

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

**February 13, 2020
6:00 pm**

The East Ridge City Council met pursuant to notice on February 13, 2020, 6:00 pm at East Ridge City Hall.

Mayor Williams called the meeting to order.

Danny Lance with True Life Church gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Williams, Councilmember Cagle, Councilmember Chauncey, Councilmember Witt, City Manager Dorsey, City Attorney Litchford, and City Recorder Middleton. Vice Mayor Helton was not present.

Consent Agenda:

- A. Approval of Minutes January 23, 2020 Regular Council Meeting
- B. Declaration of Surplus Property

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

Communication from Citizens:

Russell Gray with Baker Donelson and Counsel for Exit I LLC and their affiliated entities, spoke opposing approval of the proposed incentive agreement on tonight's agenda. He stated that Dynamic East Ridge, LLC had a ground lease with Exit One, LLC for a hotel but backed out. He is asking Council not to provide the incentive to Dynamic.

John Healy, Exit One, LLC had signed up to speak but passed.

Curtis Baker, 6820 Beulah Drive, stated he is speaking as a citizen, not as a member of the Industrial Development Board. He is opposed to the new hotel Dynamic East Ridge is proposing because it will be an extended stay.

Communication from Councilmembers:

Councilmembers Witt and Chauncey had nothing at this time.

Councilmember Cagle thanked the Codes Department for checking out a house on Lazard St. that had garbage in the yard.

Mayor Williams announced the following:

- Donations for Friends of the Animal Shelter – A bin is provided for donations.
- January Meet the Mayor – Mayor Williams thanked Chief Allen for speaking.
- Police Citizen’s Academy – Begins March 30th
- Meet the Mayor – February 22nd at the Community Center – Speaker will be Crystal Reno, Supervisor of Animal Services
- Commended the December City Manager report. He also stated that Carta Care-a Van program increased trips in December
- Library – February 21st, adult movie night – Celebrate Black History Month with a movie about Harriett Tubman. March 2nd there will be a Dr. Seuss birthday party.
- Optimist Club – Optimist Day was the first Thursday in February
- Hosting the Hamilton County Census Kickoff – February 21st Community Center. Secretary of State Tre Hargett will be one of the guest speakers.
- Action Church – February 22, Clothes Closet Event

Communication from City Manager:

- City Manager Dorsey thanked the members of the Citizen’s Police Academy for volunteering to paint the Police Department.
- The City Manager stated we have contracted with S&ME Engineering to do an environmental assessment for the conversion at Camp Jordan. Cost is \$9,900, so it will not need Council approval; he is just making them aware.
- Mr. Dorsey discussed drainage issues on one of the softball fields at East Ridge High School. Our stormwater engineer has checked out the field but is waiting on the water to recede. Cost could be between \$10,000 and \$20,000.

Old Business: None

New Business:

RESOLUTION NO. 3017 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, CONSENTING TO THE ASSIGNMENT OF OSBORNE-LAFAYETTE HOLDINGS, INC.’S INTEREST IN AND TO THAT CERTAIN LEASED PREMISES AS IDENTIFIED IN THE REAL PROPERTY CHARITABLE DONATION AGREEMENT DATED NOVEMBER 7, 2019 – City Attorney Litchford read on caption. City Attorney Litchford stated Osborne-Lafayette Holdings is assigning their rights to a cell tower to SBA as well as all proceeds of the lease. Councilmember Witt made a motion, seconded by Councilmember Chauncey, to approve Resolution No. 3017. The vote was unanimous. Motion approved.

RESOLUTION NO. 3018 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE PAYMENT TO NABCO ELECTRIC FOR EMERGENCY SERVICES RELATED TO TRAFFIC CABINET INSTALLATION – City Attorney Litchford read on caption. City Manager Dorsey stated there was a traffic accident at Tombras and Ringgold Road which damaged a traffic sign box. Emergency repairs were made in the amount of \$15,809.41 which must be approved by

Council. Councilmember Witt made a motion, seconded by Councilmember Chauncey, to approve Resolution No. 3018. The vote was unanimous. Motion approved.

RESOLUTION NO. 3019 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT WITH DYNAMIC EAST RIDGE, LLC, RELATING TO A PROJECT IN THE BORDER REGION RETAIL DEVELOPMENT DISTRICT AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO –

City Attorney Litchford read on caption. Jonathan Armstrong, Regional Sales and Marketing Director of Dynamic East Ridge, LLC, stated this will be a high-end hotel, Townplace Suites, under the Marriott flag. The room rate will be over \$100, and they anticipate an average 75% occupancy. He is requesting a 20/80 split, with 20% going to the City and 80% going to the developer. Currently this is vacant land.

Councilmember Chauncey made a motion, seconded by Councilmember Witt, to approve Resolution No. 3019. City Attorney Litchford stated the property taxes are currently \$2,100 but would increase to \$933,000 over a 21-year period. Other increases for the local option sales tax, border region taxes, hotel/motel tax, along with the increase in property taxes, would have an estimated economic impact of \$6.9 million. Mr. Litchford stated the developer is asking for a 20/80 split, but the City staff is recommending a 40/60 split with the city receiving 40% and the developer receiving 60%. Mr. Dorsey stated this is what the Candlewood Suites received. The contract also stated the hotel is a Marriott and if that changes, the new hotel would have to be on a comparable level.

Mr. Litchford stated the percentage of split must be in the motion. Councilmember Chauncey and Councilmember Witt withdrew their motion and second. Councilmember Chauncey made a motion, seconded by Councilmember Witt, to approve Resolution No. 3019 with a 40/60 split, 40% going to the City and 60% going to the developer. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the February 27, 2020 Council Meeting (see Attachment A)

New Business:

PUBLIC HEARING FOR ORDINANCE NO. ____ - Rezoning of 5330 Ringgold Road – Southern Honda Power Sports - Assistant City Manager Custer stated this was previously rezoned to M-3 for climate-controlled storage. Southern Honda would like to have it rezoned back to C-2 for their purposes.

ORDINANCE NO. ____ - Rezoning of 5330 Ringgold Road – Southern Honda Power Sports – from M-3 Manufacturing District to C-2 General Commercial District – Previously discussed.

PUBLIC HEARING FOR RESOLUTION NO. _____ - Use on Review – Exit II and III, LLC – Assistant City Manager Custer stated that prior to the announcement of Top Golf, Exit II and III had asked for a use on review for the Jordan Crossing area for special amusement purposes. Mr. Custer recommends approval.

RESOLUTION NO. _____ - Use on Review – Exit II and III, LLC – Recreational Purposes – Previously discussed.

RESOLUTION NO. _____ - Personnel Board Appointments – Mayor Williams stated the terms end February 29th and asked everyone to have their appointments by next council meeting.

City Manager Dorsey discussed the agreement with Hamilton County for the athletic fields at East Ridge High School. He stated the revisions to the agreement should go back before the school board next week for their approval. If approved, Mr. Dorsey will present the agreement to Council at the next meeting.

The meeting was adjourned.

**REGULAR MEETING OF THE CITY COUNCIL
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**February 27, 2020
6:00 pm**

The East Ridge City Council met pursuant to notice on February 27, 2020, 6:00 pm at East Ridge City Hall.

Mayor Williams called the meeting to order.

Daniel Beard, Action Church gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present were: Mayor Williams, Vice Mayor Helton, Councilmember Cagle, Councilmember Chauncey, Councilmember Witt, City Manager Dorsey, City Attorney Litchford, and City Recorder Middleton.

Consent Agenda:

- A. Approval of Minutes February 13, 2020 Regular Council Meeting
- B. Approval of January 2020 Financial Report

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

Communication from Citizens:

Jane Sharp, 6112 Schofield Avenue, spoke on behalf of East Ridge Counts, a volunteer organization for the 2020 Census. Earl Wilson, also with East Ridge Counts, gave out t-shirts to Councilmembers, City Attorney, and staff members on the dais. Ms. Sharp stated the Census Bureau began during the administration of George Washington and was one of first government associations who hired free slaves and also had a majority of women working for them. Mr. Wilson stated the Census is still 500 workers short and the pay is \$19.50 an hour. The Mayor thanked them for the shirts and for the work they do.

Communication from Councilmembers:

Councilmember Cagle stated his neighbors wanted to thank the people responsible for getting the house on Greenbriar and Tombras cleaned up. He would also like to make sure that all property that is rezoned is correct on the tax rolls. Assistant City Manager Custer stated that once a property is rezoned, it is entered into the GIS system. He will verify with the County GIS.

Vice Mayor Helton and Councilmember Chauncey had nothing at this time.

Councilmember Witt thanked the Complete Count Committee and stated to let her know if you would like to be on the committee.

Mayor Williams announced the following:

- The Mayor thanked Councilmember Witt and everyone involved in the Census.
- Meet the Mayor – February 22 – Guest speaker was Crystal Gilbert from the East Ridge Animal Shelter. She brought a dog name Thora who was adopted this week.
- East Ridge Elementary was recently named a Leader in Me Lighthouse School.
- Library showed a movie last week. On March 2nd, there will be a Dr. Seuss birthday party from 3-5 pm.
- Parks and Recreation – Spring youth tennis ages 4-10 beginning on March 14th. Enrollments for soccer, baseball, softball until this weekend or until teams are filled.
- Academy Sports – Director Wilson stated that Academy has 20% off coupon good on March 7th. They are available on their website. The Mayor stated the first 150 customers get a free t-shirt plus there will be drawings for gift cards, chairs, tumblers, etc.
- He congratulated Vice Mayor Helton as being named Deputy Whip in legislature.

Communication from City Manager:

- Mr. Dorsey thanked Police Academy members for painting the police department.
- He and the Mayor attended the TML District 3 luncheon at which they discussed some of their concerns.
- He and Assistant City Manager Custer attended the Joint Economic Development Board meeting and found information on various types of grants.
- They also attended the Transportation Planning Organization.
- He is planning on switching our account representative for workers comp, liability, etc. from Atlas to First Volunteer Insurance. No Council action is required.

Old Business: None

New Business:

PUBLIC HEARING FOR ORDINANCE NO. 1124 - Rezoning of 5330 Ringgold Road – Southern Honda Power Sports – Assistant City Manager Custer stated this was previously C-2 but was rezoned M-3 for climate control storage. Now the request is to rezone it back to C-2 for Southern Honda Power Sports. Mayor Williams opened the public hearing. No one spoke in favor of or in opposition to the rezoning. The Mayor closed the public hearing.

ORDINANCE NO. 1124 – 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 5330 RINGGOLD ROAD, TAX MAP #116J-A-031, FROM M-3 MANUFACTURING DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (1st reading) - City Attorney Litchford read on caption. Councilmember Chauncey made a motion, seconded by Councilmember Witt, to approve Ordinance No. 1124 on first reading. The vote was unanimous. Motion approved.

ORDINANCE NO. 1125 – AN ORDINANCE TO AMEND TITLE 8, CHAPTER 2 OF THE CITY OF EAST RIDGE MUNICIPAL CODE PERTAINING TO TEMPORARY SPECIAL EVENTS PERMITS ON CITY PROPERTY (1st reading) - City Attorney Litchford read on caption. Assistant City Manager Custer stated some of the amendments are:

- Time restraints – changed from 45 days to two weeks
- Containers – changed from plastic cups to plastic or aluminum/metal containers – no glass
- \$250 permit fee and \$50 for additional permits during the same year on the same application.
- Add the soccer stadium

Councilmember Witt made a motion, seconded by Vice Mayor Helton (for discussion purposes), to approve Ordinance No. 1125 on first reading. Vice Mayor Helton would like to add the parcel that is the old McBrien School to Title 8, Chapter 2. She stated there is a possibility that festivals could be held there.

Mr. Cagle asked if we have had someone requesting to sell beer at the soccer fields. Mr. Custer stated it has been discussed. Mr. Cagle discussed various parts of the ordinance. He also stated he has never received post event reports as required. Mr. Dorsey will check on that. Vice Mayor Helton made a motion, seconded by Councilmember Chauncey, to add the parcel that is the old McBrien School to Title 8, Chapter 2. Roll call vote: Vice Mayor Helton - yes; Councilmember Cagle - no; Councilmember Chauncey - yes; Councilmember Witt - yes; Mayor Williams - yes. Motion approved.

Councilmember Witt made a motion, seconded by Vice Mayor Helton, to amend Section 8-220, Section 3C – Review by the City Council by removing the last 4 words of Section 3C “by the City Council” and deleting Section 3D. Roll call vote: Vice Mayor Helton - yes; Councilmember Cagle - no; Councilmember Chauncey - yes; Councilmember Witt - yes; Mayor Williams - yes. Motion approved.

Roll call vote on the original motion: Vice Mayor Helton - yes; Councilmember Cagle - no; Councilmember Chauncey - yes; Councilmember Witt - yes; Mayor Williams - yes. Motion approved.

PUBLIC HEARING FOR RESOLUTION NO. 3020 - Use on Review – Exit II and III, LLC - Assistant City Manager Custer stated that the developers had a similar request for Topgolf. This would allow outdoor entertainment on the remaining portion of their property. Mayor Williams opened the public hearing. No one spoke in favor of or in opposition to the Use on Review. The Mayor closed the public hearing.

RESOLUTION NO. 3020 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING A REQUEST FROM MATTHEW WOOD REPRESENTING EXIT TWO III, LLC, TO PERMIT CERTAIN USES IN A C-1 TOURISM COMMERCIAL DISTRICT AND C-2 GENERAL COMMERCIAL DISTRICT LOCATED ON CAMP JORDAN PARKWAY, TAX PARCELS #170I-A-037, #170I-A-037.03, #170I-A-037.06, #170I-A-037.07, #170I-A-038 AND IN ACCORDANCE WITH CITY CODE ARTICLE V, SECTION 1203 TITLED USES PERMITTED ON REVIEW - City Attorney Litchford read on caption. Vice Mayor Helton made a motion,

seconded by Councilmember Witt, to approve Resolution No. 3020. Councilmember Cagle had questions regarding the assessments on the parcels. Assistant City Manager Custer stated they should be assessed, but he will check. The vote was unanimous. Motion approved.

RESOLUTION NO. 3021 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPOINTING MEMBERS TO THE EAST RIDGE PERSONNEL BOARD - City Attorney Litchford read on caption. Mayor Williams stated these appointments are made annually by the end of February. The Mayor stated that Boardmember Jackie Barry has moved out of the City; therefore, resigning from the Board. He thanked her for her service. The Mayor appointment Pamela Beard to the Personnel Board. Vice Mayor Helton reappointed Charles McCullough. Councilmember Cagle reappointed Doris Rogers. Councilmember Chauncey reappointed Robert Jones. Councilmember Witt stated that Colleen Liberum resigned from the Board, so Ms. Witt appointed Jane Sharp. Councilmember Witt made a motion, seconded by Councilmember Chauncey, to approve Resolution No. 3021. The vote was unanimous. Motion approved.

RESOLUTION NO. 3022 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO WAIVE THE FEE FOR THE EAST RIDGE FUTBOL CLUB TO HOST THE SCENIC CITY SOCCER CUP - City Attorney Litchford read on caption. Director Wilson stated this request is for the soccer fields and the pavilion with the kitchen. He stated there would be several hundred teams participating which will have a position economic impact on East Ridge and the surrounding areas. Mr. Custer stated the proceeds will go to pay for goals, nets, etc., and fields will be used in Camp Jordan, Readout and North River. Councilmember Chauncey made a motion, seconded by Vice Mayor Helton, to approve Resolution No. 3022. Councilmember Cagle would like for the coaches to fill out forms to grade the facilities. Mr. Wilson stated that sometimes Chattanooga Sports Committee will send an electronic survey to the coaches. The vote was unanimous. Motion approved.

RESOLUTION NO. 3023 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY TO DONATE \$500 TO EAST RIDGE MIDDLE SCHOOL FOR THE HEALTHY INITIATIVE PROGRAM - City Attorney Litchford read on caption. Finance Director Qualls stated we budget money every year for all the schools. Vice Mayor Helton made a motion, seconded by Councilmember Witt, to approve Resolution No. 3023. The vote was unanimous. Motion approved.

RESOLUTION NO. 3024 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE A PORTION OF THAT CERTAIN PROPERTY LOCATED AT 517 FRAWLEY ROAD, EAST RIDGE, TENNESSEE, TAX MAP NO. 170G-A-006 - City Attorney Litchford read on caption. Assistant City Manager Custer stated we are reaching the final stages of the conversion process. S&ME Engineering is working on a final environmental study. The property is 20 acres, plus or minus, and has a large lake on it. The owner is requesting \$120,000 for the property. Councilmember Chauncey made a motion, seconded by Councilmember Witt, to approve Resolution No. 3024. Councilmember Cagle stated he has been opposed to the conversion since it started and asked if this property had to be purchased for the conversion to succeed. Mr. Litchford stated the City must have replacement property and the city identified this property for that purpose. Assistant City Manager Custer stated we need 7.2 acres for the conversion property and this tract is 15 acres,

so we will be acquiring almost 8 additional acres. Mr. Litchford stated the purchase price is reimbursable by the border region funds and is contingent on approval of the conversion. City Manager Dorsey stated we cannot use hotel/motel taxes because our ordinance states these funds must go in the debt service fund. He would like to amend that ordinance to state it can be used for tourism. The vote was unanimous. Motion approved.

RESOLUTION NO. 3025 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, MEMORIALIZING THE APPOINTMENT OF _____ TO THE EAST RIDGE INDUSTRIAL DEVELOPMENT BOARD TO FILL THE UNEXPIRED TERM OF MS. KELLY STILL - City Attorney Litchford read on caption. Mayor Williams thanked Ms. Still for her service on the IDB. At this time, Councilmember Chauncey appointed Lee Ramey to the IDB. Councilmember Chauncey made a motion, seconded by Vice Mayor Helton, to approve Resolution No. 3025. The vote was unanimous. Motion approved.

RESOLUTION NO. 3026 – 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 ASA ENGINEERING FOR ENGINEERING SERVICES WITH REGARD TO CAMP JORDAN SOCCER AND DRAINAGE IMPROVEMENTS - City Attorney Litchford read on caption. Assistant City Manager Custer stated this would not exceed \$50,000 for parking lot expansion, improve stormwater inefficiencies, irrigation and adding four soccer fields at Camp Jordan. Councilmember Witt made a motion, seconded by Vice Mayor Helton, to approve Resolution No. 3026. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the March 12, 2020 Council Meeting (see Attachment A)

Old Business:

- A. **ORDINANCE NO. 1124 – 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 5330 RINGGOLD ROAD, TAX MAP #116J-A-031, FROM M-3 MANUFACTURING DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (2nd and final reading) – No further discussion.**

- B. **ORDINANCE NO. 1125 – AN ORDINANCE TO AMEND TITLE 8, CHAPTER 2 OF THE CITY OF EAST RIDGE MUNICIPAL CODE PERTAINING TO TEMPORARY SPECIAL EVENTS PERMITS ON CITY PROPERTY (2nd and final reading) – No further discussion.**

New Business:

- A. **RESOLUTION NO. ____ – Approve RFP for Concessions (due March 5, 2020) –** Director Wilson stated the RFP will be presented to Council on March 12, 2020. Councilmember Cagle asked if the current concessionaire has an option for another year on his contract. Mr. Wilson stated he does if both parties agree. Mr. Wilson stated he sent the current concessionaire a copy of the RFP.

- B. **RESOLUTION NO. ____ - Approve Auditing Firm HHM –** Finance Director Qualls stated that HHM has increased their fee by \$600 over last year, plus they have an hourly rate for items that are not included in the audit.

Mayor Williams adjourned the meeting.