien Road, asked Council if they were aware of the Neighborhood Watch site being so active. She stated she would work with them on putting a survey on the site. Ms. Mathis asked about credit card skimmers at gas pumps. Chief Reed stated he was aware of two in East Ridge. Ms. Mathis also stated that Family Dollar has been complaining about the Cascades Motel using their dumpster.

Communication from Councilmembers:

Councilmember Helton welcomed new City Attorney Litchford.

Councilmember Williams also welcomed the new City Attorney. He also asked everyone to keep the Swafford family in their prayers in the recent loss of Mr. Swafford. He also told everyone to check with their credit card company, because his company sends him a text when he is purchasing gas or using his card for online purchases.

Councilmember Sewell welcomed City Attorney Litchford. Mr. Sewell also stated that some gas stations have red stickers on their pumps to guard against tampering. He stated we should bring this up to the East Ridge businesses.

Councilmember Cagle also welcomed the new City Attorney. Mr. Cagle also stated that the new Lifecare is beautiful, but when going south on I-75 all you see is trees. He suggested taking those trees out to give a better view of Lifecare. The Mayor does not know if we own the property or if we should contact TDOT. He stated that Lifecare has made a request to TDOT to maintain this property. The City Manager will coordinate.

Mayor Lambert stated that the East Ridge Chapter of the Chattanooga Chamber will be painting one wing of Spring Creek Elementary on March 4th, and asked for volunteers. He also welcomed Mr. Litchford.

Communication from City Manager: none

Old Business:

ORDINANCE NO. 1028 – PUBLIC HEARING FOR SIGN ORDINANCE – City Attorney Litchford read on caption. Having been properly advertised, Mayor Lambert opened the public hearing. The Mayor stated any resident, citizen or business owner can speak. No one spoke in favor of or in opposition to the ordinance. Mayor Lambert closed the public hearing.

ORDINANCE NO. 1028 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481), WHICH AMENDS TITLE 14, CHAPTER 2, ARTICLE VI, SECTIONS 108 THROUGH 110 OF THE EAST RIDGE MUNICIPAL CODE, AS IT RELATES TO ON-PREMISE AND OFF-PREMISE SIGN AND BILLBOARD REGULATIONS (2nd and final reading) – Councilmember Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1028 on second and final reading. The vote was unanimous. Motion approved. Chief Building Official Custer stated he appreciates everyone’s patience, since this has been such a long process, 12 to 24 months. The Mayor stated this will help clean up areas of East Ridge and help the City be more business friendly.

Board Appointments – Beer Board and Planning Commission (Mayor Lambert) – Mayor Lambert stated for now, that Ann Pruett will not be able to participate on the Planning Commission, but he is still checking to see if later she would be able to serve. He also stated he has a potential candidate for the Beer Board, but does not have a definite answer.

New Business:

RESOLUTION NO. 2632 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING BIDS FOR THE PURCHASE AND INSTALLATION OF A FIRE ALARM SYSTEM AT EAST RIDGE CITY HALL – City Attorney Litchford read on caption. Chief Building Official Custer stated we received three bids for the alarm system as follows:

Action Alarm	International Equipment Co.	SWC
\$13,600.00	\$14,396.37	\$20,937.59
Monitoring per month \$25.00	Monitoring per month \$30.00	No monitoring fee specified

Mr. Custer recommended the low bid of Action Alarms, stating they already service all our municipal buildings. He also stated the City received a grant in the amount of \$2,500 from TML to help offset the cost of the alarm system. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2632 with the low bid of Action Alarms in the amount of \$13,600 and \$25.00 per month monitoring fee. The vote was unanimous. Motion approved.

Request from River City Corvette Club to Use Camp Jordan Arena on August 5, 2017 for a Car Show and waive the fee – Director Martin introduced Chuck Logan with the Corvette Club. The Mayor stated a portion of the proceeds from the car show are donated to the Needy Child Fund. Councilmember Cagle made a motion, seconded by Councilmember Sewell, to waive the fee. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - yes; Councilmember Helton - yes; Councilmember Williams – abstain (he is a member of the Corvette Club); Mayor Lambert - yes. Motion approved.

Request from Optimist Club to use Camp Jordan Arena on Saturday, June 24, 2017 for a Car Show and waive the fee - Councilmember Cagle stated the Optimists give money to sponsor the Fishing Rodeo at Camp Jordan and sponsor an Orange Grove Christmas dinner. Mr. Cagle also stated he is a member of the Optimists. City Attorney Litchford stated that since the City has a contract with this group and there is no private gain or venture for Councilmembers, they will be allowed to vote. Councilmember Helton made a motion, seconded by Councilmember Williams, to waive the fee for this event. The vote was unanimous. Motion approved.

Discuss/Take Action on Board Appointments for Needy Child Fund – Mayor Lambert stated there have been several names mentioned, but it is up to Council as to how many members we want to appoint initially. He believes we need at least four, with the City Manager being a member, but resigning at the first meeting. The board could also appoint members. Mr. Cagle stated that Jim Bethune asked to be taken off the list of candidates. Vice Mayor Sewell would like to add Tommy Roe to the list of candidates. Mr. Sewell would like to nominate all eight of the candidates on the list and have the City Manager head up the board. City Attorney Litchford stated the Council could appoint now, but technically the articles of incorporation and the bylaws have not been adopted. Councilmember Cagle made a motion, seconded by Councilmember Williams, to appoint all eight candidates and the City Manager, but the City Manager would resign at the first meeting. Mr. Williams stated we need to address the charter information to correct the address and the registered agent. Mr. Litchford will make these changes. Mr. Miller stated this will be a working board, doing fundraisers. There was discussion on whether an employee could be appointed to the Board. The Mayor does not believe the City could forbid the board from appointing an employee; they could adopt bylaws to do so, but is not sure it would be wise. The vote was unanimous. Motion approved.

Discuss/Take Action on Cancelling the March 23rd Council Meeting – Mayor Lambert stated this is Spring Break week, plus Council has the legislative conference in Nashville on March 20th and 21st. There is also a CARTA meeting on March 30th, so the council meeting cannot be moved to that night. The Mayor stated we are required to have one meeting a month, so that requirement will be met. Councilmember Cagle made a motion, seconded by Councilmember Helton, to cancel the March 23, 2017 Council meeting. The vote was unanimous. Motion approved.

The meeting was adjourned.