

AGENDA WORK SESSION

January 23, 2014 – 5:00 pm

**To Set the Agenda For The
February 13, 2014 Council Meeting**

The East Ridge City Council met pursuant to notice on January 23, 2013, 5:00 pm at East Ridge City Hall to set the agenda for the February 13, 2014 Council Meeting and other items. Mayor Lambert called the meeting to order.

Present were: Mayor Lambert, Vice Mayor Bethune, Councilmember Gravitt, Councilmember Manning, Councilmember Sewell, City Manager Hyatt, City Attorney North, and City Recorder Middleton.

Mayor Lambert added Item E to the work session agenda - request for no parking signs on Pinellas Lane.

Mayor Lambert added Item F to the work session agenda - LPRF grant for an adult and children's play park at Camp Jordan Park.

Councilmember Sewell asked that we add Compensating the Deputy Fire and Police Chiefs for their time as Interim Chiefs. This was added as Item G on the work session agenda.

New Business: Discussion

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE ACCEPTING THE 2014 TENNESSEE PARKS AND RECREATION COMMUNITY GARDEN GRANT - This will carry forward only if we are awarded the grant.

Discussion of Christmas Light Show at Camp Jordan Park – Richie and Tracy King – Director Martin stated that Mr. King had contacted City Manager Hyatt about a Christmas light show in Camp Jordan Park in 2014. This would be a drive through show with music played on driver's car radios. Mr. Martin stated the King's do these shows in Richmond, Bristol Motor Speedway, Jellystone Park in Nashville, and in Myrtle Beach. They will start setting up the first part of October and the show will run in November and December. There will be a Santa's Village set up with proceeds going to the Needy Child Fund. The King's met with Director Martin, Chief Reed, Chief Williams, and Deputy Chief Flynn to go over all the logistics of the show, such as location, traffic, safety, etc. Mr. Martin stated this will not interfere with events or sports going on in the park. Councilmember Sewell stated he has seen one in Gatlinburg and it was beautiful. Mr. King stated he partners with Clear Channel Radio which here would be US 101. Councilmember Gravitt asked if the City would have to provide emergency personnel. Chief Williams stated that we have a lot of volunteers, especially for the Needy Child Fund and the Fire Department will adapt to the situation. City Attorney North stated that according to the contract, the show will run no later than midnight. Mr. King stated it takes about 45 minutes for cars to travel the entire route of the show. Chief Reed stated that the Police Department will utilize reserves for traffic and have at least one full time officer on site. Councilmember Sewell asked what the charge is to go through the show. Mr. King stated that it is \$20 - \$23 per car, but he will have coupons. He stated this is a brand new show that will have to be built from scratch.

Discussion of Army Corps of Engineers Flood Study – Amanda Miller, City Services, stated that the study will be around \$700,000 and the City would have to provide a 50% match. Ms. Miller stated that if Council wishes, a representative from the Corps could come sometime during the week of February 3rd for a special meeting. The Mayor suggested having them come to the next agenda session on February 13th. Ms. Miller stated that the City would be allowed to remove trees from Spring Creek, but could not do any dredging. City Manager Hyatt suggested that the City get in touch with FEMA or TEMA to see if they could help.

Discussion of Purchase of Sanitation Equipment – City Manager Hyatt stated that Sanitation has a 2002 garbage truck that has gone down and asked Director Wheeler and Sanitation Supervisor Petty to discuss. Ms. Wheeler stated that Sanitation had asked for a new automated truck during budget, but now this one has gone down and one is in the shop with transmission issues. Repairs to this truck would be \$40,000 but it also has transmission issues. Ms. Wheeler is asking for permission to purchase a new garbage truck which would cost between \$189,000 - \$210,000. This would have to be bid out and would take 60-90 days for delivery. She also stated that because of these issues, it is causing some overtime. Vice Mayor Bethune asked about purchasing a pre-owned vehicle. Ms. Wheeler stated that wear and tear on the arm might be a bigger issue than mileage on a used truck. Director Qualls stated the options for purchasing the truck would be to pay for it from the BAN, take money from the fund balance or to borrow money. Mayor Lambert moved this up as Item O on tonight's meeting.

Councilmember Gravitt suggested that in order to save time on tonight's regular meeting, combine Items I and K since they both pertain to grants.

Request for no parking signs on Pinellas Lane – Director Wheeler stated that the Traffic Control Supervisor will have a recommendation on the February 13th Council meeting.

LPRF grant for an adult and children's play park at Camp Jordan Arena – Director Martin will have more information on this at the next council meeting.

Compensating the Deputy Fire and Police Chiefs for their time as Interim Chiefs – This was moved up as Item P on tonight's Council meeting agenda.

The meeting was adjourned.

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

January 23, 2014 - 6:30 p.m.

The East Ridge City Council met pursuant to notice on January 23, 2014, 6:30 pm at East Ridge City Hall. Mayor Lambert called the meeting to order.

Reverend Billy Dean gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Lambert, Vice Mayor Bethune, Councilmember Gravitt, Councilmember Manning, Councilmember Sewell, City Manager Hyatt, City Attorney North, and City Recorder Middleton.

Mayor Lambert made the following changes to the agenda. He stated that some changes and corrections of lettering had been made to the agenda since council received their agenda.

- Item I and K discussion of grants and separate fund for all grants will be combined into one item under Item I.
- Item O – Discussion of sanitation equipment was added under New Business.
- Item P – Compensating the assistant chiefs while they served as acting chiefs was add under New business
- Item M – Discussion of Tatum lawsuit was moved to the first item under New Business.

Presentation of Special Proclamation – Director Martin introduced the East Ridge 9U Tigers Football Team, who recently won their 4th Super Bowl Championship in the Scenic City League. Mayor Lambert presented a proclamation to the coaches and team members in honor of the occasion.

Mayor Lambert recognized David Testerman with the Hamilton County School Board.

Consent Agenda:

- A. Approval of Minutes December 12, 2013 Agenda Work Session
- B. Approval of Minutes December 12, 2013 Council Meeting
- C. Approval of November 2013 Financial Statement
- D. Approval of December 2013 Financial Statement
- E. Approval of Report on Debt Obligation

Vice Mayor Bethune made a motion, seconded by Councilmember Manning, to approve the consent agenda. Councilmember Gravitt stated he did not see a complete debt obligation report. Director Qualls stated this report is only on the capital outlay note that we just did. She will have a report later in the meeting on the complete debt obligation. The vote was unanimous. Motion approved.

Communication from Citizens:

Mimi Lowrey, 819 Mt. Belvoir Drive, with the East Ridge Ruritan Club, announced that the club will be hosting a spaghetti dinner on February 8th at Jones Memorial United Methodist Church

from 6:00 – 8:00 pm. The Ruritan Club is also starting organization of the community garden and stated they need volunteers.

Rick Carpenter, 3119 Chickalilly Drive, discussed his WWTA bill and the fact that WWTA will not accept cash. Mr. Carpenter stated that Cleveland Grimes with WWTA directed Don Seagle, East Ridge WWTA boardmember not to deal with Mr. Carpenter. He asked the Mayor if council could direct Mr. Seagle to take action on this matter. The Mayor stated that Mr. Carpenter has addressed this matter with Council. The Mayor will call Mr. Seagle to see what he has been instructed to do. City Attorney North stated he does not think that Mr. Grimes can instruct a boardmember not to have communication with a customer. The Mayor asked Mr. North if WWTA is under any obligation to accept cash. Mr. North will look into this matter.

Communication from Councilmembers:

Councilmember Manning stated he appreciates Deputy Chief Mize and other officers for organizing the escorts for funerals.

Vice Mayor Bethune stated that former Mayor Shaver is ill and asked everyone to keep him in their prayers.

Councilmember Sewell had nothing at this time.

Councilmember Gravitt had nothing at this time.

Mayor Lambert stated the City would be hosting a basics of investing course at the community center on Saturday, 10:00 am. There is no charge to attend.

Communication from City Manager/Staff:

City Manager Hyatt stated that police officers have been measured for bullet-proof vest. The City received a grant and we have three years to purchase the vests.

Mr. Hyatt discussed a citizen's complaint about speeders in school zones. He stated the Police Department put a portable trailer in school zones which registers the speed of motorists, plus they have put motorcycle patrols in the school zones.

Mr. Hyatt stated the budget calendar will come out in the next few days.

City Manager Hyatt introduced the new Police Chief, J. R. Reed. Chief Reed started in 1989 as an unpaid reserve officer. The Chief stated he is honored to have the opportunity to serve as chief and will not let the citizens or council down.

Director Qualls presented a financial staff report. She stated that Revenues on property taxes do not start coming in until January. The City received \$1.5 million in property taxes in January that will reflect on January financials for December payments. We received \$687,248 in sanitation fees, which puts us at 57% of budget. Delinquent property tax revenues are up at 64% of budget. General government is at 82% because insurance payments came out the in the first three months, i.e. liability, workers comp. Ms. Qualls stated she had to make an adjustment for cheerleading of \$500, because we had more sign up than expected. Councilmember Gravitt stated that one of small notes for oldest fire truck will be paid off and two will be paid off next

year, plus the BAN note will have to be converted. City Manager Hyatt has talked to Cumberland Securities, and a representative will be at next meeting to discuss the City's options.

Mr. Hyatt stated he will start having each department come in and give a report at the first meeting of every month.

Councilmember Gravitt stated there was a fire at an abandoned church and wanted to know what the City's obligation and liability on fire structures that have been abandoned. Chief Williams stated the fire is still under investigation and we will pursue the owner for demolition after the investigation is complete. City Manager Hyatt stated that as we move forward with our business plan and strategic goals, we need to look at blighted and abandoned property, and abandoned vehicles and make the owners responsible for clean up.

Old Business:

ORDINANCE NO. 959 – 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 BY ADDING A SECTION FOR STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND FLOODWAYS (A ZONES) AND ADDING AND AMENDING DEFINITIONS AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - (2nd and final reading) – City Attorney North read on caption. Councilmember Sewell made a motion, seconded by Vice Mayor Bethune, to approve Ordinance No. 959 on second and final reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 960 - AN ORDINANCE TO AMEND ORDINANCE NO. 956 ENTITLED “AN ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF EAST RIDGE, TENNESSEE FOR THE FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014 APPROPRIATING THE SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT...” BY CHANGING THE REVENUES FOR THE GENERAL FUND AND DRUG FUND AND BY CHANGING THE EXPENDITURES FOR THE GENERAL FUND AND THE DRUG FUND - (2nd and final reading) - City Attorney North read on caption. Councilmember Manning made a motion, seconded by Councilmember Gravitt, to approve Ordinance No. 960 on second and final reading. The vote was unanimous. Motion approved.

New Business:

Discussion of Tatum lawsuit – Keith Grant who represents TML in this litigation was present to answer any questions council has. Mr. North stated that the city and former City Manager Gobble were sued in 2012 for the firing of Ms. Tatum. Trial is set for February 10th. A tentative settlement has been reached subject to approval by council. The proposed settlement would include reinstating Ms. Tatum in the office of the court clerk at a rate of \$14.34 per hour, the same as at her termination. She would keep her original seniority rate with no break in seniority. Ms. Tatum would be paid \$100,000, \$40,000 from the city and \$60,000 and the filing fee from TML. The City would assure Ms. Tatum there would be no retaliation because she filed the law suit. Any determination as to her continued employment would be made by the elected court clerk who is set to take office in the fall. This would be a final settlement. Both parties would do releases and there would be no further liability. Vice Mayor Bethune made a

motion, seconded by Councilmember Gravitt, to settle the lawsuit. Roll call vote: Vice Mayor Bethune – yes; Councilmember Gravitt – yes; Councilmember Manning – yes; Councilmember Sewell – yes; Mayor Lambert – no. Motion approved. **(Refer to Resolution No. 2365)**

RESOLUTION NO 2361 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE APPROVING BIDS FOR THE MANUFACTURE AND INSTALLATION OF ONE (1) SIGN AND LED MESSAGE DISPLAY AND RETROFIT OF ONE (1) EXISTING ILLUMINATED SIGN AT THE ENTRANCE TO CAMP JORDAN PARK AND INSTALLATION OF A LED MESSAGE DISPLAY TO BE PAID FOR FROM THE BOND ANTICIPATION NOTE (BAN) ACCOUNT - City Attorney North read on caption. Director Martin recommends Ortwein Sign for Sign #1 at Camp Jordan Park. He believes that since Sign 2 would be 14 ft x 12 ft. it would be too big for the area in front of the Fire and Police station. Mr. Manning stated he thought this bid would be for the sign next to City Hall, not the Fire and Police station. Mr. Hyatt believes that flashing lights in front of the Fire and Police station would be confusing to motorists when emergency lights are also present. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, to approve Ortwein Signs for sign 1 to be installed at entrance to Camp Jordan. The Mayor also believes that the sign next to City Hall needs replacing. Mr. Gravitt withdrew his motion and Mr. Sewell withdrew his second. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, to approve Ortwein Sign for the installation of the sign at Camp Jordan and obtain bids for a new smaller sign by City Hall. The money would come from the BAN fund. The vote was unanimous. Motion approved.

RESOLUTION NO. 2362 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPLY AND ACCEPT THE FY 2014 TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION CLEAN ENERGY GRANT - City Attorney North read on caption. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, to approve Resolution No. 2362. The vote was unanimous. Motion approved.

RESOLUTION NO. 2363 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO OPEN A NON-INTEREST BEARING SPECIAL POLICE CHECKING ACCOUNT - City Attorney North read on caption. Vice Mayor Bethune made a motion, seconded by Councilmember Manning, to approve Resolution No. 2363. Director Qualls stated this is evidence money or seized money that we are waiting on the state to determine the disposition. The vote was unanimous. Motion approved.

RESOLUTION NO. 2364 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, ACCEPTING A DONATION FROM THE LYNDHURST FOUNDATION OF LANDSCAPING, WAYFINDING SIGNAGE AND OUTDOOR FURNITURE WORTH APPROXIMATELY \$72,000.00 FOR THE CANOE LAUNCHES AT CAMP JORDAN PARK - City Attorney North read on caption. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, to approve Resolution No. 2364. The vote was unanimous. Motion approved.

Board Appointments

- Beer
- Library

- Zoning Appeals
- Personnel

Councilmember Gravitt made a motion, seconded by Vice Mayor Bethune, to table this item. The vote was unanimous. Motion approved.

Discussion of City Health Insurance for spouses of retirees – Vice Mayor Bethune would like to propose that employees that have retired and future retirees that have 25 years of service have their spouses health insurance paid at 50%. The retiree's is paid at 100%. Mr. Bethune put this in the form of a motion. Human Resources Manager Perry stated this would affect 10 employees. Councilmember Gravitt asked if this would include children of retirees. This would have to be addressed in the future. Councilmember Sewell seconded the motion. Mr. Bethune also discussed putting a 90-day window for employees to retire. Councilmember Gravitt asked Ms. Qualls what the financial impact would be on the City. She stated it could be approximately \$80,000 a year. The Mayor stated he is not against the proposal but he would like to see the numbers and consider it at the next meeting.

Councilmember Sewell withdrew his second and Vice Mayor Bethune withdrew his motion. After further discussion, Vice Mayor Bethune made a motion to have a 90-day window for employees that retire with 25 years of service, for the City to pay 100% of employee health insurance benefits and 50% of spouse coverage, and anyone that has previously retired get credit for 50% on spouse coverage, effective February 1st. – May 1st. Roll call vote: Vice Mayor Bethune – yes; Councilmember Gravitt – pass; Councilmember Manning – yes; Councilmember Sewell – yes; Mayor Lambert – abstain; Councilmember Gravitt – yes. Motion approved.

Discussion of Economic Development Advisory Committee – City Manager Hyatt stated that since East Ridge Revitalization has been dissolved, a new resolution must be done to change how members are selected. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, to change the resolution just to state “citizens” can be appointed. Mayor Lambert would like to amend the motion to make the offer to the Chamber and Merchant's Association to see if they want to have a member on the Committee. This could be a combination of citizens and Chamber of Merchant's Association members. Currently, the resolution calls for seven members, but it could be changed to five members. Councilmember Gravitt made a motion, seconded by Councilmember Manning to Amend Resolution No. 2176 to reduce the number of members from seven to five and to change the member status from East Ridge Merchant's Association and the Chamber of Commerce to state “citizens” can be members, and not specify organizations. The vote was unanimous. Motion approved.

City Attorney North stated that the Committee was created by Ordinance, so the original ordinance would have to be modified. He stated tonight's action would constitute first reading, so second reading would be on February 13, 2014.

Discussion of 911 communications – Vice Mayor Bethune made a motion, seconded by Councilmember Manning, to table this item. The vote was unanimous. Motion approved.

Discussion of Grants and Discussion of setting up separate fund for all grants – Items I and K were combined into one item, Item I. Vice Mayor Bethune stated the reason he asked for this to be on the agenda is because the city received a grant to purchase 30 bullet-proof vests, approved by council on March 8, 2012. He stated the grant was never used and the City did not buy vests. Fortunately, the grant is good for three years. Vice Mayor Bethune also stated that

we have had the security system for the courtroom for a while and it was not installed. Councilmember Manning stated that we have a burglar alarm system that has never been hooked up. He also stated that he came to city hall and doors were unlocked. Chief Reed stated this was due to the painting and carpet projects at City Hall. He has told his officers to make sure all doors are checked and locked every night.

Councilmember Gravitt stated we need separate accounts for grant money. Director Qualls stated she could set up an account called community and economic development for grant money. She also stated that grant money automatically goes into general fund, but she could transfer to the grant fund. Councilmember Gravitt does not want to co-mingle the grant money with economic development money; it should be for grants only.

Discussion of City Treasurer-Vice Mayor Bethune – Mr. Bethune would like hire a city treasurer to oversee all the City’s finances and to also be a grants coordinator and deputy city manager. He would like to advertise in February and hire in March. Vice Mayor Bethune made a motion to create the position of city treasurer, to also act as grants coordinator and deputy city manager and to pay \$50,000 and \$55,000. Councilmember Gravitt stated the pay should be more, in order to attract a quality person, possibly \$50,000 - \$60,000, depending on qualifications. City Manager Hyatt suggested looking for someone with an economic development background. The Mayor likes the idea, but he would rather wait until we are in the budget process. Councilmember Manning agreed. Councilmember Gravitt seconded the motion. Director Qualls suggested hiring someone with a strong accounting background due to GASB regulations. Mr. Hyatt stated this person could also do internal audits. Vice Mayor Bethune restated his motion to create the position of City Treasurer, with a pay scale to be determined depending on qualifications, to oversee all finances, to handle all grants and become deputy city manager. Roll call vote: Vice Mayor Bethune – yes; Councilmember Gravitt – yes; Councilmember Manning – yes; Councilmember Sewell – yes; Mayor Lambert – no. Motion approved.

Discussion of Elected Position of Court Clerk - Mayor Lambert stated we need to have an elected court clerk in order to comply with the state constitution. This was also the opinion of the Municipal Technical Advisory Service (MTAS.) The Election Commission has asked Mr. North if this person needs to be a resident of the City of East Ridge. He stated that the Charter does not address this issue, but every other elected position requires residency in the City. To make that consistent, he believes it should also be required of the elected court clerk. He stated the council needs to make a determination now on this requirement, because the charter change will not be voted on until after the court clerk election. The court clerk election is in August 2014 and the general election is in November 2014. Councilmember Gravitt stated he believes that in the future, the court clerk election should be held in November. He also asked if the elected court clerk could terminate the current employees in the court clerk’s office and replace them with other staff. Mr. Hyatt stated he has asked MTAS this same question and has not heard back from them. Mr. North stated that the elected court clerk would have to comply with the current personnel rules, which states employees have to be fire for cause. Mr. North also stated that there was a dispute over who the court employees report to, whether it was the City Manager or the Judge and he understood they reported to the City Manager. Mayor Lambert believes that the court clerk’s ability to hire and fire should be tied to the existing city policy.

Mr. Manning made a motion to table this issue until all the details could be worked out. Motion died for lack of a second. Councilmember Gravitt made a motion, seconded by Councilmember Sewell, that we set the parameters and qualifications for the elected court clerk's position that will be voted on in August the same as established by Section 5-A of the Charter for Mayor and Council which states "only citizens of the United States and of the State of Tennessee, who are bona fide residents and registered voters of the City of East Ridge for a least one year before their election, and who are twenty-one (21) years of age and have never suffered a conviction of any crime involving moral turpitude, shall be eligible to run" for office of City Court Clerk and the elected court clerk must abide by the employment policies currently in existence of the City of East Ridge. Mr. Gravitt also discussed changing the time the court clerk is elected from August to November to coincide with the time the Mayor and Council are elected.

Mr. Manning asked what would happen to the existing Court clerk when the elected court clerk takes office. Mr. North stated that the current court clerk would be replaced by the elected court clerk. He stated that if she lived in East Ridge she would have the right to run for the office. He also stated the city is under no obligation to create another position to keep the current court clerk. City Manager Hyatt suggested talking to the court employees to see what their needs are and possibly wait until budget time to make any decisions.

Roll call vote: Vice Mayor Bethune – yes; Councilmember Gravitt – yes; Councilmember Manning – no; Councilmember Sewell – yes; Mayor Lambert – yes. Motion approved.

Mayor's Appointment to Hamilton County Water Quality Management Committee – Mayor Lambert reappointed Mark Dempsey to the committee. Mr. Dempsey has served on the committee for eight years. Councilmember Gravitt made a motion, seconded by Vice Mayor Bethune, to approve the appointment. Roll call vote: Vice Mayor Bethune – yes; Councilmember Gravitt – yes; Councilmember Manning – no; Councilmember Sewell – yes; Mayor Lambert – yes. Motion approved.

Discussion of Sanitation Equipment – Director Wheeler requested purchase of a new automated garbage truck for City Services. One of the old trucks needs repairs and costs to repair could be excessive. Vice Mayor Bethune made a motion, seconded by Councilmember Manning, to approve the bid process for the sanitation truck. Mr. Bethune amended his motion and Mr. Manning amended his second, to include that the City of East Ridge would self finance the truck.

There was a discussion of the dumpsters the City recently purchased. Mr. Bethune asked if we could expand our area within a ten-mile radius of East Ridge. Director Wheeler stated that our insurance carrier, TML would not cover the City if we expand outside East Ridge.

Discussion of Compensating the Assistant Chiefs While They Served as Acting Chiefs – City Manager Hyatt suggested giving 5% of the assistant chiefs' salaries which would be \$6,334 combined. Mayor Lambert suggested giving a flat \$250 per week for the number of weeks they served which would be \$5,500 for 22 weeks and \$4,750 for 19 weeks. Vice Mayor Bethune made a motion, seconded by Councilmember Manning, to give them \$1,000 for each month that they served. The vote was unanimous. Motion approved.

The meeting was adjourned.