

**MINUTES OF THE AGENDA WORK SESSION  
June 14, 2018 – 6:00 pm**

**To Set the Agenda for The  
June 28, 2018 Council Meeting**

The East Ridge City Council met pursuant to notice on June 14, 2018, 6:00 pm, at East Ridge City Hall to set the agenda for the June 28, 2018 Council Meeting and other items.

Vice Mayor Sewell called the meeting to order.

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

**Old Business:**

**ORDINANCE NO. 1076 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 3623 FOUNTAIN AVENUE, TAX MAP #156M H 002, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2<sup>nd</sup> and final reading)** – City Manager Miller stated that if this ordinance does not pass on first reading in tonight’s regular meeting, it will not come back for the meeting on June 28<sup>th</sup>. He stated that Council could table it if they wish. Mr. Miller also clarified that, regarding Ordinance No. 1075, the applicant has withdrawn his request for rezoning.

**ORDINANCE NO. 1077 – 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 CHANGING THE REVENUES OF THE GENERAL FUND AND DRUG FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND AND DRUG FUND (2<sup>nd</sup> and final reading)** – Mr. Miller stated this is the budget amendment. If approved in tonight’s regular meeting on first reading, it will come back for second reading on June 28<sup>th</sup>.

**ORDINANCE NO. 1078 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 (2<sup>nd</sup> and final reading)** – Vice Mayor Sewell stated this is on tonight’s regular meeting for first reading.

**RESOLUTION NO. 2795 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO HIRE ANOTHER ETHICS OFFICER IN REGARD TO AN ETHICS COMPLAINT FILED BY LAURA SENEKER** – City Manager Miller stated on May 24, 2018, Council presented four names to consider as ethics officer – Sam Elliott, Ryan Hanzlik, Jerry Summers, and Ron Wells. Mr. Wells withdrew his name stating there could be a conflict, but the other three attorneys are still interested. Mr. Miller asked Council to let him know if they wanted him to call any others. Councilmember Helton stated she would like to look outside of Hamilton County for someone that has no affiliation with other municipalities in Hamilton County. She stated that Jerry Summers was involved in the law suit with East Ridge regarding Superior Creek Lodge. Vice Mayor Sewell stated that Sam Elliott is with the small city coalition that East Ridge is a member of, but he is not counsel for the coalition. Councilmember Cagle stated that Mr. Hanzlik was a supporter of one of the Councilmembers during the election and would like to remove him from the list. City Manager Miller stated he would call MTAS about attorneys outside of Hamilton County. He will also see if they have an ethics counselor on staff. Council would like to eliminate all three attorneys that were originally suggested.

**New Business Discussion:**

**RESOLUTION NO. \_\_\_\_\_ – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH WISER CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE AMERICANS WITH DISABILITIES ACT (“ADA”) TRANSITION PLAN** – Finance Director Qualls, who is also the ADA coordinator, stated we have received the contract and the City Attorney is reviewing it. The cost will be \$87,300. Ms. Qualls will add this to the budget before second reading.

**RESOLUTION NO. \_\_\_\_\_ - Renewal of City Manager Contract** – City Manager Miller stated this will be moved to the June 28<sup>th</sup> meeting when the full Council is present.

**RESOLUTION NO. \_\_\_\_\_ - Fire Truck Repair Issue** – Chief Williams stated the Fire Department was having oil consumption issues with their rescue pumper in 2016. They obtained quotes for repairs with Chattanooga Truck having the low quote at \$7,163.06. After the repairs were complete, the Chief stated they were still having oil consumption problems. The Chief and two other representatives from the department met with the foreman at Chattanooga Truck and he admitted that they did not do all the work that was quoted. The Chief stated they obtained three more quotes with Diesel Plus being the low quote in the amount of \$9,800. The City would like restitution from Chattanooga Truck. The Chief will get quotes for a short block engine and a new engine. This will be put on the agenda for the first meeting in July.

**RESOLUTION NO. \_\_\_\_\_ - SET ASIDE CONSTRUCTION OF TOWN CENTER AND BUILD ANIMAL SHELTER** - City Manager Miller stated this item was discussed in a previous meeting with the Friends of the Animal Shelter. At that meeting, Councilmember Helton asked that the town center project be set aside in order to build an animal shelter.

**RESOLUTION NO. \_\_\_\_\_ - BIDS FOR HVAC UNIT FOR COMMUNITY CENTER** – City Recorder Middleton stated the unit at the Center is over 20 years old and needs repairs. The bids for a new unit will be open on June 20, 2018 and be presented at the next Council meeting.

**RESOLUTION NO. \_\_\_\_\_ - RFQ for veterinary services** – Animal Services Supervisor Andrea Dillard stated we do not have a contract for veterinary services. This contract would include routine services and emergency services during business hours.

**RESOLUTION NO. \_\_\_\_\_ - Housing Commission Board Appointments - Mayor Lambert and Vice Mayor Sewell** – Vice Mayor Sewell stated we have two openings and asked if anyone in the audience is interested in serving. No one responded.

**RESOLUTION NO. \_\_\_\_\_ - Landscaping of Median and Right-of-Way on Camp Jordan Parkway Between Bass Pro Drive and Ringgold Road** – City Manager Miller stated this was included in the interchange project to improve the entranceway into the park. He stated that ASA Engineering has put together a proposal with irrigation, sodding and tree planting.

**RESOLUTION NO. \_\_\_\_\_ - Bucket Brigade Grant** – Community Involvement Coordinator Bowers stated we applied for this grant last year. It is a 100% grant with no match from the City. Ms. Bowers plans to apply for \$18,700.

The meeting was adjourned.

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

**June 14, 2018  
6:30 pm**

The East Ridge City Council met pursuant to notice on June 14, 2018, 6:30 pm at East Ridge City Hall.

Vice Mayor Sewell called the meeting to order.

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

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

**Presentation to East Ridge Needy Child Fund by IBPO** – Officer Scott Butcher presented a check for \$500 to the East Ridge Needy Child Fund from IBPO.

**Consent Agenda:**

- A. Approval of Minutes May 24, 2018 Agenda Work Session
- B. Approval of Minutes May 24, 2018 Regular Council Meeting

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

**Communication from Citizens:**

Laura Mathis, 2100 McBrien Road, had questions about budget regarding the Parks and Recreation Department. City Manager Miller answered Ms. Mathis' questions. Ms. Mathis also stated the economic impact study that was done was not factual. She also questioned why the cell phone line item was so high. Ms. Qualls stated this covers cell phones, internet, credit card machines, etc. She stated that a lot of employees are on call. Ms. Mathis also discussed the Budgetel Inn. Director Custer stated there have been structural issues to overcome. They have had various contractors, and they have had 20 plus inspections. Building A has a certificate of occupancy and will open soon. Each building will open on a 60-day temporary certificate of occupancy one at a time as soon as the fire marshal's office signs off on the project.

Laura Seneker, 725 Germantown Circle, stated she does not want any more apartments in East Ridge. Director Custer stated that one building will be rehabbed and two will be torn down and new buildings constructed. He also explained how the split zonings work. In a split zone, a bank will not lend money.

Leslie Bostain, 731 Germantown Circle, stated we have enough apartments in East Ridge and believes Sweet Bay is being mismanaged.

**Communication from Councilmembers:**

Councilmember Cagle stated he received a complaint about a property on Oakdale Avenue. Director Custer stated that will be resolved. Mr. Cagle also thanked Director Custer for handling an issue regarding a property on Prigmore.

Councilmember Helton also thanked Director Custer. He stated the credit goes to his staff.

Vice Mayor Sewell announced there are two open seats on the Housing Commission and asked if anyone in the audience is interested in serving. Mr. Litchford stated there is a code associated with the Housing Commission, which is 13-303.

**Communication from City Manager:** None

**Old Business:** None

**New Business:**

**PUBLIC HEARING – ORDINANCE NO. 1075 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 3636 RINGGOLD ROAD, TAX MAP #168D C 013, FROM C-2 GENERAL COMMERCIAL DISTRICT TO M-3 WAREHOUSE AND WHOLESALE DISTRICT (1<sup>st</sup> reading) - Rezoning of 3636 Ringgold Road from C-2 General Commercial District to M-3 Warehouse and Wholesale District**

Mr. Custer met with Pryor Bacon and explained to him that if the entire eight acres were rezoned M-3, he would lose the retail space at the front of the property. The Council accepted Mr. Bacon's request for withdrawal of the petition.

**PUBLIC HEARING – ORDINANCE NO. 1076 - Rezoning of 3623 Fountain Avenue from R-1 Residential District to R-3 Residential Apartment District.** Vice Mayor Sewell opened the public hearing.

Charles McCullough, 1214 Reeves Avenue, stated we do not need any more apartments in East Ridge.

Laura Mathis, 2100 McBrien Road, discussed the building that has to be demolished.

Laura Senaker, 725 Germantown Circle, stated she is opposed to more apartments.

Leslie Bostain, 731 Germantown Circle, asked if the apartments can be used for short term rental. City Attorney Litchford stated that they could do an application for short term rentals since they are in an R-3 zone.

Councilmember Cagle stated even if Council does not approve this, they could still build apartments in the R-3 zone. Mr. Custer stated yes, they could in the R-3 zone. In order to get

financing and start construction again, the building that is R-1 must be zoned R-3. Mr. Cagle stated he has heard they have spent over \$1 million on this project. Mr. Custer stated that is correct. Mr. Cagle asked if we could put a stipulation in the ordinance to not allow short-term rentals. Mr. Custer stated that the Council could.

Mr. Cagle also stated that we are collecting property taxes at the commercial rate of 40% of the assessment for both the R-3 and the R-1 properties. R-1 should be collected at a 25% rate. Mr. Custer stated that if it is not rezoned the owner can maintain the exterior, but they could not open as apartments and could just sit there for 25 years. Mr. Cagle stated he would like to have the stipulation of no short-term rentals in the apartments. Mr. Litchford stated this could be added as a condition of the rezoning. Councilmember Cagle made a motion, seconded by Councilmember Helton, to table Ordinance No. 1076 until the June 28, 2018 meeting. The vote was unanimous. Motion approved.

**ORDINANCE NO. 1076– AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 3623 FOUNTAIN AVENUE, TAX MAP#156M H 002, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (1<sup>st</sup> reading) – Action taken.**

**ORDINANCE NO. 1077 – 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 CHANGING THE REVENUES OF THE GENERAL FUND AND DRUG FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND AND DRUG FUND (1<sup>st</sup> reading) -** City Attorney Litchford read on caption. Finance Director Qualls stated revenues increased because of delinquent taxes coming in higher than anticipated. Expenditures increased in certain departments, such as Police overtime, but these increases did not affect the bottom line. Councilmember Helton made a motion, seconded by Councilmember Cagle, to approve Ordinance No. 1077 on first reading. The vote was unanimous. Motion approved.

**ORDINANCE NO. 1078 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 (1<sup>st</sup> reading) -** City Attorney Litchford read on caption. City Manager Miller stated the proposed budget does not draw on the fund balance, there is no tax increase, no rate or fee increases, no increase in medical insurance premiums, plus the employees will receive a 3% pay increase. Five full time positions and one part time position will be added. New vehicles will be purchased from the general fund and the solid waste fund. The ADA program will cost the city \$87,300 which is not in the budget; it will have to be added. He stated if we do not get the funding for the CMAQ grant for CARTA bus service, the program will be dead. If we get the funding, our share will be 20% or approximately \$57,000 which will have to be added to the budget. Councilmember Helton made a motion, seconded by Councilmember Cagle, to approve Ordinance No. 1078 on first reading. The vote was unanimous. Motion approved.

Finance Director Qualls stated there would be a public hearing for the budget on June 28, 2018 at 5:30 pm with second reading in the council meeting of June 28<sup>th</sup> at 6:30 pm.

**RESOLUTION NO. 2796 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH CIGNA FOR HEALTH INSURANCE COVERAGE FOR EMPLOYEES OF THE CITY OF EAST RIDGE** - City Attorney Litchford read on caption. City Manager Miller introduced John Davis, our insurance broker. Mr. Davis stated last year, the incumbent carrier proposed a 38% increase, but we negotiated with CIGNA for a 9% increase. He stated this year, CIGNA proposed a single digit increase but he negotiated to get a -1% decrease. There will be no increase in vision and only a small increase of 3% in dental. Mr. Davis thanked Council for the trust and confidence they have shown him. Councilmember Helton made a motion, seconded by Councilmember Cagle, to approve Resolution No. 2796. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2797 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE HAMILTON COUNTY SHERIFF’S OFFICE, CHATTANOOGA POLICE DEPARTMENT, CHATTANOOGA HOUSING AUTHORITY POLICE DEPARTMENT, CHATTANOOGA STATE COMMUNITY COLLEGE POLICE DEPARTMENT, COLLEGEDALE POLICE DEPARTMENT, LOOKOUT MOUNTAIN, TN POLICE DEPARTMENT, RED BANK POLICE DEPARTMENT, SIGNAL MOUNTAIN POLICE DEPARTMENT, SODDY DAISY POLICE DEPARTMENT AND THE UNIVERSITY OF TENNESSEE CHATTANOOGA POLICE DEPARTMENT, ALL MUNICIPALITIES OF HAMILTON COUNTY AND THE STATE OF TENNESSEE (COLLECTIVELY REFERRED TO AS THE “PARTIES” REGARDING TRANSPORT OF PERSONS TAKEN INTO CUSTODY** - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2797. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2798 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE APPROVING PHOTOGRAPHY BIDS FOR THE 2018 - 2019 SPORTS SEASON** - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2798, with the bid from Schools Days Photography. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2799 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AWARDED BIDS FOR THE PURCHASE OF TACTICAL COMMUNICATIONS HEADSETS FOR THE POLICE DEPARTMENT** - City Attorney Litchford read on caption. Chief Reed stated the City received two bids. When the equipment was tested, the equipment from the high bidder, Atlantic Signal, was of a better quality and durability. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2799, the bid from Atlantic Signal. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2800 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO ACCEPT A**

**DONATION OF THREE DYNAMIC ENTRY KITS FROM THE AEGIS LAW ENFORCEMENT FOUNDATION OF GREATER CHATTANOOGA** - City Attorney Litchford read on caption. Chief Reed stated we have already received three of the kits. They are used for quick entry into buildings when needed. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2800. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2801 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH S&ME, INC. TO PROVIDE PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE CAMP JORDAN UPGRADES PROJECT** - City Attorney Litchford read on caption. Director Custer stated that S&ME provides utility coordination services for the rehab project at Camp Jordan. They have submitted a proposal for surveying and site engineering cost in the amount of \$43,300. He stated the S&ME will be the project manager for a \$7 million sewer project in East Ridge that will begin on June 25<sup>th</sup>. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2801, not to exceed \$43,300. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2802 –A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER TO APPROVE THE ATTACHED TASK ORDERS, 2018-2 AND 2018-3 FROM CTI ENGINEERS, INC. IN THEIR CAPACITY AS ENGINEER OF RECORD FOR THE CITY-** City Attorney Litchford read on caption. Mr. Miller stated these two task orders are for drainage issues on S. Seminole Drive and Gail Drive for \$11,800, and on Boyd Street for \$10,800. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2802, not to exceed an amount of \$22,600. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2803 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF THE TARGET YOUTH SOCCER GRANT** - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2803. The vote was unanimous. Motion approved.

The meeting was adjourned.



**PUBLIC HEARING  
OF THE CITY OF EAST RIDGE  
FOR THE FY 2018 – 2019 BUDGET**

**June 28, 2018– 5:30 p.m**

The East Ridge City Council met pursuant to notice on June 28, 2017, 5:30 pm at East Ridge City Hall for the purpose of holding a public hearing for the FY 2018 – 2019 budget. Mayor Lambert opened the Public Hearing.

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

**Comments from City Manager:** City Manager Miller gave a brief overview of the FY 2018-2019 budget as follows:

- The General fund totals \$13,693,193.
- The millage rate remains the same at \$1.3381.
- The Budget does not draw off the fund balance of \$5.166 million.
- There are no rate or fee increases.
- There is a proposed 3% cost of living increase for employees.
- No increase in medical premiums.
- This budget proposes hiring 5 additional full-time employees and 1 additional part time employee. The full-time positions will be funded for 8 months from November 1<sup>st</sup> through June 30<sup>th</sup>.
- Vehicles and equipment in the general fund capital outlay totaling \$145,342 and \$46,500 in solid waste management.

**Comments from Mayor and Council:** Councilmember Cagle questioned the solid waste transportation amount, stating it was \$37,000 not \$46,500. Finance Director Qualls stated roll-off containers are \$9,500 which would total \$46,500.

Mr. Cagle asked if the City was purchasing only one used vehicle and all the others would be new. Mr. Miller stated the court transport vehicle and the parks and recreation vehicle will be used, plus possibly the four CID vehicles. Mr. Cagle stated he prefers all new cars but if we purchase used, he would like to see it put out for bid. Director Custer stated he is also looking for a used SUV.

**Comments/Questions from Citizens**

Laura Seneker, 725 Germantown Circle, discussed vehicle purchases and the purpose of the sewage treatment plant in East Ridge.

The Mayor closed the public hearing and adjourned the meeting.

**MINUTES OF THE AGENDA WORK SESSION  
June 28, 2018– 6:00 pm**

**To Set the Agenda for The  
July 12, 2018 Council Meeting**

The East Ridge City Council met pursuant to notice on June 28, 2018, 6:00 pm, at East Ridge City Hall to set the agenda for the July 12, 2018 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.

**Old Business:**

**ORDINANCE NO. 1076 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 3623 FOUNTAIN AVENUE, TAX MAP#156M H 002, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2<sup>nd</sup> and final reading)** – Mayor Lambert stated if approved tonight, this will be second reading on this ordinance.

**New Business Discussion:**

**RESOLUTION NO. \_\_\_\_\_ - Fire Truck Repair Issues** – City Manager Miller stated that Chief Williams is on vacation but will be at the next meeting when this resolution is considered.

**RESOLUTION NO. \_\_\_\_\_ - Authorization to open a checking account for the Economic Development Fund (Border Region District Sales Tax)** – Finance Director Qualls stated that a new fund, the Economic Development Fund, was created in the budget for the Border Region District Sales Tax. Now, a checking account must be opened in order to transfer debt and pay incentive agreements. Council must authorize opening the account.

**RESOLUTION NO. \_\_\_\_\_ - COMCAST Renewal of Franchise Agreement** – City Manager Miller stated the cable franchise agreement was due in 2017 and has a term of ten years. He stated that most franchise agreements are covered under state and federal law and cities have very little latitude to change the agreement. The City Attorney is reviewing the agreement.

**RESOLUTION NO. \_\_\_\_\_ - Approval of MOU with Hamilton County for Hosting Record Management System (“RMS”) and Field Base Reporting (“FBR”) System** – Chief Reed stated that the City of Chattanooga currently serves as the hosting agency for the RMS and FBR systems, but after July 31, 2018 will no longer do so. The Hamilton County Sheriff’s Office has offered to become the hosting agency for these components and has presented a Memorandum of Understanding to the City with the terms for hosting. There will be an increase which can be covered in the IT budget.

**RESOLUTION NO. \_\_\_\_\_ - Approval of Annual Bids for Street Department Materials –**  
Mr. Miller stated these are the bids for street department materials that we do annually. If we do not receive bids on all materials, we can re-bid just those materials.

**Grant Consent Agenda:**

1. **RESOLUTION NO. \_\_\_\_\_ – TML Driver’s Safety Grant** – Community Involvement Coordinator Bowers stated we apply for this grant every year. It can be used for driver training, driver’s license checks, etc. this is a 100% grant, with no match from the City.
2. **RESOLUTION NO \_\_\_\_\_ – TML Property Conservation Grant** – Ms. Bowers stated this grant is to purchase items such as cameras for the playground, security doors, etc.

The Mayor and Councilmembers has nothing further to discuss at this time.

The meeting was adjourned.

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

**June 28, 2018  
6:30 pm**

The East Ridge City Council met pursuant to notice on June 28, 2018, 6:30 pm at East Ridge City Hall.

Mayor Lambert called the meeting to order.

Pastor Terry Arnold, East Ridge Pentecostal Church 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 June 14, 2018 Agenda Work Session
- B. Approval of Minutes June 14, 2018 Regular Council Meeting
- C. Approval of May 2018 Financial Statement

Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve the Consent Agenda. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - yes; Councilmember Helton - yes; Councilmember Williams - abstain; Mayor Lambert - abstain. Motion approved.

**Communication from Citizens:**

Debbie Colburn, 5607 Clemons Rd., would like permission to use Springvale Park as a magnet area to help bring the neighborhood together. It could be used for neighborhood events such as a neighborhood yard sale. She could gather information and put together a database of neighbors and create a Facebook page. She could also form a neighborhood watch. Ms. Colburn handed out flyers regarding a yard sale that she will take door to door. She is requesting that Council allow her to organize this. Councilmember Cagle asked Ms. Colburn if the tables were still in the park. She stated they are no longer there. The Mayor stated that once Ms. Colburn determines a date, he will put it on the agenda for consideration.

Laura Seneker, 725 Germantown Circle, stated she would like for Council to rescind plans for a town center and build an animal shelter. She also asked if there would be a public hearing on Ordinance 1076. She also accused the Council of stalling regarding the ethics complaint against Mayor Lambert.

Mayor Lambert stated, for the record, he does not want to stall the ethics complaint. He wants to deal with this as soon as possible.

Councilmember Cagle stated we had the public hearing for Ordinance 1076 in the last meeting. City Manager Miller stated it would be continued tonight.

Judy Karr, 1517 S. Mack Smith Road, stated that if Councilmember Helton is running for State Representative and stays on Council, she is double dipping the taxpayers and cannot do both jobs well at the same time. Ms. Helton stated that legally she can do both jobs. Ms. Karr also objected to paying businesses to come to East Ridge and stated we don't need to bring in so many fast food restaurants.

Mayor Lambert stated it is incredibly disrespectful for anyone to say what others do or do not have time for; that is their decision and the voters can decide. The Mayor also addressed Ms. Karr's comments about paying businesses to come to East Ridge. He stated the State passed the Border Region Act which allows the City to incentivize development. The State gives the City  $\frac{3}{4}$  of the state shared taxes to help pay off these incentives. It is Tennessee's money, not the City of East Ridge's. The Mayor stated from 2016 to 2017, the City's local option sales tax increased by 20%; which helped us avoid a property tax increase. He stated the Border Region Act is a once in a lifetime opportunity and citizens should focus on the good that comes from it.

Leslie Bostain, 731 Germantown Circle, stated she requested that the Industrial Development Board ("IDB") change their meeting time but has not heard back from them. Mayor Lambert stated that the IDB does not meet if there is no business to be considered so there will be no meeting in July. Ms. Bostain also discussed the old bowling alley property not being in the Border Region.

Lynda Stephens, 3706 Indian Trail, asked Mr. Miller about the streetscape grants on the west end of Ringgold Road. Mr. Miller stated one project will go from Kingwood to the tunnels. He has set aside \$5 million for that project with all the projects being completed in phases. Mr. Miller also discussed the need for drainage improvements from the tunnels going east and then sidewalks will be installed. Mayor Lambert stated the legislature increased the border region investment period by 5 years which allows the City opportunity to finish some of these projects and give incentives. Ms. Stephens believes that developers will not come to East Ridge until they see the City is making these improvements. She also discussed the roll of the IDB. Mayor Lambert stated the IDB was established in 1977 and later dissolved by the State because of inactivity. It was reinstated four years ago. The Mayor also stated that TDOT has been a great friend to East Ridge by making the grants available for various projects.

Laura Mathis, 2100 McBrien Road, stated she attended the last IDB meeting and no new development was discussed. She wanted to know if these things came up in the last six weeks since that meeting. City Manager Miller stated he is not going to bring forth information on new businesses when he is in negotiations and the press is present. There are discussions about assessments, property prices, etc. Mayor Lambert stated that an article was published about Food City coming to East Ridge and someone from the press called Food City regarding this. He believes that is what made Food City decide to go to Ft. Oglethorpe. He stated that hurt the City badly. Mr. Miller stated when he meets with businesses, the information they discuss is confidential. Mayor Lambert stated that if we talk about confidential business information in

a public meeting, we can “kiss that business goodbye.” Ms. Mathis also discussed the costs of trees for Camp Jordan Parkway. Ms. Mathis also stated we have been burned in the past by paying for the property for Bass Pro because it was not sold at fair market value. The citizens had to pay the difference. Finance Director Qualls stated she submitted the \$610,000 expense that the City paid for the property and the City was reimbursed by the Border Region Act.

**Communication from Councilmembers:**

The Mayor and Councilmember wished everyone a Happy 4<sup>th</sup> of July.

Vice Mayor Sewell stated the City let companies and various police departments do driver training on one of the parking lots at Camp Jordan and it is causing wear and tear. City Manager Miller stated that TDOT does work on the parking lot at times to help in these situations.

Mayor Lambert stated there is a pothole at the end of Moore Road. Mr. Miller will have someone check this out.

The Mayor also stated there are some good events going on at Camp Jordan, one of them being a Civil War show at the end of July.

**Communication from City Manager: None**

**Old Business:**

At this time, the Mayor resumed the public hearing from June 28, 2018.

Mike Croxall, Croxall Construction, spoke representing the owner of the property. He stated they are requesting to get the original zoning back, that a rezoning error divided the property years ago. They want to upgrade and renovate one existing building. They are investing over \$1 million to bring the property up to code and beautify the exterior.

Laura Senaker, 725 Germantown Circle, discussed Lexington Management who manages several apartment complexes in the City. She also stated the 80 new apartments would cause more traffic on Fountain Avenue. Mr. Croxall stated he is only renovating 20 existing apartments. Mayor Lambert stated there was a city-wide rezoning in the 80’s which has caused a lot of confusion. Many homeowners have come before Council to reverse the rezonings.

Vice Mayor Sewell asked Director Custer to come forward to discuss this item. Mr. Custer stated it was not necessarily the City, but the Regional Planning Agency, that recommended the commercial rezonings in the 70’s or 80’s which went back 280 feet off Ringgold Road. If homeowners sold their property prior to two years ago, we could issue them a letter stating it is legally non-conforming, but that can no longer be done. Mr. Custer stated this zoning was captured improperly, and that after these apartments sat for more than 180 days, they became non-conforming and require a complete rezone. Mr. Custer stated that the Regional Planning Agency found this rezoning to be compatible with the land use; it is already functioning as apartments and would bring the entire site into compliance with the zoning laws. It also has 90 less units than it did originally. Mr. Sewell stated that someone “messed up” when the mass rezoning was done and is concerned that if the rezoning is denied, the owner of the property could come back and sue the City. Mr. Custer stated that no matter how the rezoning came

about, if it doesn't get rezoned now, the apartments will just sit there. Mayor Lambert stated the building on the R-3 property should not be a significant part of this case, and he is not sure he wants to do something to deliberately "shipwreck" someone's financing.

Kathleen Balazs, 1325 Greenslake Road, asked why a split zoning would not allow financing. Mr. Custer stated that if anything happened to the property, they could not rebuild in an R-1 zone and would lose their investment. Ms. Balazs also stated that Lexington Properties manages other properties in the City that are not kept up.

Connie Blake, 1839 Belvoir Hills Drive, stated rezoning could cause a traffic problem.

Leslie Bostain, 731 Germantown Circle, asked why the owners have not done anything with the condemned building. Mr. Custer stated the structure did go before the Housing Commission and the commission told them they would have to demolish the condemned building. They will do so as soon as they get a demolition permit. Mr. Custer also stated that if the owners do not demolish it, the City will have to pay to demolish it. He also stated he has worked for 20 years in the fire service and never worked a wreck at that intersection. Mr. Croxall said they could put up mirrors and signage. He also stated they could build a bus stop.

Mayor Lambert closed the public hearing.

**ORDINANCE NO. 1076 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 3623 FOUNTAIN AVENUE, TAX MAP#156M H 002, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (1<sup>st</sup> reading – tabled 6/14/18)** – Councilmember Cagle made a motion, seconded by Councilmember Helton, to remove Ordinance No. 1076 from the table. Roll call vote: Vice Mayor Sewell - no; Councilmember Cagle - yes; Councilmember Helton - pass; Councilmember Williams - no; Mayor Lambert – no; Councilmember Helton - no. Motion denied. Mayor Lambert stated this item will remain on the table until Council removes it. Vice Mayor Sewell stated that if it comes back before Council, he wants to see a plan in writing and the condemned building torn down before Council acts. Mr. Croxall will get a plan in writing regarding demolition of the building, a greenspace plan and a bus stop waiting area. Vice Mayor Sewell stated that Hamilton County must approve a bus stop.

At this time, Mayor Lambert took a 10-minute break.

**ORDINANCE NO. 1077 – 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 CHANGING THE REVENUES OF THE GENERAL FUND AND DRUG FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND AND DRUG FUND (2<sup>nd</sup> and final reading)** – Councilmember Cagle made a motion, seconded by Councilmember Williams, to approve Ordinance No. 1077 on second and final reading. The vote was unanimous. Motion approved.

**ORDINANCE NO. 1078 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 (2<sup>nd</sup> and final reading)** – Councilmember Williams made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1078 on second and final reading. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2795 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO HIRE ETHICS OFFICER IN REGARD TO AN ETHICS COMPLAINT** - Mayor Lambert asked in the event another attorney is hired how will the City pay for his or her services. Finance Director Qualls stated it would come out of general expense. At this time, the Mayor stepped out of the room in order for Council to discuss this matter. City Manager stated he has looked outside of Hamilton County for interested attorneys. He also checked with Elisha Hodge at MTAS and she provided a list of five names for Mr. Miller to check with. Two of the attorneys were interested – Steve Greer and Mr. Wooden. Both provided resumes. Councilmember Cagle made a motion, seconded by Councilmember Williams, to approve Resolution No. 2795, which would be to hire Steve Greer. Vice Mayor Sewell stated this is a waste of taxpayer money because the Mayor has not done anything wrong. Roll call vote: Councilmember Cagle - yes; Councilmember Helton - yes; Councilmember Williams - yes; Vice Mayor Sewell – no. Motion approved.

**New Business:**

**RESOLUTION NO. 2804 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH WISER CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE AMERICANS WITH DISABILITIES ACT (“ADA”) TRANSITION PLAN** – City Attorney Litchford read on caption. Finance Director Qualls stated in order to receive grants, we must adopt an ADA plan. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2804. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2805 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE APPROVING BIDS FOR THE PURCHASE OF AND ALL MATERIALS NEEDED FOR THE INSTALLATION OF A REPLACEMENT GAS HVAC UNIT FOR THE EAST RIDGE COMMUNITY CENTER** - Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2805, the bid from Southern Company, Inc. in the amount of \$26,474.00. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2806 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPOINT \_\_\_\_\_ AND \_\_\_\_\_ TO THE EAST RIDGE HOUSING COMMISSION** – City Attorney Litchford read on caption. Mayor Lambert appointed Earl Wilson to the Housing Commission. Vice Mayor Sewell stated he has contacted someone but hasn’t heard back from them. Mayor Lambert made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2806, the appointment of Earl Wilson. The vote was unanimous. Motion approved.



**RESOLUTION NO. 2807 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH OOLTEWAH NURSERY & LANDSCAPE CO., INC. FOR A LANDSCAPING PROJECT AS THE NEXT PHASE OF THE BEAUTIFICATION PROJECT AT THE I-75, EXIT 1 INTERCHANGE –** City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Resolution No. 2807. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2808 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO PLACE THE PLANS TO BUILD A MULTI-PURPOSE PAVILION ON HOLD AND TO APPROPRIATE FUNDING TO BUILD A NEW ANIMAL CONTROL FACILITY –** Councilmember Helton made a motion, seconded by Councilmember Williams, to approve Resolution No. 2808. Councilmember Cagle asked Mr. Miller if we have the funds to build an Animal Shelter. Mr. Miller stated we have the money in the border region funds that had been allocated for the Town Center. The animal control facility would cost \$1.5 million and there was \$2 million set aside for the Town Center. Debt service would be \$1 million per year for all the projects we are doing. Mr. Miller stated he is looking at several parcels of land for the animal control facility, but it would not include a dog park. Mr. Cagle asked if we could build an animal shelter since it does not generate economic development. Mr. Miller has talked to Mark Mamamtov, the attorney for the IDB, and Mr. Mamamtov stated an argument could be made that it could generate economic development, but he suggested that Mr. Miller check with the state. Mr. Miller stated that a pavilion is related to tourism and could spur economic development, but he is not sure of an animal control facility. Mayor Lambert stated if the shelter sold pet items and charged sales tax, that would make it an eligible project in the border region. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2809 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR AND ACCEPTANCE OF, THE 2017 GEORGIA-PACIFIC (GP) FOUNDATION BUCKET BRIGADE GRANT –** Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2809. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2810 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED CITY MANAGER CONTRACT FOR J. SCOTT MILLER TO BE RETAINED AS THE CITY MANAGER OF THE CITY OF EAST RIDGE –** City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2810 and add a 3% increase in Mr. Miller's pension to his contract. The vote was unanimous. Motion approved. Mr. Miller thanked the Council stating it is a privilege to work for East Ridge.

**Appropriation for the construction of a field house at the ERHS football field. –** Mayor Lambert stated that Mike Evatt has asked that this item be postponed to the July 26<sup>th</sup> meeting. Councilmember Cagle made a motion, seconded by Councilmember Williams, to accept the request to postpone. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2811 – 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 C. W. MATTHEWS CONTRACTING CO., INC. IN REGARD TO THE RECONFIGURATION PROJECT AT THE I-75 INTERCHANGE, RINGGOLD ROAD AT EXIT ONE** – City Manager Miller stated the Council approved change order #6 in May, not to exceed \$57,020.50. Since that time, the project has encountered several credits and some additional contract items. The final change order #6 has been revised to \$53,076.46. Councilmember Cagle made a motion, seconded by Councilmember Williams, to approve Resolution No. 2811. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2812 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY OF EAST RIDGE TO APPLY FOR AND ACCEPT THE TML RISK MANAGEMENT POOL “SAFETY PARTNERS” MATCHING GRANT PROGRAM** – City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Helton, to approve Resolution No. 2812. The vote was unanimous. Motion approved.

Being no further business, the meeting was adjourned.