

**MINUTES OF THE AGENDA WORK SESSION
March 9, 2017 – 6:00 pm**

**To Set the Agenda For The
April 13, 2017 Council Meeting**

The East Ridge City Council met pursuant to notice on March 9, 2017 at East Ridge City Hall to set the agenda for the April 13, 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 Deputy City Recorder Qualls. City Recorder Middleton was not present.

Old Business:

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 (2nd and final reading) – Mayor Lambert stated this will be on first reading in tonight's regular Council meeting and there will be a public hearing.

ORDINANCE NO. 1030 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND AND RESTATE IN ITS ENTIRETY TITLE 17, REFUSE AND TRASH DISPOSAL, CHAPTER 1, GARBAGE AND TRASH, OF THE EAST RIDGE MUNICIPAL CODE (2nd and final reading) - City Manager Miller would like to table this item at tonight's regular meeting, since the Sanitation Supervisor will not be present to go over the changes. Councilmember Cagle discussed changes that still needed to be made regarding the size of limbs. Mr. Miller stated they will be made before the next meeting.

New Business Discussion:

Public Hearing – Ordinance _____ - Rezoning of 1506 Prigmore from C-2 to R-1

ORDINANCE NO. _____ - REZONING OF 1506 PRIGMORE FROM C-2 TO R-1 (1st reading) – Mayor Lambert stated the Planning Commission approved this item at their meeting on the previous Monday night. The Mayor stated this has always been a residential home. During the 80's, there was a blanket rezoning and this property was rezoned commercial but has always been used as R-1. The current owner is trying to sell the property but she is having difficulties because of the zoning.

Discussion of Amendments to Façade Grant – City Manager Miller stated that staff still needs to meet to finalize the changes. This item will be ready for the April 13th meeting.

Discussion of Redevelopment Authority – Mayor Lambert stated that petitions will be turned in to the City Recorder within the next week. There will be a public hearing, possibly in April, after signatures are certified.

Discussion of Aquatic Stream Grant (River Rescue) – City Manager Miller stated this will be discussed at tonight’s regular meeting because the deadline is the end of March.

Other:

Councilmember Cagle asked for an update on the trees that need to be cut in front of Life Care Center. Mr. Miller is trying to speak with TDOT regarding removing these trees. The Mayor stated he and Mr. Miller visited the facility and spoke with the Executive Director and the Director of Business Development, and they were in favor of getting rid of the trees to improve their visibility.

Councilmembers Cagle and Williams, and Vice Mayor Sewell had nothing at this time.

Councilmember Helton stated she has visited the Life Care facility and it is beautiful.

Mayor Lambert thanked the East Ridge Council of the Chattanooga Area Chamber of Commerce for painting the hallways at Spring Creek Elementary School.

The meeting was adjourned.

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

March 9, 2017

6:30 pm

The East Ridge City Council met pursuant to notice on March 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, City Attorney Litchford, and Deputy City Recorder Qualls. City Recorder Middleton was not present.

Consent Agenda:

- A. Approval of Minutes February 20, 2017 Special Called Meeting
- B. Approval of Minutes February 23, 2017 Agenda Work Session
- C. Approval of Minutes February 23, 2017 Regular Council Meeting

Councilmember Sewell made a motion, seconded by Councilmember Williams, to approve the Consent Agenda. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle – yes on Agenda Work Session and Regular Council Meeting, abstain on Special Called Meeting; Councilmember Helton - yes; Councilmember Williams - yes; Mayor Lambert - yes. Motion approved.

Communication from Citizens:

Joyce Herzog, 4327 Esterbrook, asked if the City plans to have transportation for those who are handicapped or elderly. Mayor Lambert stated that the City is working on a plan with CARTA and there will be a meeting March 30th at the Community Center to discuss public transportation.

Matthew DeGlopper, 706 Pyron Lane, discussed the Public Records Request Policy. He stated there were some things he disagreed with, such as using the required form or allowing people that own property to have records.

Communication from Councilmembers:

Councilmembers Helton and Williams had nothing at this time.

Vice Mayor Sewell had nothing at this time.

Councilmember Cagle asked about a dog issue on Tombras Avenue. He asked if dogs had to be on leashes in their own yard. Mr. Miller stated they do not, but he will check on this issue.

Mayor Lambert announced that there will be a round table discussion regarding higher education in Tennessee on March 29th at Chattanooga State at the Albright Omniplex Building from 1 pm – 3 pm. The round table is open to the public.

The Mayor also discussed placing signage, banners, etc. encouraging people not to litter. This has been discussed in meetings before, but nothing has been done. He stated the face of East Ridge is changing and the emphasis should be on beautifying the City. Councilmember Cagle suggested making signs for this and putting them on the same pole with a stop sign. Mr. Miller is not sure we can do this but he will check with the Traffic Supervisor.

Communication from City Manager: None

Old Business:

Board Appointments:

Beer Board:	Mayor Lambert appointed Earl Wilson to an unexpired term on the Beer Board which will run through November 27, 2017.
Library Board:	Mr. Cagle will check with his appointee. Councilmember Williams appointed David Witt for the term expiring December 31, 2019.
Personnel Board:	This will be resolved at a later date. The City Attorney and MTAS are currently reviewing the changes to the personnel ordinance.
Housing Commission:	All terms are filled through August 2019.
Zoning Appeals Board:	All terms are filled through April 2019.
Planning Commission:	The Mayor is waiting to hear back from Ann Pruett. She will be having surgery next week, but will see how she is doing after that. The Mayor stated he may be stepping away from the Planning Commission and, if so, will select a designee to take his place.
Industrial Development Board:	There is one position that was appointed by Council, Mr. Mac Pendley. The Mayor will check with Mr. Pendley and see if he wishes to continue to serve on the board.

Councilmember Cagle asked if the terms of the personnel board could be changed to three years. Mayor Lambert said that it could only be done by changing the ordinance that created the board.

New Business:

ORDINANCE NO. 1029 – PUBLIC HEARING – City Attorney Litchford read on caption. Having been properly advertised, Mayor Lambert opened the public hearing. Tom Herzog, 4327 Esterbrook Drive, asked if this was necessary, stating businesses have too many regulations.

Chief Building Official Custer stated we have had two developers present new developments that already exceed these design standards. He feels this is not restrictive for businesses. Mr. Custer stated the Planning Commission made a few administrative changes, such as owners going through an appeals process if they wish. Mr. Custer stated among the goals of the design standards is to encourage high quality buildings that enhance the City's appearance. He went over the various changes to the standards, including colors, materials used, screening of air conditioning units, etc.

City Attorney Litchford reviewed the appeals process. This ordinance, if adopted, will form a design review committee consisting of the City Manager, the Chief Building Official, and the Building Inspector, who will have equal vote on decisions in connection with architectural design standards. If the applicant feels they are bereaved by the decision, the applicant can appeal in writing within ten days to the East Ridge City Council. The appeal would be heard at the next available City Council meeting. Council can affirm, reverse, remand it back, or modify the decision. Mr. Litchford stated there is a process for a variance. Once an approval is issued, there is a period of six months that it is valid following the date of the design review committee approval, or if the work has to be commenced and completed within the time period prescribed in the building permit. There is also a 60-day extension provided by the review committee. This will ensure the applicant has an approved plan and that the City knows what is being constructed and actually fulfilled.

Mayor Lambert closed the public hearing.

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 SECTION LABELED “ARTICLE X ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES” TO THE EAST RIDGE ZONING ORDINANCE AND ADOPTING ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES WITHIN COMMERCIAL ZONED DISTRICTS OF THE CITY (1st reading) – Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1029 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1030 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND AND RESTATE IN ITS ENTIRETY TITLE 17, REFUSE AND TRASH DISPOSAL, CHAPTER 1, GARBAGE AND TRASH, OF THE EAST RIDGE MUNICIPAL CODE (1st reading) - Councilmember Williams made a motion, seconded by Vice Mayor Sewell, to table Ordinance No. 1030. The vote was unanimous. Motion approved.

RESOLUTION NO. 2633 – 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 HENDERSON, HUTCHERSON, AND MCCULLOUGH, PLLC, FOR AUDITING SERVICES AS REQUIRED BY THE STATE OF TENNESSEE AND OTHER REGULATORY AGENCIES - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2633. The vote was unanimous. Motion approved.

RESOLUTION NO. 2634 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF EAST RIDGE - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Cagle, to approve Resolution No. 2634. Mayor Lambert asked if this was from the model policy the state provided. Mr. Litchford stated that it was, with some minor changes. The Mayor stated that according to the Comptroller's office, all cities must adopt a public records policy before July 1, 2017. The vote was unanimous. Motion approved.

Grant Consent Agenda:

1. **RESOLUTION NO 2635 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR AND ACCEPTANCE OF, THE FY 2017 TENNESSEE DEPARTMENT OF TRANSPORTATION'S TENNESSEE HIGHWAY SAFETY OFFICE GRANT**
2. **RESOLUTION NO. 2636 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY OF EAST RIDGE POLICE DEPARTMENT TO APPLY FOR AND ACCEPT THE WALMART FOUNDATION COMMUNITY GRANT**
3. **RESOLUTION NO. 2637 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR AND ACCEPTANCE OF, THE TENNESSEE THREE-STAR GRANT PROGRAM**
4. **RESOLUTION NO. 2638 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, THE 2017-2018 AQUATIC STREAM CLEANUP GRANT**

Mr. Litchford read all the resolutions on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve the consent agenda. Councilmember Cagle stated there was an error in Resolution 2635. It should be for the creation of a traffic unit and hiring police officers, not for body cameras. Mr. Cagle made a motion, seconded by Vice Mayor Sewell, to amend the resolution by stating the grant will be used for creation of a traffic division, two new officers, vehicles, equipment and needed training. The vote on the amendment was unanimous. Motion approved. The vote on the original motion, as amended, was unanimous. Motion approved.

Discuss/Take Action - Financial Assistance to New Development at the SW Corner of Truman and Ringgold Road – City Manager Miller stated he was approached by Jay Patel and Suhash Patel, who acquired this property, plus a residential lot behind the property. The square footage of the new development will be 6,500 square feet rather than 7,000 square feet. The Patels want to build two restaurants and three other retail businesses. They will relocate the house on the residential lot to a vacant lot on the same street. He is working with our marketing firm, Retail Strategies, to bring in retail vendors for the other units. The Patels are requesting financial assistance in the amount of \$1 million payable in increments of \$50,000 per year for 20

years, plus a one-time payment in the amount of \$31,000. Since this is in the Border Region District all retail sales tax generated, 4.2 cents per dollar that usually goes to the State will come to the City. Since there was not a retail business there previously, the City will get 100% of the retail sales local option sales tax of 1.25% plus the 4.2 cents of every dollar. Between the 4.2 cents per dollar, the local option sales tax, and the increase in property tax, the City could net approximately \$3.38 million over 20 years. Mr. Miller recommended the City pay the one-time amount of \$31,000 from the fund balance. He stated if sales drop or if the stores are vacant, then the City's \$50,000 appropriation will also drop proportionately. Councilmember Cagle stated we would be losing on property taxes, since the buildings are less square feet. The City Manager stated the assessed value will be more now since it will be new buildings. The Mayor stated that this property was previously a real estate office producing zero sales tax, but potentially over 20 years it could produce \$3.2 million in sales tax with this new development. That is potentially state money that will come back to the City to pay incentives. Vice Mayor Sewell made a motion, seconded by Councilmember Williams to approve the Request for Financial Assistance. The vote was unanimous. Motion approved.

Discussion/Take Action and Presentation by ASA Engineering RE: Exit 1 Beautification Project – Mayor Lambert introduced Jeff Sikes and Allen Jones with ASA Engineering to make the presentation for this project. Mr. Jones stated there will no longer be an Exit 1A and 1B, just an Exit 1. You will be able to take a left, a right or go straight when exiting the interstate from the south. Mr. Jones stated trees will line the exit to the right. There will also be placeholders for public art in the future, a project which Judge Thomas is spearheading throughout the state. Flooding is also an issue, so Mr. Jones stated there is a series of concrete ditches in the cloverleaf that will be naturalized and turned into retention areas. This can also be used for irrigation. There will be plantings that do not require a lot of water or maintenance. There will also be a wall that can be commissioned as an art piece, possibly resembling the State of Tennessee. Southbound the trees will remain, but plantings will be added to give more color and help with stormwater. The cost will be approximately \$3,000,000, plus yearly maintenance costs. Mayor Lambert stated he has spoken with two different property owners whose properties adjoin the exit and they will possibly donate to this project. The Mayor also stated the East Ridge Chapter of the Chattanooga Chamber is interested in this project, and they may possibly reach out to some of the business owners in that area to donate to the artwork, which is not included in the total cost of the project. Mr. Sikes stated that Phase I is \$240,000, which includes the engineering and design. Mr. Miller stated the cost of this project can be reimbursed through the Border Region, except for the maintenance. Councilmember Helton made a motion, seconded by Vice Mayor Sewell, to approve beginning Phase I of this project. The vote was unanimous. Motion approved.

The meeting was adjourned.