

**MINUTES OF THE AGENDA WORK SESSION**

**September 13, 2018 – 6:00 pm**

**To Set the Agenda for The  
September 27, 2018 Council Meeting**

The East Ridge City Council met pursuant to notice on September 13, 2018, 6:00 pm, at East Ridge City Hall to set the agenda for the September 23, 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 - tabled 6/14/18)** – Mayor Lambert stated this could be potential second reading, and there would be more discussion in tonight’s regular meeting.

**ORDINANCE NO. 1080 – 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 1023 SOUTH SEMINOLE DRIVE AND 3118 RINGGOLD ROAD, TAX MAP #156N F 016, FROM C-2 GENERAL COMMERCIAL DISTRICT, O-1 OFFICE DISTRICT, AND R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2<sup>nd</sup> and final reading)** – Mayor Lambert stated there would be a public hearing and first reading at tonight’s regular meeting.

**ORDINANCE NO. 1081 – 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 1509 WATERHOUSE STREET, TAX MAP #169K-K-004, FROM R-1 RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (2<sup>nd</sup> and final reading)** – Mayor Lambert stated this ordinance would also have a public hearing and first reading at tonight’s regular meeting.

**New Business Discussion:**

**ORDINANCE NO. \_\_\_\_\_ - Budget Amendment (1<sup>st</sup> reading)** – Finance Director Qualls stated that, among other things, this amendment covers an accident at Fire Station #2 that damaged the building. We have received a check, but we must amend the budget to reflect the incoming revenue and expenditure.

**RESOLUTION NO. \_\_\_\_\_ - Purchase of Prisoner Transport Van and Insert on Statewide Contract for Court** – Court Clerk Cassidy stated \$25,000 was budgeted for a van, but the cost of \$14,400 for the insert to separate the prisoners was not. She stated they have 25 – 30 prisoners per week that must be transported.

**RESOLUTION NO. \_\_\_\_\_ - A RESOLUTION OF THE CITY OF EAST RIDGE, TENNESSEE MODIFYING RESOLUTION 2389 AND RESOLUTION 2582 RELATING TO THE BORDER REGION TOURISM DEVELOPMENT DISTRICT ACT T.C.A. § 7-40-101 ET SEQ.** – City Manager Miller stated this pertains to Jordan Crossing. The owners normally utilize a ground lease, but some large developers have expressed interest in purchasing land at the Crossing. The approved Development and Allocation Agreement does not require them to own the land to receive Border Region money. Mr. Miller stated the City will still receive county wide sales tax, property taxes and any hotel/motel taxes. The Industrial Development Board approved this modification on September 11, 2018. This resolution will clarify that the owners do not need to own the property at Jordan Crossing in order to receive the Border Region funds. This matter has been reviewed by City Attorney Litchford and Mark Mamantov, who is the attorney for the Industrial Development Board, and it is their consensus that this is what needs to be done to clarify the language in these resolutions. There will be no changes in the development agreement. Councilmember Cagle would like the agreement clarified to state if Exit 1, LLC does not own 51% of property outside of the Jordan Crossing, they will not receive Border Region money.

**RESOLUTION NO. \_\_\_\_\_ - Approval of Financial Package for Greenbrier Real Estate Advisors and Jack’s Family Restaurant** – City Manager Miller stated the City has received a request for financial assistance at 4209 Ringgold Road, in order to construct a Jack’s Family Restaurant. The anticipated revenue stream would be \$1.753 million over 20 years. The City only gets \$630 per year from property taxes. Financial Assistance would be in the amount of \$600,000. The Industrial Development Board approved the financial assistance package.

**Other:**

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

Mayor Lambert stated since the City Manager will be retiring soon, he would like for council to consider creating the position of Assistant City Manager.

Mayor Lambert recognized John Temple, with Jones Memorial United Methodist Church, to discuss the 43<sup>rd</sup> annual barbecue. Proceeds are used to purchase coats for kids in elementary schools. He has tickets if anyone wishes to purchase them.

The meeting was adjourned.

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

**September 13, 2018  
6:30 pm**

The East Ridge City Council met pursuant to notice on September 13, 2018, 6:30 pm at East Ridge City Hall.

Mayor Lambert called the meeting to order.

Daniel Beard 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 August 23, 2018 Agenda Work Session
- B. Approval of Minutes August 23, 2018 Regular Council Meeting

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

**Communication from Citizens:**

Charles McCullough, 1214 Reeves Avenue, discussed the dog park, crime free ordinance, and tax rebate for apartments. He also stated at first, he was against the Sweet Bay Apartment rezoning, but now since Lexington Assets Management has bent over backwards to do what the neighbors want, that he is in favor of it.

June McCormick, 730 Germantown Circle, stated she lives in Germantown Gardens Apartments and has heard the negative comments about them. She stated she has never seen fighting, no disrespectful kids and no vulgar language. She also commended the Police Department and the first responders.

Tim Albritton, 730 Germantown Circle, lives at Germantown Gardens, and raised children there. He has never witnessed violence. He has good neighbors, a lot of which are retired citizens.

Catherine Pollard, 730 Germantown Circle, lives in Germantown Gardens. She came to this area escaping Hurricane Katrina. She has never witnessed robbery or vandalism and has been at Germantown Gardens for eleven years.

Earl Wilson, representing the Needy Child Fund Pioneer Fest, stated only three politicians have responded to the request to participate in the events. He stated the festival will be Oct 13<sup>th</sup> from 10 am – 3 pm.

Laura Mathis, 2100 McBrien Road, read an email, which was in an article on East Ridge News Online, from the Mayor to the Industrial Development Board (IDB) members regarding changing the time of the IDB meetings. Mayor Lambert stated it was “funny” how we have double standards because Ms. Mathis called him a “coward” and Denny Manning called him a “chicken.” He stated there was nothing wrong with the email he sent to the IDB; he told them to make a decision they are comfortable with. Mayor Lambert told Dick Cook, who wrote the article Ms. Mathis referred to, that it is shameful.

James Citty, 423 Pine Bluff Drive, and who is also on the IDB, stated the Mayor was right. He stated there are only a handful of citizens who want to change everything. He also stated it was a 3-1 vote not to change the meeting time.

Steve Krome, 800 Belvoir Hills Drive, stated he was opposed to the Sweet Bay rezoning before but has found out the Lexington Assets Management is a Dunn and Bradstreet property with very few negative reviews. They also have an A+ rating with the Better Business Bureau. Mr. Krome withdrew his objection to the rezoning.

Brett Gollapher, 730 Germantown Circle, stated the apartments where he lives are very nice and has only compliments for the property. He also stated that anyone that is displeased with the way things are done can quit complaining and run for office.

Marvin Scott, 1041 S. Seminole Drive, voiced his opposition to the rezoning on S. Seminole. He stated a crime study should be done and he is concerned about housing values.

Mayor Lambert stated Director Custer received a request from the applicant for Council to table the rezoning ordinance in order for them to do a traffic study and other due diligence. Mr. Custer stated a site plan approval would have to be done.

Councilmember Cagle asked if residents within 300 feet receive notice of a rezoning. Mr. Custer stated notice is sent to the owner and occupant with a certain radius just as it is with the Planning Commission meetings.

#### **Communication from Councilmembers:**

Councilmember Helton had nothing at this time.

Councilmember Williams stated that Mr. Temple has barbecue tickets for the Jones Memorial barbecue on Saturday. He also stated there will also be a service and luncheon for first responders on September 30<sup>th</sup> at Jones Memorial.

Mr. Williams stated he has information on the crime free addendum program that Murfreesboro has put into place that he will share with councilmembers if they want it.

Vice Mayor Sewell stated that a lot of citizens talk about new businesses on social media. He stated that if owners/developers read this, they may decide not to come to East Ridge. He encouraged citizens not to put negative comments about businesses on Facebook.

Councilmember Cagle had nothing at this time.

Mayor Lambert thanked the residents from Germantown Gardens for coming out to talk about their homes. He stated it is easy to throw stones and not know what you are talking about. These residents have shown that this is not a crime ridden apartment complex.

**Communication from City Manager:** None

**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 (1<sup>st</sup> reading - tabled 6/14/18) - City Attorney Litchford read on caption. Councilmember Helton made a motion, seconded by Vice Mayor Sewell, to remove this item from the table. The vote was unanimous. Councilmember Helton made a motion, seconded by Vice Mayor Sewell, to approve Ordinance No. 1076 on first reading. Councilmember Cagle disclosed that he received a text from the owner, but it would not sway his vote; he just wanted to let Council know. Vice Mayor Sewell stated he has talked with the owners and he believes they are trying to set a precedent to make these apartments nice. Councilmember Williams concurs with Mr. Sewell comments. City Attorney Litchford will incorporate the conditions that Lexington Assets Management agreed to into the ordinance before second reading. Councilmember Helton made a motion, seconded by Vice Mayor Sewell, to amend the motion to incorporate the conditions that were in the Lexington Assets memorandum into the ordinance before second reading. The vote was unanimous. Motion approved.**

**RESOLUTION NO. 2825 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE CITY’S FUND BALANCE FOR CONSTRUCTION OF A FIELD HOUSE AT THE EAST RIDGE HIGH SCHOOL FOOTBALL STADIUM (tabled 8/9/18) - City Attorney Litchford read on caption. City Manager Miller stated that he and Coach Tim James would like to meet with an engineer to possibly bring the cost down on the project. This item was left on the table.**

**RESOLUTION NO. 2834 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, FOR THE MAYOR TO APPOINT \_\_\_\_\_ TO THE EAST RIDGE PLANNING COMMISSION - City Attorney Litchford read on caption. Mayor Lambert reappointed Ron Renegar. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Resolution No. 2834. The vote was unanimous. Motion approved.**

Mayor Lambert moved Item E, Resolution No. 2843 to this portion of the agenda.

**RESOLUTION NO. 2843 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE APPROVING A TEMPORARY SPECIAL EVENTS BEER PERMIT FOR DONALD EDWARD LYLE, ON BEHALF OF DUCKS UNLIMITED** - City Attorney Litchford read on caption. Ross Malone and Don Lyle, on behalf of Ducks Unlimited, were present to discuss the event. Mr. Lyle, who is the General manager of Stir Restaurant, stated they are partnering with Ducks Unlimited for an event at Camp Jordan Arena on October 15, 2018, and will provide catering. City Manager Miller has reviewed this and is recommending approval, with the condition that the applicant pay for one police officer as security. Vice Mayor Sewell made a motion, seconded by Councilmember Williams, to approve Resolution No. 2843. Mr. Cagle stated that the applicant plans to sell Sweetwater 420 beer which has more alcohol content than the 5% allowed by our ordinance. Mr. Lyle stated they could sell another beer in its place. City Attorney Litchford stated since our ordinance was approved, stated law has changed from 5% alcohol content to 8% alcohol content. We would have to change our code to mirror state law. Vice Mayor Sewell amended his motion to approve the request for the permit provided that only beverages that comply with our ordinance are served. Mr. Williams seconded the motion as amended. The vote was unanimous. Motion approved.

**New Business:**

**PUBLIC HEARING FOR ORDINANCE NO. 1080 - Rezoning of 1023 S. Seminole Drive and 3118 Ringgold Road from C-2 General Commercial District, O-1 Office District, and R-1 Residential District to R-3 Apartment District** – Mayor Lambert opened the public hearing. Pragnash Patel, the owner, stated he would like for council to table this ordinance in order to have a traffic study done and get a graphic design of the complex. He stated the complex would be luxury apartments and he wants council to see a rendering before the vote on the rezoning. Vice Mayor Sewell stated that traffic seems to be the main issue, if the road must be widened, would the owner be responsible for paying for that. City Manager Miller stated our engineering firm, CTI, will look at the traffic study to determine if widening the road is necessary.

Mayor Lambert asked if anyone wanted to speak in favor of or in opposition to the rezoning.

William Lane, 1025 S. Seminole Drive, spoke in opposition to the rezoning.

James City, 423 Pine Bluff Drive, who also has a business at 1001 S. Seminole, spoke in opposition to the rezoning.

Charles McCullough, 1214 Reeves Avenue, spoke in opposition to the rezoning.

Mayor Lambert closed the public hearing.

**ORDINANCE NO. 1080 – 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 1023 SOUTH SEMINOLE DRIVE AND 3118 RINGGOLD ROAD, TAX MAP #156N F 016, FROM C-2 GENERAL COMMERCIAL DISTRICT, O-1 OFFICE DISTRICT, AND R-1 RESIDENTIAL**

**DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (1<sup>st</sup> reading)** - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Williams, to table this ordinance for ten weeks, in order for Mr. Patel to have the traffic study done and have the City engineer to look over this. The vote was unanimous. Motion approved.

Mayor Lambert would like to notify the same residents about the first reading of this ordinance which will be on December 13, 2018. The Mayor stated that if this is tabled, council does not have to do another public hearing. The resident at 1041 S. Seminole would like for all residents on S. Seminole to get notification of the meeting. After discussion, Director Custer stated he would get the addresses of affected residents all the way to Bennett Road and send notifications.

Mayor Lambert moved Item F, Resolution No. 2844 to this portion of the agenda.

**RESOLUTION NO. 2844 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO APPOINT \_\_\_\_\_ TO THE EAST RIDGE INDUSTRIAL DEVELOPMENT BOARD TO FILL THE UNEXPIRED TERM OF MR. BARTON BURNS** - City Attorney Litchford read on caption. Councilmember Helton appointed Rick Torek to the Industrial Development Board. Vice Mayor Sewell made a motion, seconded by Councilmember Williams, to approve Resolution No. 2844. The vote was unanimous. Motion approved.

**PUBLIC HEARING FOR ORDINANCE NO. 1081 - Rezoning of 1509 Waterhouse Street from R-1 Residential District to C-2 General Commercial District** - Mayor Lambert opened the public hearing. Director Custer stated the applicant wants to use this area for commercial parking. Mr. Custer stated the Regional Planning Agency found the rezoning compatible with land uses to the north but not to the south. The property would have to have a landscape buffer. The applicant, Danny Coffey came forward and stated he would do whatever the City requires. There was no one else that came forward to speak for or against the rezoning. The Mayor closed the public hearing.

**ORDINANCE NO. 1081 – 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 1509 WATERHOUSE STREET, TAX MAP #169K-K-004, FROM R-1 RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (1<sup>st</sup> reading)** - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1081 on first reading. The vote was unanimous. Motion approved.

Mayor Lambert moved Item J, Resolution No. 2848 to this portion of the agenda.

**RESOLUTION NO. 2848 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, FOR THE CITY TO PARTICIPATE IN THE ANNUAL TENNESSEE RIVER RESCUE EVENT** - City Attorney Litchford read on caption. Mayor Lambert introduced Larry Clark, who is the organizer of the River Rescue in East Ridge. Mr. Clark discussed how much debris has been removed from Spring Creek over the years. The River Rescue will be October 6, 2018 from 9 am – 1 pm. Councilmember Williams made a motion, seconded by Councilmember Helton, to approve Resolution No. 2848. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2845 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AWARDED BIDS FOR THE PURCHASE AND INSTALLATION OF CARPET AND VINYL PLANK FLOORING FOR THE CITY LIBRARY** - City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2845. City Manager Miller asked Head Librarian Patty Weaver to come forward to discuss this item. She stated it will take about three weeks to get the carpet and flooring in, so it will probably be the end of October before the project is completed. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2846 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF LAND TO BE USED FOR THE CONSTRUCTION OF A RECREATIONAL DOG PARK FACILITY WITHIN THE BORDER REGION RETAIL TOURISM DEVELOPMENT DISTRICT** – City Attorney Litchford read on caption. City Manager Miller stated we have not received word from the Department of Revenue regarding using Border Region sales tax dollars to build an animal control facility; however, using the funds for a park is eligible. He and Mr. Custer have identified property located on the northwest corner of East End Avenue, which is 3.29 acres. There are no single-family homes in close proximity to this area. He stated there would be room to build an animal control facility on one corner of the property if we get approval from the Department of Revenue. The appraised value of this property is \$210,000. Mr. Miller is asking for authorization to proceed. Councilmember Cagle discussed using the property at the corner of Blackhawk and Ringgold Road. Mr. Miller stated this is commercial property in the Border Region which could bring in tax dollars. He also stated the property on East End is partially in the flood plain that cannot be developed. Mr. Cagle then suggested moving the dog park to Camp Jordan. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Resolution No. 2846. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - no; Councilmember Helton - yes; Councilmember Williams - yes; Mayor Lambert - yes. Councilmember Williams asked if the expense for the dog park would be refunded by the Border Region funds. Mayor Lambert stated it would.

**RESOLUTION NO. 2847 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO PURCHASE TICKETS FOR THE JONES MEMORIAL UNITED METHODIST CHURCH BARBEQUE** - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Resolution No. 2847. The vote was unanimous. Motion approved.

**Grant Consent Agenda:**

1. **RESOLUTION NO. 2849 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT THE HAMILTON COUNTY 2017 HOMELAND SECURITY GRANT FOR THE EAST RIDGE POLICE DEPARTMENT**
2. **RESOLUTION NO. 2850 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT THE HAMILTON COUNTY 2017 HOMELAND SECURITY GRANT FOR THE EAST RIDGE FIRE DEPARTMENT**



**3. RESOLUTION NO. 2851 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR, AND ACCEPTANCE OF, THE FY 2019 AQUATIC STREAM CLEANUP GRANT**

City Attorney Litchford read all three resolutions on caption. Councilmember Williams made a motion, seconded by Councilmember Helton, to approve the Grant consent agenda. The vote was unanimous. Motion approved.

Being no further business, the meeting was adjourned.

**MINUTES OF THE AGENDA WORK SESSION  
September 27, 2018 – 6:00 pm**

**To Set the Agenda for The  
October 11, 2018 Council Meeting**

The East Ridge City Council met pursuant to notice on September 27, 2018, 6:00 pm, at East Ridge City Hall to set the agenda for the October 11, 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. 1082 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE CITY CODE, TITLE 8, CHAPTER 1, SECTION 8-101 TITLE “DEFINITION OF ALCOHOLIC BEVERAGES AND CHAPTER 2, SECTION 2-206 TITLED “‘BEER’ DEFINED” (2<sup>nd</sup> and final reading)** – Mayor Lambert stated first reading of this ordinance is on tonight’s regular meeting agenda. This ordinance would redefine the City’s ordinance for “beer” to match state law; if state law changes, then our ordinance would change to match it.

**ORDINANCE NO. 1083 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND ORDINANCE NO. 1078 ENTITLED “AN ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF EAST RIDGE, TENNESSEE FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019 APPROPRIATING THE SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT . . .” BY DESIGNATING A PORTION OF THE UNASSIGNED FUND BALANCE OF THE GENERAL FUND AND BY CHANGING THE REVENUES OF THE GENERAL FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND (2<sup>nd</sup> and final reading)** – Mayor Lambert stated first reading of this ordinance will be on tonight’s regular agenda. Finance Director Qualls stated the ordinance will be amended to reflect the costs for damages at Fire Station 2, revenue and offsetting expenditures for purchase of land for a dog park, and the purchase of the insert for the court van.

**New Business Discussion:**

**ORDINANCE NO. \_\_\_\_ - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AMENDING TITLE I CHAPTER 4 REGARDING GENERAL ADMINISTRATION (1<sup>st</sup> reading)** – City Manager Miller stated he will be retiring on October 26<sup>th</sup> and Council needs to discuss an interim city manager position when he leaves. He stated the City Attorney has drafted an ordinance to amend Ordinance No. 1014, but he needs direction from Council. Mr. Litchford has researched the Charter and it does not address the city manager position in the event of a vacancy. He discussed various appointments in the past, from Assistant, Deputy and Interim City Managers. Mr. Litchford stated that if a

position is established, the City Manager would appoint someone to that position. If the position is not established the City Manager could designate someone but Council would have to approve.

Councilmember Cagle asked the City Manager who he would designate as Assistant, Deputy or Interim. Mr. Miller stated he would appoint Kenny Custer to whichever position is established but is concerned about appointing someone when he will only be here for four more weeks. He believes the new City Manager should appoint an Assistant.

Mayor Lambert suggested adding a protection clause for this position, that this person would go back to their regular job if things did not work out. Mr. Cagle would also like to set the salary to an additional \$250 per week when this person is serving as Assistant.

At this time, Mayor Lambert recessed the agenda work session in order to go into the regular council meeting. The agenda work session will continue after the regular council meeting.

**Recessed from September 27, 2018 @ 6:51 pm**

Mayor Lambert called the agenda work session back 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.

Mayor Lambert stated Council needs to have a brief executive session at the conclusion of this meeting.

City Attorney Litchford recapped what was discussed in the earlier work session. He will prepare an ordinance to remove the Deputy City Manager position and in lieu of, create an Assistant City Manager position designated by the City Manager and approved by Council. If there is no city manager, council would appoint. The Assistant could not be removed within 90 days except for misconduct after hiring a city manager. If the City Manager is unavailable, the Assistant would service at a rate of an additional \$250 per week or a pro-rated amount of \$50 per day. Mr. Litchford stated that generally the Assistant does not just serve in the absence of the City Manager but also works in a day-to-day component with the City Manager. Vice Mayor Sewell stated this position should be paid additional all the time, and then extra when the city manager position is vacant.

Mayor Lambert would like time to think on the financial aspect of this before the first reading on October 11<sup>th</sup>. City Attorney Litchford will send Council a draft of the proposed ordinance before the next meeting.

**RESOLUTION NO. \_\_\_\_\_ - Appointments to Beer Board**

Vice Mayor Sewell (current appointee Greg Shipley -expires 11/26/18)

Councilmember Cagle (current appointee Charlie Snyder – expires 11/26/18)

Mayor Lambert stated that Mr. Sewell and Mr. Cagle have appointees that their terms expire on November 26<sup>th</sup>.

**RESOLUTION NO. \_\_\_\_\_ - Dealership Financial Assistance (Border Region)** – City Manager Miller stated the dealership and the Hotel/Indoor Waterpark are looking for financial assistance. Both are located in border region. This will go before the Industrial Development Board on October 9, 2018 and on the Council’s agenda on October 11, 2018. Mr. Miller would like to meet with Councilmembers individually to go over the details of both these developments.

**RESOLUTION NO. \_\_\_\_\_ - Hotel/Indoor Waterpark (Border Region)** – Discussed earlier.

**RESOLUTION NO. \_\_\_\_\_ - Communications Tower Site** – Chief Reed stated he has done research over the years to help with communications problems. He stated that he and his staff have documented critical areas, in various conditions, such as weather, etc. that have problems. Chief Reed believes the solution is a new communications tower site that should take care of 95% of the problems. The tower will be close to the impound lot and must have FAA approval. Chief Reed has worked with Motorola Solutions on a financing plan for the tower site. The total cost would be \$725,000, with payments of \$92,000+ with the first payment due in FY 2019-2020. It would take nine to twelve months for construction.

**RESOLUTION NO. \_\_\_\_\_ - Right-Of-Way Acquisition & Construction Easement Services for Multimodal Project - McBrien Road West to Kingwood Drive** – Community Involvement Coordinator Bowers stated the next step in this project is right-of-way acquisition. She stated ASA, the engineering firm, has interviewed four firms, who are providing quotes for appraisal services. City Manager Miller stated the quotes range from \$600,000 to \$900,000. Ms. Bowers stated this is reimbursable under the Border Region.

Mayor and Councilmembers had nothing else at this time.

The meeting was adjourned.

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

**September 27, 2018  
6:30 pm**

The East Ridge City Council met pursuant to notice on September 27, 2018, 6:30 pm at East Ridge City Hall.

Mayor Lambert called the meeting to order.

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

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

**Consent Agenda:**

- A. Approval of Minutes September 13, 2018 Agenda Work Session
- B. Approval of Minutes September 13, 2018 Regular Council Meeting
- C. Approval of August 2018 Financials

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

**Communication from Citizens:**

Leslie Bostain, 731 Germantown Circle, thanked Mike Croxall and Russell Smith with Sweet Bay Apartments/Lexington Management for addressing the security concerns of the neighbors. She also thanked City Manager Miller and Director Custer for having a community meeting on this issue.

Earl Wilson, East Ridge Needy Child Fund, discussed the Pioneer Fest. He asked the current Council if they would like to sit in the dunk tank for the festival.

Mayor Lambert stated that River Rescue would be Saturday, October 6<sup>th</sup> from 9 am to 1 pm and encouraged everyone to participate.

Greg Shipley, 6116 Nottingham Drive, stated there would be a meet and greet for all candidates at the new coffee shop on Oct. 6<sup>th</sup>.

**Communication from Councilmembers:**

Councilmember Cagle asked Mr. Miller about the Optimist International sign that was taken down during construction at Exit 1 and has not been put back up. Mr. Miller has talked to the

construction engineer and will get with him again. Mr. Cagle would like for it to be put back up in front of Wally's Restaurant.

Vice Mayor Sewell wished Councilmember Williams a happy birthday.

Councilmember Williams stated there would be a service at Jones Memorial United Methodist Church this Sunday to honor first responders, military, etc. at 10:30 am. Lunch will be provided.

Councilmember Helton stated that ten more people would be inducted into the East Ridge Hall of Fame at Friday's football game.

Mayor Lambert mentioned again the River Rescue, the candidate meet and greet and the Needy Child Fund event.

### **Communication from City Manager:**

City Manager Miller introduced Adam Wilson our new Parks and Recreation Director. He stated Mr. Wilson comes to us from Catoosa County and has a lot of good ideas.

### **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 Attorney Litchford read on caption. Councilmember Cagle, made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1076 on second and final reading. City Manager Miller stated that this ordinance was revised since the original packet went out. This ordinance added more conditions, such as the bus stop, courtesy officer, and security cameras. The vote was unanimous. Motion approved.

**ORDINANCE NO. 1081 – 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 1509 WATERHOUSE STREET, TAX MAP #169K-K-004, FROM R-1 RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (2<sup>nd</sup> and final reading)** - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1081 on second and final reading. Councilmember Williams asked about the landscape screen requirement. Director Custer stated the Ordinance is based upon our current code; it does not necessarily have to state it in the ordinance itself. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2825 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE CITY'S FUND BALANCE FOR CONSTRUCTION OF A FIELD HOUSE AT THE EAST RIDGE HIGH SCHOOL FOOTBALL STADIUM (tabled 8/9/18)** - City Attorney Litchford read on caption. City Manager Miller stated that he and Coach James have

not met to discuss this matter but will next week. He asked that this item stay on the table. No action was taken.

**New Business:**

**ORDINANCE NO. 1082 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE CITY CODE, TITLE 8, CHAPTER 1, SECTION 8-101 TITLE “DEFINITION OF ALCOHOLIC BEVERAGES AND CHAPTER 2, SECTION 2-206 TITLED “‘BEER’ DEFINED” (1<sup>st</sup> reading)** - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Helton, to approve Ordinance No. 1082 on first reading. Roll call vote: Vice Mayor Sewell - yes; Councilmember Cagle - no; Councilmember Helton - yes; Councilmember Williams - yes; Mayor Lambert - yes. ~~The vote was unanimous.~~ Amended 10/11/18 to remove unanimous vote) Motion approved.

**ORDINANCE NO. 1083 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND ORDINANCE NO. 1078 ENTITLED “AN ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF EAST RIDGE, TENNESSEE FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019 APPROPRIATING THE SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT . . .” BY DESIGNATING A PORTION OF THE UNASSIGNED FUND BALANCE OF THE GENERAL FUND AND BY CHANGING THE REVENUES OF THE GENERAL FUND AND BY CHANGING THE EXPENDITURES OF THE GENERAL FUND (1<sup>st</sup> reading)** - City Attorney Litchford read on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Williams, to approve Ordinance No. 1083 on first reading. Councilmember Cagle asked if this would put the City in a deficit of \$240,000. Finance Director Qualls stated purchase of the SWAT equipment had already put the City in a deficit and this will add to it. Ms. Qualls stated the City will get reimbursed for the purchase of land for the dog park. City Manager Miller stated we could do a bond issue for the land purchase and not have a deficit for this item. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2852 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE A 2019 FORD TRANSIT 350 CARGO VAN WITH A PRISONER TRANSPORT INSERT THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b)** - City Attorney Litchford read on caption. Councilmember Williams made a motion, seconded by Councilmember Helton, to approve Resolution No. 2852. Councilmember Williams asked why the insert was originally left off the quote. Court Clerk Cassidy stated she looked for a van like we have now so that the insert we already have would fit but she could not find one. The old insert would not fit in the new vans. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2853 - A RESOLUTION OF THE CITY OF EAST RIDGE, TENNESSEE MODIFYING RESOLUTION 2389 AND RESOLUTION 2582 RELATING TO THE BORDER REGION TOURISM DEVELOPMENT DISTRICT ACT T.C.A. § 7-40-101 ET SEQ.** - City Attorney Litchford read on caption. Councilmember

Helton made a motion, seconded by Vice Mayor Sewell, to approve Resolution No. 2853. The vote was unanimous. Motion approved.

**RESOLUTION NO. 2854 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING A FINANCIAL INCENTIVE PACKAGE IN THE AMOUNT OF \$600,000 FOR JACK’S FAMILY RESTAURANT, LP, THROUGH THE BORDER REGION TOURISM DEVELOPMENT DISTRICT ACT** - City Attorney Litchford read on caption. City Manager Miller stated this property, across from the police/fire station, will be a 3,500 square-foot restaurant. Mr. Miller stated currently the only income the City gets from the property is \$631 a year in property taxes. Based on figures that he and the owner/developer have reviewed, Jack’s Family Restaurant, over a 20-year period through the Border Region, local option sales taxes, and property taxes, will generate a net amount of \$1,748,000 or \$87,000 per year to the City. Jack’s must meet a threshold in sales of \$1,750,000. If not, and sales decrease, the payments to Jack’s will be adjusted downwards. Mr. Miller stated the Industrial Development Board approved the financial package, with the conditions that the property will only contain a retail facility that generates tax dollars. Councilmember Helton made a motion, seconded by Councilmember Williams, to approve Resolution No. 2854. The vote was unanimous. Motion approved. Mayor Lambert stated we received our notification from the state regarding the Border Region distribution. Mr. Miller stated the City will receive \$2,223,184.64. Of that we must pay incentives of \$1,112,110.54, making the net to the City of \$1,111,074.10, which is a small amount more than last year. We have had two downward spirals this year; the closing of Food City and the sales tax on food going from 5% to 4%.

**Grant Consent Agenda:**

1. **RESOLUTION NO. 2855 – A RESOLUTION OF SUPPORT AND COMMITMENT FOR THE CITY OF EAST RIDGE TO APPLY FOR A FY 2019 TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT)– TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT – RINGGOLD ROAD PEDESTRIAN IMPROVEMENT PROJECT – PHASE IV**
2. **RESOLUTION NO. 2856 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF THE BLUE CROSS HEALTH FOUNDATION HEALTHY PLACES PROGRAM**
3. **RESOLUTION NO. 2857 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY OF EAST RIDGE TO PARTICIPATE IN THE STATE OF TENNESSEE FY 2019 RECYCLING REBATE MATCHING GRANT PROGRAM**
4. **RESOLUTION NO. 2858 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF THE US SOCCER FOUNDATION SAFE PLACES TO PLAY GRANT**



City Attorney read all grant resolutions on caption. Vice Mayor Sewell made a motion, seconded by Councilmember Williams, to approve the Grant Consent Agenda. Councilmember Cagle stated he has done research regarding the pros and cons of Astroturf. This would be in regard to Resolution No. 2858, the US Soccer Foundation Grant. He stated the turf is hotter than grass and has lead in the sub base. It contains harmful chemicals and toxic runoff. Mr. Cagle read that the turf can cause cancer in goalies. Director Custer stated this is true of petroleum-based products, but schools have gone to a non-petroleum-based product. Mr. Cagle stated it would cost the City \$510,000 for Astroturf. City Manager Miller stated Council has already appropriated funds for the fields and one component was turfing the stadium field. The vote was unanimous. Motion approved.

Vice Mayor Sewell would like for Council to consider using City Manager Miller as a Border Region consultant for the City. Mr. Miller thanked Mr. Sewell and Council but respectfully declined. He stated that he would be in the City and would be happy to help Director Custer, if necessary, at no charge to the City.

The meeting was adjourned.