

MINUTES OF THE AGENDA WORK SESSION

November 9, 2017 – 6:00 pm

**To Set the Agenda for The
December 14, 2017 Council Meeting**

The East Ridge City Council met pursuant to notice on November 9, 2017, 6:00 pm, at East Ridge City Hall to set the agenda for the December 14, 2017 Council Meeting and other items.

Vice Mayor Sewell called the meeting to order.

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

Old Business:

ORDINANCE NO. 1060 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND TITLE 8, CHAPTER 2, SECTION 8-207 PERMIT REQUIRED FOR ENGAGING IN BEER BUSINESS AND SECTION 8-219 TEMPORARY SPECIAL EVENTS PERMITS, AND ADDING SECTION 8-220 TEMPORARY SPECIAL EVENTS PERMITS ON CITY PROPERTY (2nd and final reading) – Vice Mayor Sewell stated this will be second reading if the ordinance is approved on first reading in tonight’s Council meeting.

New Business Discussion:

ORDINANCE NO. _____ - AN ORDINANCE TO ADOPT ELECTRONIC CITATION REGULATIONS AND FEES (1st reading) – Chief Reed stated this ordinance would allow an officer to make a traffic stop, scan the driver’s license, print the ticket in his/her car and give it to the driver. There would be a fee associated with this, with part going to the court system and part going to the City.

RESOLUTION NO. _____ - A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF COLLEGEDALE FOR REQUESTS OF POLICE ASSISTANCE IN EMERGENCY AND NON-EMERGENCY SITUATIONS – Chief Reed stated that East Ridge and Collegedale have been working together on special unit call outs such as SWAT. Collegedale has sent motorcycles to our Christmas parade in the past and we have assisted them with special events. The Chief stated that TML, our insurance carrier, has reviewed this agreement and it is acceptable to them. The Chief also stated that Collegedale is a member of the six-city coalition with East Ridge and four other cities in the County.

RESOLUTION NO _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING EQUIPMENT ACQUISITION CAPITAL OUTLAY NOTES, SERIES 2017, IN AN AMOUNT NOT TO EXCEED \$221,973, FOR THE PURCHASE OF A REPLACEMENT STREET SWEEPER AND PROVIDING FOR THE

PAYMENT OF SAID NOTES – City Manager Miller stated this is a seven-year capital outlay note for a replacement street sweeper, which Council has already approved. Paperwork will be ready for the next meeting and the funds will be available the first week in January.

RESOLUTION NO. _____ - Approval of 5-year Recreation Facility Plan – Community Involvement Coordinator Miller stated we have been working with Michael Frixen with the Southeast Tennessee Development District (SETDD) to develop a plan for all the City’s recreation facilities in order to meet the needs of the community. The City can apply for grants to help make this plan become a reality. The Blue Ribbon Committee and the East Ridge Planning Commission will need to adopt the plan and present it to Council for their approval.

Discussion of Closing Campground at Camp Jordan Park – Director Martin stated that RV rallies are only held every two to three years at the Campground. It is used occasionally for a ball tournament or a gun show. He stated we lose money on the campground because there are water leaks that drive the water bill up. He also stated that when dirt was removed from the park for construction, the heavy trucks sometimes broke the water pipes. He stated that \$800,000 to \$1,000,000 would have to be spent to upgrade the facility. He recommends shutting it down. This item was left on the agenda for the next meeting.

Presentation of Drainage Study of W. Ringgold Road (tunnels to Marlboro Avenue) by ASA Engineering – City Manager Miller stated that Council approved a land survey and stormwater study for this area. He stated that Jeff Sikes with ASA Engineering will be at the next meeting to give a report on the study.

The Vice Mayor and Council had nothing further at this time.

The meeting was adjourned.

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

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

The East Ridge City Council met pursuant to notice on November 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 City Recorder Middleton.

Presentation FY 2016-2017 Audit – Jason Martin - Henderson, Hutcherson and McCullough – Mayor Lambert introduced Mr. Martin to go over the audit for 2016-2017. Mr. Martin introduced Zach Hutcherson with the firm and who worked on the audit for the first time this year. Mr. Hutcherson stated that everything went very smoothly. Mr. Martin stated there were no material journal entries and no significant deficiencies. He is comfortable that the numbers are accurate. He stated that Finance Director Qualls and City Manager Miller do a great job and the City is in good financial condition.

At this time, Mr. Martin went over the highlights of the audit. He stated the City needs two to four months of reserve or fund balance. We currently have about five months with 5.4 million in the fund balance. He did caution that the city should not over commit on border region dollars, but stated that Mr. Miller is knowledgeable on how to project these dollars for future projects.

Mr. Martin stated the City operates under the general fund budget. He stated we had surplus on the final budget of \$719,000. There were no questions from Council.

Consent Agenda:

- A. Approval of Minutes October 26, 2017 Agenda Work Session
- B. Approval of Minutes October 26, 2017 Regular Council Meeting

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

Communication from Citizens:

Lee Tullis, 3413 Connelly Lane, stated he worked on a committee years ago to get fields at Camp Jordan Park. He stated they did not allow alcohol in the park then and he is against it now.

Laura Mathis, 2100 McBrien Road, discussed the 5-year recreation plan. She asked if the Blue Ribbon Committee has come back to Director Martin with recommendations and if a

meeting has taken place. Mr. Martin stated the meeting will be next Wednesday. City Manager Miller stated the Planning Commission will meet the first Monday in December to consider the plan and if approved, it will go before Council on December 14th.

Charles McCullough, 1214 Reeves Avenue, discussed the parks plan. He stated it looks like a good plan which had good community input. He stated he is glad a dog park is going in, but he is concerned about the location being in a flood area.

Chris Peponis, pastor Fellowship Baptist, stated his opposition to alcohol in the park. He stated his whole church is opposed to beer in the park. He also stated he will work against anyone who votes for this.

Teresa Chumbley, 1600 Adair Avenue, asked how many people in East Ridge use the park and how many people from outside use the park. Mayor Lambert is not sure that we have those number. She stated when she was brought up in the church she was told not to judge and to her that's what some people are doing now. She stated that beer would only be served in certain areas and not all churches are against this.

Erin Rickman 5001 Covington Drive, stated when we look at growth in Chattanooga, it is from microbreweries and companies like Chattanooga Whiskey. She stated we have an opportunity for growth like the Chattanooga southside with restaurants, galleries, etc. She also stated that a lot of East Ridge residents are against change. She stated the Council needs to consider selling beer in the park and setting the rules and policies for the sale.

Denny Manning, 910 Sunnydell circle, stated he is against beer in the park because he is concerned about the kids in the park. He stated taxpayers have put a lot of money in the park and he does not want to see it destroyed. He asked Council to vote against selling beer in the park.

Richard Cook, 607 Marlboro Avenue, stated in the 70's, the City had an opportunity to vote in liquor by drink. He stated it was fought against and for 30 years the City did not move forward with the surrounding areas. The hotels began to decline and changed to extended stay. He stated when liquor by the drink was passed, only a handful of restaurants began selling drinks. He stated it is time for East Ridge to move into the 21st century. He understands there are people opposed to this, but they do not need to threaten the elected officials.

Brent Baughman, Stanley Heights Baptist Church, 1512 McBrien Road, stated the Council needs to consider the morality and the wisdom of selling beer in the park. He asked the Council to consider if this will make East Ridge a better place and will it be good for the health of the city. He is opposed.

Communication from Councilmembers:

Councilmember Cagle discussed the ordinance allowing beer sales. He stated it would allow beer sales in the public parks, but also on the sidewalks and rights-of-way. He stated there are specific codes about interference with traffic and obstructing sidewalks. He stated we should not lower our morals just to make a profit.

Councilmember Williams thanked the citizens who spoke regarding beer sales at Camp Jordan. He stated he has been approached by citizens on both sides of this issue. He also stated there would be a community Thanksgiving on Wednesday, November 15th at 5:45.

Councilmember Helton stated she represents people of both sides of this issue. She stated we also need to consider what we have to lose if we do not have this option. She believes that not having liquor by the drink years ago was a detriment to development in the City. She also stated that if people drink, it does not mean they do not have morals.

Mayor Lambert thanked everyone who voiced their opinions. He stated it means a lot for Council to get input from both sides and stated there are good people on both sides. He also stated that Council must decide what the impact is on the City and if this will move the City forward.

Mayor Lambert encouraged everyone to attend the Christmas Parade on November 18th.

Communication from City Manager:

City Manager Miller stated the Exit 1 project was 25% complete at the end of October. The contractors have been working seven days a week, so Mr. Miller cautioned everyone to be careful with all the lane changes. The project will hopefully be completed by Memorial Day.

Old Business:

ORDINANCE NO. 1057 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE CITY CODE, TITLE 2, CHAPTER 1, TITLED “LIBRARY BOARD” BY INCORPORATING NEW PROVISIONS PURSUANT TO APPLICABLE LAW AS ESTABLISHED IN 2017 TENNESSEE PUBLIC ACTS CHAPTER 126 (2nd and final reading) - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1057 on second and final reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1059 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND ORDINANCE NO. 1054 ENTITLED “AN ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF EAST RIDGE, TENNESSEE FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018 APPROPRIATING THE SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT . . .” BY DESIGNATING A PORTION OF THE FUND BALANCE OF THE GENERAL FUND AND BY CHANGING THE REVENUES OF THE GENERAL FUND , DRUG FUND, DEBT SERVICE FUND AND CAPITAL PROJECTS FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND, DOJ FORFEITURE FUND, DRUG FUND, SOLID WASTE FUND, DEBT SERVICE FUND AND CAPITAL PROJECTS FUND (2nd and final reading) - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1059 on second and final reading. The vote was unanimous. Motion approved.

New Business:

ORDINANCE NO. 1060 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND TITLE 8, CHAPTER 2, SECTION 8-207 PERMIT REQUIRED FOR ENGAGING IN BEER BUSINESS AND SECTION 8-219 TEMPORARY SPECIAL EVENTS PERMITS AND ADDING SECTION 8-220 TEMPORARY SPECIAL EVENTS PERMITS ON CITY PROPERTY (1st reading) - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1060 on first reading. Councilmember Cagle asked if we were going to allow beer to be sold on sidewalks and rights-of-ways. Mayor Lambert reminded everyone that this is first reading, and changes can be made before second reading. Mayor Lambert asked if we were going to allow vendors to sell beer at the Christmas parade. Councilmember Helton stated it should be on a case-by-case basis. City Manager Miller stated Council could take out the sidewalks and rights-of-way and limit sales to city-owned property. He stated parameters must be set regarding requirements for police, fire and sanitation. The vendor will have to pay for these services.

Mayor Lambert introduced Karen Shostack with Friends of the Festival and is also on the Hamilton County Beer Board. Ms. Shostack stated she also owns a business that provides training services for alcohol sales. She has a contract with the City of Chattanooga to help manage the events to get everything into compliance. Mr. Miller stated he wanted to have strict regulations if this ordinance is approved.

The Council discussed whether the city's concessionaire could sell beer. Mr. Litchford stated that permits can only be issued to caterers, non-profits and political organizations. Ms. Shostack stated that the Tennessee Alcoholic Beverage Commission (TABC) manages liquor and wine, and the City manages beer.

Councilmember Cagle made a motion to table Ordinance No. 1060. The motion died for lack of a second.

Councilmember Helton asked Ms. Shostack if she could estimate the economic impact this could have on East Ridge, such as Riverbend has on Chattanooga. Ms. Shostack stated it is difficult to say, but in general, special events do have notable economic impact on hotels, restaurants, etc. Ms. Helton stated this could possibly help keep property taxes low.

Councilmember Williams stated this ordinance has nineteen conditions in the application process that must be met. He stated we can deny the application if the event will be a burden on fire and police. For example, if an event gets carried away, the City Manager could have the beer sales shut down. Mr. Williams stated we must look at penalties and fines, plus have tight and rigid controls over events that sell beer.

City Attorney Litchford stated that to apply for a special events beer permit, you must be a caterer, a non-profit, or a political organization. Ms. Shostack stated she uses non-profits such as the Navy, Marines, churches, etc, to sell beer. Mr. Williams asked how this would impact the City's contract with Funtime Foods. Mr. Litchford stated they are not a caterer, therefore, they could not apply for a special events permit.

Mr. Litchford stated he will change the application fee from \$300 to \$250 which is what state law sets as the maximum fee. He also stated that Section 8-220 Section 1 refers to 8-207 A. He stated there is no Section A so he will make that change. Under Section 4, Mr. Miller asked if Council wanted to leave that at three permits. Mr. Sewell suggested changing it to five permits.

Vice Mayor Sewell asked if wine would be included in this ordinance. City Attorney Litchford stated the City does not regulate wine; the state does. Mayor Lambert asked the City Attorney if Ordinance No. 1060 allows alcohol on City property. The Mayor stated if it does, the City has no control over wine and hard liquor. Mr. Litchford stated that Chattanooga has a separate ordinance for wine and liquor. City Attorney Litchford stated the ordinance as drafted is intended for beer sales only, not wine or liquor. If there is a separate event for wine, there would have to be a separate ordinance.

Vice Mayor Sewell amended his motion to eliminate Section 4D under Section 8-220 and change the application fee from \$300 to \$250. Councilmember Helton seconded the motion.

The Mayor stated the ordinance calls for events to be open to the public. At times, there are private events such as weddings, reunions, etc. The ordinance could be changed to allow for beer sales at private events.

Mr. Cagle asked Director Martin if he thought beer would be an asset in the park. Mr. Martin stated he has seen both good and bad events that sold beer. He also stated he has calls from people that want to book events and sell beer. When told they could not, they went elsewhere.

At this time, the Mayor asked for roll call. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - no; Councilmember Helton - yes; Councilmember Williams - yes; Mayor Lambert - no. Motion approved. Mayor Lambert stated changes could be made before the second reading in December.

Mayor Lambert moved Resolution No. 2726 to this portion of the agenda.

RESOLUTION NO. 2726 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER TO PURCHASE OUTDOOR EXERCISE EQUIPMENT FROM GAMETIME TO BE INSTALLED AT PIONEER FRONTIER PARK – City Attorney Litchford read on caption. Director Martin introduced Fred Weichman, 818 Mt. Belvoir Drive, and is with Playcore (Gametime), a company that constructs outdoor playgrounds and other facilities. He stated he worked with Director Martin three years ago to bring a playground to Camp Jordan at a reduced cost to the city. Mr. Weichman is now wanting to install an outdoor workout facility next to Pioneer Frontier at a reduced cost to the City. He stated it is a \$42,000 facility and he is willing to sell it to the City for \$15,000 in order for the company to do a photo shoot of the workout facility. Councilmember Helton made a motion, seconded by Councilmember Williams, to approve Resolution No. 2726. The vote was unanimous. Motion approved.

At this time, Mayor Lambert took a five-minute recess.

RESOLUTION NO. 2722 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND RESOLUTION NO. 2482 TO CHANGE THE MINIMUM FUND BALANCE FOR THE UNASSIGNED FUND BALANCE IN THE GENERAL FUND TO \$4,000,000 - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2722. The vote was unanimous. Motion approved.

RESOLUTION NO. 2723 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE ADVANCEMENT OF STATE SALARY SUPPLEMENT PAYMENTS FOR ELIGIBLE FIREFIGHTERS AND POLICE OFFICERS - City Attorney Litchford read on caption. Councilmember Cagle, made a motion, seconded by Councilmember Williams, to approve Resolution No. 2723. The vote was unanimous. Motion approved.

RESOLUTION NO. 2724 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING BIDS FOR THE PURCHASE OF SOCCER UNIFORMS FOR THE 2017 - 2018 INDOOR SOCCER SEASON - City Attorney Litchford read on caption. Councilmember Cagle, made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2724, the bid from Krown Sports. The vote was unanimous. Motion approved.

RESOLUTION NO. 2725 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER TO APPROVE THE ATTACHED CHANGE ORDER REQUEST FROM AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC. IN REGARD TO THE RECONFIGURATION PROJECT AT THE I-75 INTERCHANGE, RINGGOLD ROAD AT EXIT ONE - City Attorney Litchford read on caption. City Manager Miller stated the contractors ran into some unsuitable soil that had to be excavated out another three feet and filled with riprap. The additional cost is \$84,663. Vice Mayor Sewell made a motion, seconded by Councilmember Cagle, (for discussion purposes), to approve Resolution No. 2725. Mr. Cagle believes the engineer should be responsible for this expense. Mr. Miller stated we are looking at that now. The vote was unanimous. Motion approved.

Grant Consent Agenda:

1. **RESOLUTION NO. 2727 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, THE TML PROPERTY CONSERVATION MATCHING GRANT FOR FY 2018**
2. **RESOLUTION NO 2728 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, FIREHOUSE SUBS FY 2018 GRANT FOR THE EAST RIDGE FIRE DEPARTMENT**
3. **RESOLUTION NO 2729 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, FIREHOUSE SUBS FY 2018 GRANT FOR THE EAST RIDGE POLICE DEPARTMENT**

4. RESOLUTION NO. 2730 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF THE TENNESSEE STATE LIBRARY AND ARCHIVES DEPARTMENT OF THE STATE TRAINING OPPORTUNITIES FOR THE PUBLIC GRANT PROGRAM

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

Board Appointments:

Councilmember Williams appointed Leonard Ezell to the Beer Board.

Mayor Lambert reappointed Earl Wilson to the Beer Board.

Mayor Lambert reappointed Sarah Lambert to the Library Board.

Mayor Lambert stated the additional two members would be appointed by a vote of the Council per Ordinance No. 1057. Councilmember Cagle made a motion to appoint John Britt and Betty LaMance to the Library Board. Motion died for lack of a second. Vice Mayor Sewell made a motion, seconded by Councilmember Cagle, to appoint John Britt to the two-year term. The vote was unanimous. Motion approved. Councilmember Cagle made a motion to appoint Betty LaMance to the three-year term. Motion died for lack of a second. Councilmember Williams made a motion, seconded by Councilmember Helton, to appoint Erin Rickman to the three-year term. The vote was unanimous. Motion approved.

Discussion of Increase in Salary for Court Clerk Elected into Office in November 2018 –

City Manager Miller stated at the last meeting, Council asked the City Attorney to research this matter to see if the Court Clerk had to be an elected position. Mr. Litchford stated his research indicated that clerks of inferior courts shall be elected to four-year terms. Any appointment of a clerk would be unconstitutional; therefore, this must be an elected position.

Mr. Miller stated the current court clerk salary is \$54,472. He also stated that any increase would be for the clerk elected in November 2018. He stated that the court clerk is currently covered by the City's health insurance. Councilmember Cagle made a motion to deny an increase in salary for the court clerk because with benefits, it would raise the cost to approximately \$90,000.

Mayor Lambert recognized Court Clerk Cassidy. She stated her position is a "24-7" job, with no vacation and no retirement. Councilmember Helton stated that everyone deserves at least a cost of living increase. Mayor Lambert stated he would be fine increasing the salary to \$60,000, because Council did raise the Judge's pay. Vice Mayor Sewell suggested adding a pension to the benefits of the position. Councilmember Williams stated that since the Court Clerk has had the same salary for three years, he would be in favor of an increase.

Mr. Miller stated this matter does not have to be decided on tonight, but must be soon. Court Clerk Cassidy stated it must be done before May 2018. Councilmember Cagle withdrew his motion.

The meeting was adjourned.