

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

**AGENDA
November 14, 2024
6:00 pm**

1. Call to Order
2. Invocation
3. A. Roll Call
- B. Milestone Awards for October 2024
4. Consent Agenda:
 - A. Approval of Minutes October 24, 2024 Council Meeting
 - B. Declaration of Surplus Property
 - Parks and Recreation
 - Building Maintenance
 - Street Department
5. Communication from Citizens
6. Communication from Councilmembers
7. Communication from City Manager
8. Old Business:
 - A. **ORDINANCE NO. 1211** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY REMOVING “AFFIRMATIVE DEFENSE” PROVISIONS, PROVIDING FOR INCORPORATION BY REFERENCE OF THE MOST CURRENT OF VARIOUS FEDERAL REGULATIONS, AND PROVIDING FOR CERTAIN HOUSEKEEPING PROVISIONS (2nd and final reading)
 - B. **RESOLUTION NO. 3611** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WASTE CONNECTIONS OF TENNESSEE DBA CITY WASTE, LLC FOR SOLID WASTE DISPOSAL/TRANSFER STATION SERVICES (Passed from October 24, 2024 meeting)

9. New Business:

- A. **PUBLIC HEARING FOR ORDINANCE NO. 1212** — AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 6728 RINGGOLD ROAD FROM R-3 APARTMENT DISTRICT AND C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT, AND TO REZONE AN UNADDRESSED PROPERTY IN THE 6700 BLOCK OF RINGGOLD ROAD FROM C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT
- B. **ORDINANCE NO. 1212** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 6728 RINGGOLD ROAD FROM R-3 APARTMENT DISTRICT AND C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT, AND TO REZONE AN UNADDRESSED PROPERTY IN THE 6700 BLOCK OF RINGGOLD ROAD FROM C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (1st reading)
- C. **ORDINANCE NO. 1213** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2025 OPERATING BUDGET, ORDINANCE NO. 1206, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (1st reading)
- D. **RESOLUTION NO. 3615** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE CITY OF EAST RIDGE TO ACCEPT THE FY 2024 PUBLIC ENTITY PARTNERS DRIVER TRAINING GRANT
- E. **RESOLUTION NO. 3616** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE ADVANCEMENT OF STATE SALARY SUPPLEMENT PAYMENTS FOR ELIGIBLE FIREFIGHTERS AND POLICE OFFICERS
- F. **RESOLUTION NO. 3617** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL TO APPROVE A NOMINATION BY COUNCILMEMBER CAGLE TO THE EAST RIDGE BEER BOARD
- G. **RESOLUTION NO. 3618** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL TO APPROVE A NOMINATION BY COUNCILMEMBER TYLER TO THE EAST RIDGE BEER BOARD
- H. **RESOLUTION NO. 3619** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL TO MEMORIALIZE THE MAYOR’S APPOINTMENT OF THE CHAIRPERSON OF THE EAST RIDGE BEER BOARD
- I. **RESOLUTION NO. 3620** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A BID FOR THE REPLACEMENT OF A PORTION OF THE ROOF ON THE CITY HALL COMPLEX SPECIFICALLY, THE PORTION OF THE ROOF COVERING THE EAST RIDGE CITY LIBRARY

- J. **RESOLUTION NO. 3621** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A BID FOR IN-CAR TABLETS AND MOUNTING SOLUTIONS FOR THE POLICE DEPARTMENT
- K. **RESOLUTION NO. 3622** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE AND HAVE INSTALLED A SHADE STRUCTURE FOR THE SPLASH PAD FROM GAME TIME THROUGH THE OMNIA PARTNERS COOPERATIVE PURCHASING PROGRAM, CONTRACT LISTING #2017001134
- L. **RESOLUTION NO. 3623** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL CANCELLING THE DECEMBER 26, 2024 CITY COUNCIL MEETING
- M. **RESOLUTION NO. 3624** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING THE STREET RESURFACING PROGRAM FOR FY 2024-2025
- N. **RESOLUTION NO. 3625** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ADVERTISE FOR BIDS FOR A DESIGN-BUILD PROJECT FOR A SOUND ATTENUATION SYSTEM AT THE EAST RIDGE ANIMAL SHELTER
- O. **RESOLUTION NO. 3626** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO APPROVE THE ATTACHED CHANGE ORDER REQUEST #1 TO THE PROFESSIONAL ENGINEERING, PLANNING, AND DESIGN SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC..
- P. **RESOLUTION NO. 3627** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE SALE OF 5.89 ACRES LOCATED ADJACENT TO JORDAN RUN ROAD
- Q. **RESOLUTION NO. 3628** – Discussion/take action on turfing athletic fields at Camp Jordan Park
- R. Discussion of Tentative Agenda Items for the **December 12, 2024** City Council Meeting (see Attachment A)

10. Adjourn

**ATTACHMENT A
TENTATIVE AGENDA
December 12, 2024**

3. B. Milestone Awards for November 2024
- C. Presentation of Christmas Parade Awards
8. **Old Business:**
 - A. **ORDINANCE NO. 1212** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 6728 RINGGOLD ROAD FROM R-3 APARTMENT DISTRICT AND C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 6700 BLOCK OF RINGGOLD ROAD FROM C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (2nd and final reading)
 - B. **ORDINANCE NO. 1213** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2025 OPERATING BUDGET, ORDINANCE NO. 1206, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd and final reading)
9. **New Business:**
 - A. **RESOLUTION NO. ____** - Approval of Bids for Camp Jordan Arena Renovations (bid opening November 20, 2024)
 - B. **RESOLUTION NO. ____** - Approval to purchase signal cabinet for Traffic Control Department
 - C. **RESOLUTION NO. ____** - Approval of Nomination by Councilmember Tyler to fill a Term on the East Ridge Library Board
 - D. **RESOLUTION NO. ____** - Approval of Nomination by Councilmember Ezell to fill a Term on the East Ridge Library Board
 - E. **RESOLUTION NO. ____** - Approval of Addendum to Ridgeside contracts for Fire and Police

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

**October 24, 2024
6:00 pm**

The East Ridge City Council met pursuant to notice on October 24, 2024, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Rev. Terry Arnold, the Pentecostals of East Ridge Church, gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present: Mayor Williams, Vice Mayor Haynes, Councilmember Cagle, Councilmember Tyler, Councilmember Witt, City Manager Miller, City Attorney Litchford, and City Recorder Middleton.

Attendance: 4

Consent Agenda:

- A. Approval of Minutes October 10, 2024 Council Meeting
- B. Approval of August 2024 Financial Report

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

Communication from Citizens: None

Communication from Councilmembers:

Councilmember Cagle, Vice Mayor Haynes, and Councilmember Witt had nothing at this time.

Councilmember Tyler announced the 11th Annual Optimist Club Booo-b-Que would be held on November 2, 2024 just outside of City Hall, 1517 Tombras Avenue. Proceeds support the youth of our community and programming for the year for the Optimist Club.

Mayor Williams discussed the following:

- The Mayor thanked everyone who participated in National Night Out on the previous Monday evening.
- Library
 - Teen Movie Night – Spooky Halloween – Friday, October 25th at 6 pm. Food will be provided.
 - Learn How to Draw and Write Graphic Novels – Saturday, October 26th, 11 am – 12 pm.
 - Cookin’ the Book and Halloween Charcuterie – Monday, October 28th at 6 pm. Call 423-867-7323 to register.
 - Drive Thru Trick or Treat – October 29th, 3:30 – 5:30 pm. The Library is taking candy donations until October 28th at 2 pm.

- Parks and Recreation
 - Indoor soccer sign-ups October 5th – November 27th
 - Youth basketball registration – October 7th – November 17th
 - Crafty Cauldron: A Halloween Bash! – October 25th, 6 pm – 8 pm. Wear your costume. There will be dancing and crafts.
 - Christmas Parade – November 23rd, line up beginning at 3:30 pm and Parade beginning at 6:30 pm
 - Community Thanksgiving Dinner, November 26th. Serving will begin at 4:30 pm and the last meal will be served at 7:30 pm.
- Election Day is Tuesday, November 5th – The Mayor encouraged everyone to get out and vote. Early voting is October 16th – October 31st.
- The Mayor discussed a particularly good article in Business View Magazine regarding new development in East Ridge.

Communication from City Manager:

- Moore and McBrien Bridges – City Manager Miller stated he had a progress meeting with Jeff Blevins, Project Manager with Wright Construction, and they are hoping to open both bridges by the end of this calendar year. He also stated that westbound I-24 will be down to two lanes from 9:00 pm Friday, Nov. 9th until 6:00 am, Tuesday, November 12th to rebuild the pavement under the Belvoir bridge.
- Multi-purpose pavilion – Mr. Miller stated we need to come up with a name for the pavilion. He met with Pillar Construction, who is planning to start construction the week of November 4th, depending on approval of a land disturbance permit from TDEC.

Old Business:

ORDINANCE NO. 1205 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND ORDINANCE 1028 WHICH AMENDED THE EAST RIDGE ZONING ORDINANCE NO. 481, BY ADDING AN ADDITIONAL SECTION THERETO, BEING SECTION 111 OF ARTICLE VI (SUPPLEMENTAL REGULATIONS AND EXCEPTIONS), IN THE EAST RIDGE ZONING ORDINANCE AND AMENDING THE NUMBER OF DAYS FOR COMPLIANCE WITH THIS ORDINANCE (2nd and final reading) - City Attorney Litchford read on caption. Chief Building Official Howell stated the changes to the ordinance were sent back to the Planning Commission and were approved. The changes stated that all businesses have 90 days to comply with lighting display regulations from the original 60-day requirement and additional language was added to store-front display regulations to include “businesses sold two years after” the effective date of this ordinance. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1205 on second and final reading. Roll call vote: Vice Mayor Haynes - yes; Councilmember Cagle - no; Councilmember Tyler - yes; Councilmember Witt - yes; Mayor Williams - yes.

ORDINANCE NO. 1210 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 4012 BENNETT ROAD, TAX MAP #168L-L-009 FROM R-1 RESIDENTIAL

DISTRICT TO C-5 NEIGHBORHOOD COMMERCIAL DISTRICT (2nd and final reading) - City Attorney Litchford read on caption. Chief Building Official Howell stated the Planning Commission approved the rezoning request with two conditions, 1) that permitted use of the structure is limited to office space only, and 2) that a six-foot high privacy fence must be installed on the side adjacent to the residential property. Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve Ordinance No. 1210 on second and final reading. The vote was unanimous. Motion approved.

New Business:

ORDINANCE NO. 1211 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY REMOVING “AFFIRMATIVE DEFENSE” PROVISIONS, PROVIDING FOR INCORPORATION BY REFERENCE OF THE MOST CURRENT OF VARIOUS FEDERAL REGULATIONS, AND PROVIDING FOR CERTAIN HOUSEKEEPING PROVISIONS (1st reading) - City Attorney Litchford read on caption. City Manager Miller stated the Air Pollution Bureau notified him regarding several small revisions that must be approved by all cities and Hamilton County. Mr. Miller discussed the various changes and stated that we must approve them to comply with EPA regulations. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1211 on first reading. The vote was unanimous. Motion approved.

RESOLUTION NO. 3608 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING THE UPDATE OF A SERVICES AGREEMENT WITH VERIZON WIRELESS FOR CELLULAR PHONE SERVICE THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING #R811-64345, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b) - City Attorney Litchford read on caption. Finance Director Qualls stated that updating this contract would cause a slight increase in monthly charges, but it would also allow the City to be eligible for better plans in the future. Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve Resolution No. 3608. The vote was unanimous. Motion approved.

RESOLUTION NO. 3609 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING AN AGREEMENT WITH PARKRIDGE MEDICAL CENTER TO SERVE AS A MENTAL HEALTH SERVICES PROVIDER FOR CITY OF EAST RIDGE FIRST RESPONDERS AND TO APPROVE THE DONATION OF \$7,000 FROM OAKBRIDGE INSURANCE TO COVER THE COST FOR THE FIRST YEAR OF SERVICES - City Attorney Litchford read on caption. Chief Uselton stated the Fire and Police Departments want to utilize the services of social workers for first responders. Services would be limited to two hours per week. Oakbridge, the City’s insurance broker, would also like to donate \$7,000 toward the cost of the services for the first year. Vice Mayor Haynes made a motion, seconded by Councilmember Tyler, to approve Resolution No. 3609. The vote was unanimous. Motion approved..

RESOLUTION NO. 3610 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO HAVE GUARDRAILS REPLACED AT FOUR LOCATIONS BY TENNESSEE GUARDRAIL,

INC. THROUGH THE 2024 TDOT GUARDRAIL MAINTENANCE CONTRACT #CNY089 – City Attorney Litchford read on caption. Street Supervisor Vaughn stated there have been numerous wrecks at the four locations at which the guardrails need replaced. Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve Resolution No. 3610. The vote was unanimous. Motion approved.

RESOLUTION NO. 3611 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WASTE CONNECTIONS OF TENNESSEE DBA CITY WASTE, LLC FOR SOLID WASTE DISPOSAL/TRANSFER STATION SERVICES - City Attorney Litchford read on caption. City Manager Miller stated the City sent out a Request for Proposals for solid waste services and received three proposals as follows:

- Capital Waste Services \$55.00 per ton
- Waste Connections dba City Waste \$43.75 per ton
- BFI dba Republic Services \$53.00 per ton

He sent a contract to Waste Connections dba City Waste and they sent it back with amendments that are not acceptable. He has scheduled a meeting with them to go over these amendments. Councilmember Witt made a motion, seconded by Councilmember Tyler, to pass Resolution No. 3611 to the November 14, 2024 meeting. The vote was unanimous. Motion approved.

RESOLUTION NO. 3612 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO OPEN A CHECKING ACCOUNT AT FIRST BANK IN WHICH TO DEPOSIT FEDERAL FORFEITURE FUNDS - City Attorney Litchford read on caption. Finance Director Qualls stated we need to open this account for Federal Forfeiture Funds for the Police Department. According to Federal guidelines, we must keep these funds separate from other city funds. Vice Mayor Haynes made a motion, seconded by Councilmember Witt, to approve Resolution No. 3612. The vote was unanimous. Motion approved.

RESOLUTION NO. 3613 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO HAVE THE HEAT EXCHANGER IN THE AIR UNIT AT THE EAST RIDGE COMMUNITY CENTER REPLACED - City Attorney Litchford read on caption. City Manager Miller stated the heat exchanger in the air unit has gone out and needs replacing. Cost is \$12,479.00 from Trane. Mr. Miller stated we will not replace any units until we do the expansion to the Community Center. Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve Resolution No. 3613. Mayor Williams asked if we had a start and completion date. Mr. Miller stated sometime within the next week. The vote was unanimous. Motion approved.

RESOLUTION NO. 3614 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A SETTLEMENT AGREEMENT RELATIVE TO THE LAWSUIT FILED BY TENNESSEE 1 PROPERTIES, LLC, AGAINST THE CITY OF EAST RIDGE, TENNESSEE - City Attorney Litchford read on caption. Mr. Litchford stated this item stems from a citation issued by the Housing Commission. Work on the structure was dormant for over a year and the property was in non-compliance. The Housing Commission gave the property owner numerous opportunities, but in March 2024, the Commission determined that the structure was damaged more than 50% and voted to demolish it. The

property owner filed a lawsuit. There was a hearing and the Judge wants the owner and the City to work this issue out. The owner will have an eight-week period to bring the structure into full compliance, plus there will be follow-up inspections by Chief Building Official Howell. There is also a \$50 per day fine if the owner fails to bring the structure up to code. The Court did find that the actions of the Housing Commission were proper. The Mayor commended the Housing Commission for taking this action. Vice Mayor Haynes made a motion, seconded by Councilmember Witt, to approve Resolution No. 3614. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the November 14, 2024 City Council Meeting

- Special Proclamation
- Milestone Awards for October 2024

- **Old Business:**
 - **ORDINANCE NO. 1211 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY REMOVING “AFFIRMATIVE DEFENSE” PROVISIONS, PROVIDING FOR INCORPORATION BY REFERENCE OF THE MOST CURRENT OF VARIOUS FEDERAL REGULATIONS, AND PROVIDING FOR CERTAIN HOUSEKEEPING PROVISIONS (2nd and final reading) – No discussion**

RESOLUTION NO. 3611 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WASTE CONNECTIONS OF TENNESSEE DBA CITY WASTE, LLC FOR SOLID WASTE DISPOSAL/TRANSFER STATION SERVICES – (Passed from the October 24, 2024 meeting) - Councilmember Cagle asked if the City could bid out the recycling. City Manager Miller stated in 2014 and 2015, the City received money for our recyclables, but after that we had to pay to dispose of them. He also stated we have not had a rate increase since we started paying.

- **New Business:**
 - **ORDINANCE NO. ____ - Rezoning of Camping World Property**
 - Tract 1, 6728 Ringgold Road – Rezone from R-3 Apartment District and C-1 Tourism Commercial District to C-2 General Commercial District (1st reading)
 - Tract 2 – Rezone from C-1 Tourism Commercial District to C-2 General Commercial District

Chief Building Official Howell stated this property has been occupied by Camping World for many years. There are two parcels in Catoosa County and two parcels in East Ridge. It is currently legal non-conforming and Camping World wants to rezone in order to make the property legal conforming.

- **ORDINANCE NO. ____ - Budget Amendment (1st reading)** – Finance Director Qualls stated this amendment would cover opening the account for Federal Forfeiture Funds, various grants, and the increase in solid waste disposal.
- **RESOLUTION NO. ____ - Approval of Ridgeside contracts for Fire and Police** - City Manager Miller stated the City has had an interlocal agreement with the City of Ridgeside for 8+ years. This past year Ridgeside paid \$83,368 for Police Services and \$37,901 for Fire services. The 2021 agreement provided for a cost-of-living adjustment for FY 2022-2023 and 2023-2024, but after that it provided for no such adjustment. He and the Ridgeside mayor did an addendum last year that provided for a 4% increase for FY 2024-2025. He is proposing a similar addendum for FY 2025-2026 to add the 4% increase.
- **RESOLUTION NO. ____ - Approval of Advancement of State Salary Supplements for Fire and Police** – Chief Uselton stated 44 officers were eligible for the supplements after completion of inservice training. Total cost is \$35,200. Chief Williams stated that 28 firefighters are eligible for a cost of \$22,400. Each firefighter and police officer that is eligible will receive \$800.
- **RESOLUTION NO. ____ - Approval of Nomination by Councilmember Cagle to fill a Term on the East Ridge Beer Board** – No discussion.
- **RESOLUTION NO. ____ - Approval of Nomination by Councilmember Tyler to fill a Term on the East Ridge Beer Board** - No discussion
- **RESOLUTION NO. ____ - Mayor’s Appointment of Chairperson of the East Ridge Beer Board** – Mayor Williams stated he makes this appointment annually. Councilmember Cagle asked if the Beer Board members were restricted to term limits. City Attorney Litchford stated they are not.
- **RESOLUTION NO. ____ - Approval of Bids for PD Tablets and Mounts** – Chief Uselton stated the new tablets and keyboards would have more functionality for the officers. He will present the bids at the next meeting.

Being no further business, the meeting was adjourned.

ORDINANCE NO. 1211

**AGENDA MEMORANDUM
AIR POLLUTION ORDINANCE REVISION**

November 24, 2024

Submitted By:


J. Scott Miller, City Manager

SUBJECT:

The City of East Ridge, as well as all other cities in Hamilton County, have been notified by the Chattanooga-Hamilton County Air Pollution Control Bureau that they have several small revisions in the County's air pollution ordinance that the Bureau needs to get all the municipalities to approve again.

The primary purpose of these revisions is to remove "affirmative defense" provisions that apply to excess emissions during periods of startup, shutdown, and malfunction, as directed by the US EPA. Other pertinent revisions concern the lowering of a national ambient air quality standard and the incorporation by reference of the most current of various federal regulations.

The Air Pollution Control Board recommends all these revisions and has asked that the County and all its municipalities enact them in order to maintain local jurisdiction over air pollution control.

The City Council approved the first reading of Ordinance No. 1211 at their regular business meeting of October 24, 2024. Said ordinance is before the City Council for the second and final reading.

Attachment

JSM/

CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BUREAU

Summary of Revisions to
The East Ridge Air Pollution Control Ordinance
(East Ridge Bank Municipal Code, Title 20, Chapter 2)
August 2024

Sections 1 and 2: Removal of an unnecessary provision for alternatively permitting equipment as a locally defined “minor pollution source”

Sections 3, 4, and 7: Removal of general “affirmative defense” provisions that apply to excess emissions during periods of startup, shutdown, and malfunction, as recommended by the U.S. EPA

Section 5: Addition of a requirement for the Director to report confidentiality request determinations to the Board

Section 6: Correction of two date errors

Sections 8, 9, 10, 11, 13, 17, 18, 19, 20, and 23: Incorporation by reference of the most current of various federal regulations

Section 12: Update name of a national emission standard

Sections 14 and 15: Revision of a national ambient air quality standard

Section 16: Correction of an ordinance reference and clarification of wording

Sections 21 and 22: Removal of “affirmative defense” provisions that apply to excess emissions from Part 70 sources during periods of startup, shutdown, and malfunction, as directed by the U.S. EPA

Scott J. Miller

From: Ronald Drumeller <rdrumeller@chattanooga.gov>
Sent: Friday, October 4, 2024 2:39 PM
To: Scott J. Miller
Cc: Alan Frazier
Subject: Air Pollution Ordinance Revision
Attachments: 2024 East Ridge Ordinance Revision Summary.docx; 2024 East Ridge Ordinance Revision Summary.pdf; 2024 East Ridge Ordinance Revision.docx; 2024 East Ridge Ordinance Revision.pdf; 2024 REDLINED East Ridge Ordinance Revision.docx; 2024 REDLINED East Ridge Ordinance Revision.pdf

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Miller,

We have a very small revision in our air pollution ordinance that we have to get all of the municipalities to approve again.

The primary purpose of these revisions is to remove "affirmative defense" provisions that apply to excess emissions during periods of startup, shutdown, and malfunction, as directed by the U.S. EPA. Other pertinent revisions concern the lowering of a national ambient air quality standard and the incorporation by reference of the most current of various federal regulations.

The Air Pollution Control Board unanimously recommends all of these revisions and has asked that the County and all its municipalities enact them in order to maintain local jurisdiction over air pollution control.

Attached are the following documents for your review before the November "Small City Coalitions Meeting":

- 2024 East Ridge Ordinance Revision Summary (Word & PDF)
- 2024 East Ridge Ordinance Revision (Word & PDF)
- 2024 Redlined East Ridge Ordinance Revision (Word & PDF)

Please call me with any questions that you might have.

Kind regards,

Ron Drumeller

Executive Director

Chattanooga-Hamilton County Air Pollution Control Bureau

CBL Center II

2034 Hamilton Place Blvd. Suite 300
Chattanooga, TN 37421

Office: (423) 643-5974

Phone: (678) 622-1135

rdrumeller@chattanooga.gov

www.apcb.org

ORDINANCE NO. 1211

AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY REMOVING “AFFIRMATIVE DEFENSE” PROVISIONS, PROVIDING FOR INCORPORATION BY REFERENCE OF THE MOST CURRENT OF VARIOUS FEDERAL REGULATIONS, AND PROVIDING FOR CERTAIN HOUSEKEEPING PROVISIONS

WHEREAS it is the declared public policy of this city to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, and to foster the comfort and convenience of the people; and

WHEREAS local regulation of air quality is the most efficient means toward that end; and

WHEREAS, in order to maintain the Certificate of Exemption granted by the Tennessee Air Pollution Control Board for operating a local air pollution control program, it is necessary to adopt regulations no less stringent than state standards; and

WHEREAS the adoption of these amendments is required for the protection of the health, safety, and welfare of the citizens of East Ridge and to insure maintaining the local Certificate of Exemption;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that Chapter 2 of Title 20 of the East Ridge Municipal Code be amended as is hereafter set forth:

SECTION 1. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-202, is hereby amended so as to delete the definition of “Minor pollution source” in its entirety.

SECTION 2. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Section 20-208(d)(6) in its entirety and substitute in lieu thereof the following:

(6) (Reserved)

SECTION 3. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-212, is hereby amended so as to delete Section 20-212(c) in its entirety and substitute in lieu thereof the following:

(c) (Reserved)

SECTION 4. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-212, is hereby amended so as to delete Section 20-212(d) in its entirety and substitute in lieu thereof the following:

(d) (Reserved)

SECTION 5. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-219, is hereby amended so as to add the following Section 20-219(d):

(d) The Director shall report to the Board at the next board meeting any determinations made by the Director concerning requests for confidentiality made pursuant to this Section 20-219.

SECTION 6. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 2.6 in its entirety and substitute in lieu thereof the following:

Rule 2.6. No owner or operator of any Portland cement plant shall cause, suffer, allow or permit the emission of nitrogen oxides (NO_x) in excess of seven hundred and fifty (750) parts per million when averaged over any three (3) consecutive hour period. After April 30, 2007, the owner or operator of any Portland cement kiln subject to this rule shall not operate the kiln during May 1 through September 30 unless the kiln has installed and operates during May 1 through September 30 with at least one (1) of the following:

- (a) Low-NO_x burners;
- (b) Mid-kiln system firing;
- (c) Alternative control techniques approved by the Director and the EPA and achieving the same emissions decreases as low-NO_x burners or mid-kiln system firing; or
- (d) Reasonably available control technology approved by the Director and the EPA.

By April 30, 2007, the owner or operator of a cement kiln subject to this rule shall provide the Director with a statement confirming that the kiln is subject to the rule and a report demonstrating compliance with the requirements of the rule. If compliance is achieved by the use of prescribed equipment, the compliance demonstration shall be a written certification that the equipment is installed and in use. By October 31, 2007, the owner or operator shall provide the Director a report documenting the NO_x emissions for the period of May 1, 2007, through September 30, 2007. Beginning in 2008, an annual report documenting NO_x emissions for May 1 through September 30 of each year shall be submitted to the director by October 31 of that year. The annual report shall include a certification that the kiln has continued to be in compliance with this rule as stated in the initial compliance certification.

SECTION 7. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 3.2 in its entirety and substitute in lieu thereof the following:

Rule 3.2. (Reserved)

SECTION 8. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.1 in its entirety and substitute in lieu thereof the following:

Rule 15.1 The provisions of Title 40 Code of Federal Regulations Part 60 “Standards of Performance for New Stationary Sources,” Subparts A, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, Ga, H, I, J, Ja, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB,

BBa, CC, DD, EE, GG, HH, KK, KKa, LL, MM, MMa, NN, PP, QQ, RR, SS, TT, UU, VV, VVa, WW, XX, AAA, BBB, DDD, FFF, GGG, GGGa, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, TTTa, UUU, VVV, WWW, XXX, AAAA, CCCC, EEEE, IIII, JJJJ, KKKK, LLLL, OOOO, OOOOa, QQQQ, and TTTT and Appendices A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, B, C, D, F, and I (Revised as of July 1, 2023) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

- Subpart A – General Provisions
- Subpart D – Fossil-Fuel-Fired Steam Generators
- Subpart Da – Electric Utility Steam Generating Units
- Subpart Db – Industrial-Commercial-Institutional Steam Generating Units
- Subpart Dc – Small Industrial-Commercial-Institutional Steam Generating Units
- Subpart E – Incinerators
- Subpart Ea – Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994
- Subpart Eb – Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
- Subpart Ec – Hospital/Medical/Infectious Waste Incinerators
- Subpart F – Portland Cement Plants
- Subpart G – Nitric Acid Plants
- Subpart Ga – Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011
- Subpart H – Sulfuric Acid Plants
- Subpart I – Hot Mix Asphalt Facilities
- Subpart J – Petroleum Refineries
- Subpart Ja – Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
- Subpart K – Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
- Subpart Ka – Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984

Subpart Kb –	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
Subpart L –	Secondary Lead Smelters
Subpart M –	Secondary Brass and Bronze Production Plants
Subpart N –	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
Subpart Na –	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
Subpart O –	Sewage Treatment Plants
Subpart P –	Primary Copper Smelters
Subpart Q –	Primary Zinc Smelters
Subpart R –	Primary Lead Smelters
Subpart S –	Primary Aluminum Reduction Plants
Subpart T –	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants
Subpart U –	Phosphate Fertilizer Industry: Superphosphoric Acid Plants
Subpart V –	Phosphate Fertilizer Industry: Diammonium Phosphate Plants
Subpart W –	Phosphate Fertilizer Industry: Triple Superphosphate Plants
Subpart X –	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
Subpart Y –	Coal Preparation and Processing Plants
Subpart Z –	Ferroalloy Production Facilities
Subpart AA –	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983
Subpart AAa –	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983
Subpart BB –	Kraft Pulp Mills
Subpart BBa –	Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013
Subpart CC –	Glass Manufacturing Plants
Subpart DD –	Grain Elevators
Subpart EE –	Surface Coating of Metal Furniture
Subpart GG –	Stationary Gas Turbines
Subpart HH –	Lime Manufacturing Plants

Subpart KK –	Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022
Subpart KKa –	Lead-Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022
Subpart LL –	Metallic Mineral Processing Plants
Subpart MM –	Automobile and Light Duty Truck Surface Coating Operations for Which Construction, Modification or Reconstruction Commenced After October 5, 1979, and On or Before May 18, 2022
Subpart MMa –	Automobile and Light Duty Truck Surface Coating Operations for Which Construction, Modification or Reconstruction Commenced After May 18, 2022
Subpart NN –	Phosphate Rock Plants
Subpart PP –	Ammonium Sulfate Manufacture
Subpart QQ –	Graphic Arts Industry: Publication Rotogravure Printing
Subpart RR –	Pressure Sensitive Tape and Label Surface Coating Operations
Subpart SS –	Industrial Surface Coating: Large Appliances
Subpart TT –	Metal Coil Surface Coating
Subpart UU –	Asphalt Processing and Asphalt Roofing Manufacture
Subpart VV –	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006
Subpart VVa –	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
Subpart WW –	Beverage Can Surface Coating Industry
Subpart XX –	Bulk Gasoline Terminals
Subpart AAA –	New Residential Wood Heaters
Subpart BBB –	Rubber Tire Manufacturing Industry
Subpart DDD –	Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
Subpart FFF –	Flexible Vinyl and Urethane Coating and Printing
Subpart GGG –	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006

Subpart GGGa –	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
Subpart HHH –	Synthetic Fiber Production Facilities
Subpart III –	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
Subpart JJJ –	Petroleum Dry Cleaners
Subpart KKK –	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011
Subpart LLL –	SO ₂ Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011
Subpart NNN –	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
Subpart OOO –	Nonmetallic Mineral Processing Plants
Subpart PPP –	Wool Fiberglass Insulation Manufacturing Plants
Subpart QQQ –	VOC Emissions From Petroleum Refinery Wastewater Systems
Subpart RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes
Subpart SSS –	Magnetic Tape Coating Facilities
Subpart TTT –	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
Subpart TTTa –	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines for Which Construction, Reconstruction, or Modification Commenced After June 21, 2022
Subpart UUU –	Calciners and Dryers in Mineral Industries
Subpart VVV –	Polymeric Coating of Supporting Substrates Facilities
Subpart WWW –	Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991, but Before July 18, 2014
Subpart XXX –	Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014

Subpart AAAA –	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
Subpart CCCC –	Commercial and Industrial Solid Waste Incineration Units
Subpart EEEE –	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006
Subpart IIII –	Stationary Compression Ignition Internal Combustion Engines
Subpart JJJJ –	Stationary Spark Ignition Internal Combustion Engines
Subpart KKKK –	Stationary Combustion Turbines
Subpart LLLL –	New Sewage Sludge Incineration Units
Subpart OOOO –	Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015
Subpart OOOOa –	Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015
Subpart QQQQ –	New Residential Hydronic Heaters and Forced-Air Furnaces
Subpart TTTT –	Greenhouse Gas Emissions for Electric Generating Units
Appendix A-1 –	Test Methods 1 through 2F
Appendix A-2 –	Test Methods 2G through 3C
Appendix A-3 –	Test Methods 4 through 5I
Appendix A-4 –	Test Methods 6 through 10B
Appendix A-5 –	Test Methods 11 through 15A
Appendix A-6 –	Test Methods 16 through 18
Appendix A-7 –	Test Methods 19 through 25E
Appendix A-8 –	Test Methods 26 through 30B
Appendix B –	Performance Specifications
Appendix C –	Determination of Emission Rate Change
Appendix D –	Required Emission Inventory Information
Appendix F –	Quality Assurance Procedures
Appendix I –	Owner’s Manuals and Temporary Labels for Wood Heaters Subject to Subparts AAA and QQQQ of Part 60

SECTION 9. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.4 in its entirety and substitute in lieu thereof the following:

Rule 15.4 The provisions of Title 40 Code of Federal Regulations Part 62 “Approval and Promulgation of State Plans for Designated Facilities and Pollutants,” Subpart OOO “*Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014*” (Revised as of July 1, 2023) is hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121.

SECTION 10. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 16.1 and substitute in lieu thereof the following:

Rule 16.1 The provisions of Title 40 Code of Federal Regulations Part 61 “National Emissions Standards for Hazardous Air Pollutants,” Subparts A, B, C, D, E, F, H, I, J, K, L, N, O, P, Q, R, T, V, W, Y, BB, and FF and Appendices A, B, C, D, and E (Revised as of July 1, 2023) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

SECTION 11. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 16.5(c) and substitute in lieu thereof the following:

- (c) The provisions of Title 40 Code of Federal Regulations Part 63 “National Emissions Standards for Hazardous Air Pollutants for Source Categories,” Subparts A, B, C, D, F, G, H, I, J, L, M, N, O, Q, R, S, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, LL, MM, NN, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, CCC, DDD, EEE, GGG, HHH, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, TTT, UUU, VVV, XXX, AAAA, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, YYYY, ZZZZ, AAAAA, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, LLLL, MMMM, NNNN, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, WWWW, YYYY, ZZZZ, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, JJJJ, LLLL, MMMM, NNNN,

OOOOOO, PPPPPP, QQQQQQ, RRRRRR, SSSSSS, TTTTTT, VVVVVV, WWWWWW, XXXXXX, YYYYYY, ZZZZZZ, AAAAAA, BBBBBB, CCCCCC, DDDDDD, EEEEEEE, and HHHHHH and Appendices A, B, C, D, and E (Revised as of July 1, 2023) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

SECTION 12. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *96th row* of the table given in Rule 16.5(c) and substitute in lieu thereof the following:

Subpart IIII – Mercury Cell Chlor-Alkali Plants

SECTION 13. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as delete the *first paragraph only* of Rule 17 and substitute in lieu thereof the following:

Rule 17. Emission Standard for Asbestos.

Title 40 Code of Federal Regulations Part 763, Subpart E “*Asbestos-Containing Materials in Schools,*” Appendix E “*Interim Method of the Determinations of Asbestos in Bulk Insulation Samples*” (Revised as of July 1, 2023) is hereby incorporated by reference in Chapter 2 as a requirement of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121.

SECTION 14. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *entry that is found in the eighth row* (that begins with “Particulate Matter PM_{2.5}” and “Primary”) *and fourth column* (that has a heading of “Level”) of the table given in Rule 21 in its entirety and substitute in lieu thereof the following:

9.0 µg/m ³

SECTION 15. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Note (3) of the table given in Rule 21 in its entirety and substitute in lieu thereof the following:

(3) To attain these standards, the three (3) year average of the weighted annual PM_{2.5} concentrations from single or multiple community-oriented monitors must not exceed 9.0 µg/m³ for the primary standard and 15.0 µg/m³ for the secondary standard.

SECTION 16. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 22.1(1) in its entirety and substitute in lieu thereof the following:

- (1) This Rule 22 provides that the degree of emission limitation required of any source for control of any air pollutant must not be affected by that portion of any source's stack height that exceeds good engineering practice (GEP) or any other dispersion technique, except as provided in Rule 22.1(2). Before a new or revised emission limitation is established that is based on a GEP stack height that exceeds the height allowed by Rule 22.2(3)a. or b., the Director must notify the public of the availability of the applicable demonstration study that is specified by Rule 22.2(3)c. and must provide opportunity for a public hearing on it. This Rule 22 does not restrict in any manner the actual stack height of any source.

SECTION 17. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-252, is hereby amended so as to delete Section 20-252(d) in its entirety and substitute in lieu thereof the following:

- (d) The requirements of Title 40 Code of Federal Regulations Part 70 "*State Operating Permit Programs*" (Revised as of July 1, 2023), which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, including provisions regarding schedules for submission and approval or disapproval of permit applications, shall apply to the permitting of affected sources under the acid rain program, except as provided herein or modified in regulations promulgated under Title IV of the Act (acid rain program) in Title 40 Code of Federal Regulations Part 72 "*Permits Regulation*," Part 75 "*Continuous Emission Monitoring*," and Part 76 "*Acid Rain Nitrogen Oxides Emission Reduction Program*" (Revised as of July 1, 2023), which are also incorporated herein by reference in Chapter 2 as requirements of this

municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. If the provisions or requirements of Title 40 CFR Part 72 conflict with or are not included in this ordinance, the Part 72 provisions and requirements shall apply and take precedence.

SECTION 18. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (9) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (9) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act in Title 40 Code of Federal Regulations Part 82 “*Protection of Stratospheric Ozone*” (Revised as of July 1, 2023), which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, unless the Administrator has determined that such requirements need not be contained in a Part 70 permit;

SECTION 19. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (2) under the definition of “Regulated air pollutant” in its entirety and substitute in lieu thereof the following:

- (2) Any pollutant for which a national ambient air quality standard has been promulgated in Title 40 Code of Federal Regulations Part 50 “National Primary and Secondary Ambient Air Quality Standards” (Revised as of July 1, 2023), the requirements of which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121;

SECTION 20. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete the *first paragraph only* of Item (5) under the definition of “Regulated air pollutant” and substitute in lieu thereof the following:

- (5) Any pollutant subject to a standard that has been promulgated under Section 112 of the Act [42 U.S.C. § 7412] in Title 40 CFR Part 61 or Title 40 CFR Part 63, which have been incorporated by reference in Chapter 2, or Title 40 Code of Federal Regulations Part 68 “*Chemical Accident Prevention Provisions*” (Revised as of July 1, 2023), the requirements of which are

incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, including the following:

SECTION 21. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-257, is hereby amended so as to delete Section 20-257(g) in its entirety and substitute in lieu thereof the following:

(g) (Reserved)

SECTION 22. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-265, is hereby amended so as to delete Section 20-265(g) in its entirety and substitute in lieu thereof the following:

(g) Appropriateness of penalties and fines. A civil penalty or criminal fine assessed, sought, or agreed upon by the permitting authority under paragraph (e)(3) of this section shall be appropriate to the violation. The Board may consider emergency circumstances in mitigation or reduction in assessing a penalty, and shall consider those factors enumerated in § 113(e)(1) [42 U.S.C. 7413(e)(1)] of the Act and those factors enumerated in T.C.A. 68-201-106, as well as those factors set forth at Section 20-204(e) of this ordinance. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

SECTION 23. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-268, is hereby amended so as to delete Section 20-268 in its entirety and substitute in lieu thereof the following:

Sec. 20-268. - Incorporation of documents by reference.

The following documents are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121:

- (a) The following appendices of Title 40 Code of Federal Regulations Part 50 (Revised as of July 1, 2023):
- (1) Appendix A-1 “*Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method)*,”
 - (2) Appendix A-2 “*Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method)*,”
 - (3) Appendix B “*Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method)*,”
 - (4) Appendix C “*Measurement Principle and Calibration Procedure for the Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Photometry)*,”
 - (5) Appendix D “*Reference Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere (Chemiluminescence Method)*,”
 - (6) Appendix F “*Measurement Principle and Calibration Procedure for the Measurement of Nitrogen Dioxide in the Atmosphere (Gas Phase Chemiluminescence)*,”
 - (7) Appendix G “*Reference Method for the Determination of Lead in Total Suspended Particulate Matter*,”
 - (8) Appendix H “*Interpretation of the 1-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone*,”
 - (9) Appendix I “*Interpretation of the 8-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone*,”
 - (10) Appendix J “*Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere*,”
 - (11) Appendix K “*Interpretation of the National Ambient Air Quality Standards for Particulate Matter*,”
 - (12) Appendix L “*Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere*,”
 - (13) Appendix N “*Interpretation of the National Ambient Air Quality Standards for PM_{2.5}*,”
 - (14) Appendix O “*Reference Method for the Determination of Coarse Particulate Matter as PM_{10-2.5} in the Atmosphere*,”
 - (15) Appendix P “*Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone*,”
 - (16) Appendix Q “*Reference Method for the Determination of Lead in Particulate Matter as PM₁₀ Collected From Ambient Air*,”

- (17) Appendix R “*Interpretation of the National Ambient Air Quality Standards for Lead,*”
- (18) Appendix S “*Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide),*”
- (19) Appendix T “*Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide),*” and
- (20) Appendix U “*Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone*”;
- (b) Title 40 Code of Federal Regulations Part 51, Subpart I “*Review of New Sources and Modifications*” (Revised as of July 1, 2023);
- (c) The following appendices of Title 40 Code of Federal Regulations Part 51 (Revised as of July 1, 2023):
 - (1) Appendix M “*Recommended Test Methods for State Implementation Plans,*”
 - (2) Appendix P “*Minimum Emission Monitoring Requirements,*”
 - (3) Appendix S “*Emission Offset Interpretative Ruling,*” Section IV “*Sources That Would Locate in a Designated Nonattainment Area,*” and
 - (4) Appendix W “*Guideline on Air Quality Models*”;
- (d) Title 40 Code of Federal Regulations Part 58 “*Ambient Air Quality Surveillance*” and its Appendix B “*Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring*” (Revised as of July 1, 2023);
- (e) Title 40 Code of Federal Regulations Part 64 “*Compliance Assurance Monitoring*” (Revised as of July 1, 2023);
- (f) Title 40 Code of Federal Regulations § 70.4(b)(3)(viii) (Revised as of July 1, 2023);
- (g) The following appendices of Title 40 Code of Federal Regulations Part 75 (Revised as of July 1, 2023):
 - (1) Appendix A “*Specifications and Test Procedures,*”
 - (2) Appendix B “*Quality Assurance and Quality Control Procedures,*”
 - (3) Appendix C “*Missing Data Estimation Procedures,*”
 - (4) Appendix D “*Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units,*”
 - (5) Appendix E “*Optional NO_x Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units,*”
 - (6) Appendix F “*Conversion Procedures,*” and
 - (7) Appendix G “*Determination of CO₂ Emissions*”;
- (h) Title 40 Code of Federal Regulations Part 257, Subpart A “*Classification of Solid Waste Disposal Facilities and Practices,*” § 257.2 “*Definitions*” (Revised as of July 1, 2023);

- (i) The following sections of Title 40 Code of Federal Regulations Part 258 “*Criteria for Municipal Solid Waste Landfills*” (Revised as of July 1, 2023):
 - (1) Subpart D “*Design Criteria*,” § 258.40 “*Design criteria*,” and
 - (2) Subpart F “*Closure and Post-Closure Care*,” § 258.60 “*Closure criteria*”;
- (j) American Society for Testing and Materials (ASTM) Designation D 3266-91, Standard Test Method for Automated Separation and Collection of Particulate and Acidic Gaseous Fluoride in the Atmosphere (Double Paper Tape Sampler Method), 1994 Annual Book of ASTM Standards Volume 11.03;
- (k) American Society for Testing and Materials (ASTM) Designation D 323-94, Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method), 1994 Annual Book of ASTM Standards Volume 5.01;
- (l) American Petroleum Institute (API) Bulletin 2517 “Evaporative Loss from External Floating-Roof Tanks” Third Edition with addendum May 1994;
- (m) Tennessee Visible Emissions Evaluation Method 1 – Visual Determination of Opacity of Emissions from Nontraditional Sources (Roads and Parking Areas), Visible Emissions Evaluation Instruction Manual, August 1988 Revised 1995, issued by the Tennessee Department of Health & Environment, Division of Air Pollution Control; and
- (n) National Association of Corrosion Engineers (NACE) Standard RP0294-94 “Recommended Practice Design, Fabrication, and Inspection of Tanks for Storage of Concentrated Sulfuric Acid and Oleum at Ambient Temperatures.”

SECTION 24. BE IT FURTHER ORDAINED that East Ridge Municipal Code, Title 20, Chapter 2, codifying ordinances as previously adopted be construed to be cumulative in effect, and it is here declared to be the legislative intent that compliance with any one or more provisions of that chapter shall not be construed as defense for non-compliance with any other applicable provisions of the Code or the Ordinance or rules or regulations thereof nor with any applicable provisions of that chapter.

SECTION 25. BE IT FURTHER ORDAINED that if any section, part of a section, sentence, clause or phrase of this Ordinance is for any reason declared unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the

validity of any other portion of this Ordinance, and only such invalid portion shall be elided from this Ordinance.

SECTION 26. BE IT FURTHER AND FINALLY ORDAINED, that this Ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Approved on first reading _____, 2024

Approved on second reading _____, 2024

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

- The length of the agreement shall not extend beyond eight (8) years from the service commencement date.
- Minimum 30-day cancellation by either party prior to the expiration of the current term.

To give you an idea of the cost that the City will be confronting under a new agreement is as follows (based on 800 tons per month):

- The expired agreement with Capital Waste Services rate was \$33.91 per ton which equated to \$27,128 per month (\$325,536 annually)
- A continued agreement with Capital Waste Services at an adjusted rate of \$55 per ton which would equate to \$44,000 per month (\$528,000 annually).
- An agreement with City Waste at their quoted rate of \$43.75 per ton would equate to \$35,000 per month (\$420,000 annually).

At the last City Council meeting of October 24, 2024 the City Manager requested that the award of the contractual agreement to City Waste be held off since there were several sections in the text of the proposed agreement Staff felt would not serve the City. City Staff and the City Attorney met with representatives of City Waste the following week and discussed those items of City concern; specifically, sections 3 Transfer, Section 10 Special Representation Concerning City Waste, Section 12 Inspection of Waste, and Section 16 Indemnification/Liability. Attached hereto please find a red-lined copy (correcting the City's concerns) of the proposed Solid Waste Disposal Agreement Between the City of East Ridge and City Waste LLC.

Should the City Council approve the solid waste disposal service agreement with City Waste the service would commence on November 18, 2024.

Attachment

JSM/

RESOLUTION NO. 3611

**A RESOLUTION OF THE EAST RIDGE CITY COUNCIL
AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH WASTE CONNECTIONS OF
TENNESSEE DBA CITY WASTE, LLC FOR SOLID WASTE
DISPOSAL/TRANSFER STATION SERVICES**

WHEREAS, the City of East Ridge advertised a Request for Proposals for Solid Waste Disposal/Transfer Station Services on September 19, 2024; and

WHEREAS, proposals were received and opened on October 10, 2024 beginning at 2:00 pm EDT; and

WHEREAS, Waste Connections of Tennessee dba City Waste, LLC has agreed to provide solid waste disposal services for the first year of the agreement for the amount of \$43.75 per ton, to be adjusted each year to reflect changes in the Consumer Price Index for All Urban Consumers (CPI) US City Average-Garbage and Trash Collection (September to September), as published by the United States Bureau of Labor Statistics.; and

WHEREAS, the City of East Ridge agrees to transport solid waste disposal to the Waste Connections of Tennessee dba City Waste, LLC site located at 3105 Freeman Street, Chattanooga, TN 37406.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Ridge, Tennessee, that the Mayor is authorized to enter into an agreement with Waste Connections of Tennessee dba City Waste, LLC for solid waste disposal/transfer station services.

BE IS FURTHER RESOLVED, the City will pay \$43.75 per ton for solid waste disposal services, to be adjusted each year to reflect changes in the Consumer Price Index for All Urban Consumers (CPI) US City Average-Garbage and Trash Collection (September to September), as published by the United States Bureau of Labor Statistics.

BE IT FURTHER AND FINALLY RESOLVED that this resolution shall take effect immediately, the public welfare requiring it.

Adopted on the _____ day of _____ 2024.

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

**SOLID WASTE DISPOSAL AGREEMENT BETWEEN
THE CITY OF EAST RIDGE, TENNESSEE AND
CITY WASTE LLC**

THIS AGREEMENT is made and entered into as of the _____ day of November 2024 by and between, CITY WASTE LLC (hereinafter sometimes referred to as “Vendor” or “Contractor”) and the CITY OF EAST RIDGE, TENNESSEE (CITY), whose address is 1517 Tombras Avenue, East Ridge, Tennessee 37412

In consideration of the mutual undertakings and agreements of the parties set forth herein and other good and valuable consideration the receipt of which of hereby acknowledged, the parties hereto hereby agree as follows:

1. **Definitions** When used herein the following terms when capitalized shall have the meanings set forth below.

“Change in Law” means any amendment to, or promulgation of, or change in the interpretation of enforcement of any federal, state or local statute, regulation, ordinance, levy, tax or surcharge after the Service Commencement Date.

“City Waste” shall mean Solid Waste collected by the City or its contractors from within the City’s municipal borders or wherever else the City or its contractors collect Solid Waste.

“Force Majeure” shall mean riots, wars, strikes, civil disturbances, insurrections, acts of terrorism, epidemics, landslides, volcanic eruptions, earthquakes, lightning, floods, washouts, explosions, fires, inclement weather which impedes the safe operation of either party’s equipment, changes in law, and any federal, state or local government’s orders or decisions any of which are beyond the reasonable control of the applicable party (but specifically excluding financial incapability) and which necessarily and unavoidably prevents performance of this Agreement but only to the extent that due diligence is being exerted by the applicable party to resume performance at the earliest possible time.

“Hazardous Waste” shall mean any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or other applicable federal agency or by any State having jurisdiction to be “hazardous” as that

term is defined by or pursuant to federal or state law so as to prohibit said waste from being disposed or at public landfills of the same type and character as the Landfill.

“Service Commencement Date” shall mean November 1, 2024 or any other date mutually agreed to in writing by Vendor and the CITY.

“Solid Waste” shall mean any garbage and other types of waste material allowed to be accepted for disposal at public landfills, but excluding any Unacceptable Waste.

“Special Waste” shall mean any solid waste which requires special processing, handling, or disposal techniques which are different from the techniques normally utilized for handling or disposal or contains an added element of expense to transport or dispose of as determined by the CITY and Vendor in accordance with normal waste industry standards. Examples of such Special Waste types include, but are not limited to mining wastes, fly ash, combustion ash, sludge, drilling fluids and drill cuttings, asbestos, industrial wastes, liquid wastes, infectious wastes and residue, pollution control residue, debris or contaminated soil and water from cleanup of a spill.

“Landfill” shall mean Vendor transfer to Meadowbranch Landfill and/or the landfill currently utilized by Contractor.

“Transfer Station” shall mean the facility for the receipt and transfer of Solid Waste owned and operated by CITY WASTE LLC in Hamilton County, Tennessee.

“Transfer” shall mean the physical processes required by manpower and equipment to move Solid Waste from City collection vehicles to the operating floor of the Transfer Station, and ultimately to the trailers to be utilized for transport by Vendor or its contractor to the landfill.

“Ton” shall mean 2,000 pounds.

“Unacceptable Waste” shall mean Hazardous Waste, Special Waste, Yard Waste and Construction debris, as well as any radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, or toxic material.

“Yard Waste” shall mean all grass clippings, tree trimmings, shrubs, leaves, tree trunks, or any other organic material commonly found as material removed from one’s yard whether residential or commercial.

2. **Operations** The City agrees that during the term of this Agreement it will deliver all City Waste exclusively to the Transfer Station for purposes of transfer and disposal of such City Waste to the Landfill for ultimate disposal. The City shall in all matters relating to the collection, transportation, and disposal of the City Waste hereunder,

comply with all applicable federal, state, and local laws, regulations, rules and orders regarding the same. Vendor or its contractor will transfer and transport such City Waste in such manner as to comply with all laws relating to the hauling of Solid Waste to the ultimate disposal site. All activities of the City and Vendor shall occur promptly and in any event within the time periods required for Solid Waste hauling and transport mandated by applicable laws and regulations. Until further notice from Vendor to the City, disposal site will be the Landfill.

The weights of all City Waste that are delivered to the Transfer Station shall be accurately determined by the use of certified scales. Weights of all City Waste delivered to the Transfer Station shall be determined at the time the City Waste enters the Transfer Station by Vendor. Each party shall have the right to test such scales at such testing party's cost to verify the accuracy thereof. Weight tickets shall be provided to the truck operator upon weighing at scales.

The Transfer Station shall be open to accept City Waste during the hours from 7:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 12:00 p.m. on Saturday. The Transfer Station may be closed at the option of Vendor on the following holidays:

New Years Day	Thanksgiving	Memorial Day	Labor Day
Christmas Day	Christmas Eve	4 th of July	Good Friday
Martin Luther King Day			

3. **Transfer Station** Vendor shall make available the Transfer Station for acceptance of City Waste under this Agreement. This agreement does not grant any rights to dispose of City Waste other than in accordance herewith. Additionally, the ability to dispose of City Waste at the Transfer Station may be limited at any time, and from time to time, by Vendor in connection with the Transfer Station's permit(s), and capacity constraints, in addition to applicable laws, rules, and regulations; provided, however, in such event Vendor agrees that it will make available an alternative Transfer Station for the disposal of City Waste. Subject to the City's right to cure as set forth herein, Vendor reserves the right to immediately terminate access to the Transfer Station by the City and the City's personnel in the event of breach or violation by the City of any of the terms of this agreement, Vendor's operating rules or payment policies or any applicable laws or regulations. For purposes of this Section, the City shall be provided not less than thirty (30) days from the date of receipt of written notice to cure any breach or violation of any of the terms of this agreement. In the event the City should fail to cure any such breach or violation within the time limits set forth therein, then the Vendor may after the expiration of the right to cure terminate access to the Transfer Station.

4. **Disposal Site** Vendor will also be responsible for furnishing both transportation of City Waste from the Transfer Station and the ultimate disposal of the City Waste at the Landfill. Vendor may change such disposal site at any time during this Agreement by written notice to the City.

5. **Term and Renewal** This Agreement shall commence on the Service Commencement Date: **November 1, 2024** and shall expire on: **October 31, 2025**. Thereafter, this Agreement shall automatically renew for an additional one year term unless either party has within thirty (30) days prior to the expiration of current term of the Agreement given written notice of its election to terminate this Agreement. However, in no event shall the entire length of this Agreement extend beyond eight (8) years from the Service Commencement Date.

6. **Payment** As payment for the transfer, transport and disposal services provided hereunder, the City shall pay to Vendor, CITY WASTE LLC, at the rate of **\$43.75** per ton of City Waste received at the Transfer Station during the first year term of this Agreement and increased thereafter as described in Section 7. Fractional tonnage shall be charged according to the percentage of the per ton rate.

Vendor shall invoice the City monthly for the amounts so determined. Invoices shall be mailed to City of East Ridge, 1517 Tombras Avenue, East Ridge, Tennessee 37412. The City shall have twenty (20) days from the date of invoice to pay such invoice.

7. **Adjustment of Prices** (a) After expiration of the initial one (1) year term, the prices set forth in Section 6 hereof shall be adjusted each year to reflect changes in the Consumer Price Index for All Urban Consumers (CPI-U) U.S. City Average – Garbage and Trash Collection. The first rate change shall be effective on the anniversary date of the Service Commencement Date and subsequent adjustments shall be effective on the same date in each year thereafter.

(b)The “C.P.I.” for purposes of this Section shall be Consumer Price Index for All Urban Consumers (C.P.I.), U.S. City Average – Garbage and Trash Collection (September to September), as published by the United States Bureau of Labor Statistics.

8. **Representations of Vendor.** Vendor represents that it is a Limited Liability Company, duly formed and validly existing under the laws of the State of Tennessee

and is duly qualified to do business in all States where applicable for purposes of this Agreement. Vendor further represents and warrants that the execution, delivery and performance of this Agreement by Vendor has been duly and validly authorized by all necessary corporate and any other required action and that this Agreement constitutes the legal, valid and binding obligations of Vendor enforceable in accordance with its terms except as to the enforcement thereof may be limited by bankruptcy, insolvency, or other similar laws affecting the rights of creditors generally.

9. **Representation of the City** The City represents that it is a duly formed and validly existing municipality under the laws of the State of Tennessee, with all power and authority to enter into this Agreement and to undertake the activities required of it hereunder. The City further represents that its governing body had been duly elected or appointed and that the City is, and will continue to be throughout the term hereof, validly existing and in good standing under the laws of the State of Tennessee. The execution, delivery and performance of this Agreement by the City have been duly and validly authorized by the City, the persons signing this Agreement on behalf of the City have full power and authority to bind the City to this Agreement, and this Agreement constitutes the legal, valid and binding obligation of the City enforceable in accordance with its terms except as to the enforceability thereof may be limited to bankruptcy, insolvency, or similar laws affecting the rights of creditors generally.

10. **Special Representation Concerning City Waste** The City represents, warrants, and covenants that it will undertake reasonable measures to ensure that all City Waste Delivered by it to the Transfer Station will consist only of Solid Waste as defined in this Agreement and will not include Unacceptable Waste. The City shall inspect all City Waste at the place(s) of collection and shall remove any and all Unacceptable Waste; provided, however, nothing in this agreement requires the City's personnel to open and inspect individual waste containers, it being understood that the City's obligation under this provision is limited to the detection of Unacceptable Waste that is visible by City personnel from the cabin of the City's waste trucks . Any waste rejected by Vendor or its contractors at the Transfer Station by reason of failure of said waste to comply with the provisions of this Section shall be promptly removed by the City at the City's sole expense. Once any City Waste has been received by Vendor, all title to such City Waste shall pass to Vendor. Title to any and all Unacceptable Waste that is disposed of but not accepted by handled or disposed of by Vendor shall at all times remain with the City or the generator of same, as applicable. Acceptance of Unacceptable Waste shall be conclusive after Vendor transfers said Waste to its landfill.

11. **Inspection of Records** The City has a right to inspect records relating to the servicing of this Agreement to satisfy an audit or other request from a Federal or State Governmental agency and/or by the City of East Ridge. The City also has the right to inspect the handling of their waste at the Transfer Station or the disposal of their waste at the designated landfill, with prior written notice. Such inspection shall occur during normal business hours and shall be made only by authorized employees or authorized agents of the City, its contractors, or other qualified government entities.

12. **Inspection of Waste** Vendor or its contractors shall have the right to inspect any incoming loads of City Waste delivered to the Transfer Station for compliance hereunder and Vendor or its contractors reserve the right to refuse, or reject after acceptance, any Unacceptable Waste found in such load as determined in Section 10 above and in the event of such will provide immediate verbal notice, followed by written Notice of same, and the reasons therefore to City. The City shall be responsible for, and bear all reasonable expenses and damages incurred by Vendor, as a result of ~~the any known~~ Unacceptable Waste ~~being disposed of at the Transfer Station. To the extent Unacceptable Waste disposed of at the Transfer Station is subsequently discovered by Vendor, then the City agrees to be responsible for and in~~ the reloading and removal of ~~such~~ Unacceptable Waste ~~disposed at the Transfer Station~~.

13. **Independent Contractor** Vendor and its subcontractors, if any, shall perform all work under this Agreement as an independent contractor. Vendor and its contractors are not, and shall not be considered, an employee, agent or servant of the City for any purposes under this Agreement or otherwise, neither shall any of City's contractors, employees or agents be nor shall they be considered, employees, agents, subagent or servants of Vendor or its subcontractors for any purpose under this Agreement, or otherwise. Nothing in this Agreement shall be construed as giving either party any duty to supervise or control any acts or omissions of the other party hereto or its officers, agents, employees, representatives or contractors.

14. **Limited License to Enter.** This Agreement provides the City with a license to enter the Transfer Station for the limited purpose of, and only to the extent necessary for, off-loading City Waste at the Transfer Station in the manner directed by Vendor. Except in an emergency, the City's personnel shall not leave the immediate vicinity of their vehicle. After off-loading the City Waste, the City's personnel shall promptly

leave the Transfer Station. Under no circumstances shall the City or its personnel engage in any scavenging of waste or other materials at the Transfer Station. Vendor reserves the right to make and enforce reasonable rules and regulations concerning the operation of the Transfer Station, the conduct of the drivers and others on the Transfer Station premises, quantities and sources of waste, and any other matters necessary or desirable for the safe, legal and efficient operation of the Transfer Station including, but not limited to, speed limits on haul roads imposed by Vendor, and the wearing of hard hats and other personal protection equipment by all individuals allowed on the Transfer Station premises. The City and its contractors or subcontractors shall conform to and comply with all such rules and regulations as they may be established and amended from time to time and failure to do so, after written notice and failure to cure within thirty (30) days thereafter, may result in Vendor immediately terminating this Agreement in its sole discretion. Vendor may refuse to accept City Waste from and shall deny an entrance license to, any personnel of the City or any City subcontractor whom Vendor believes is under the influence of alcohol or other chemical substances. The City shall be solely responsible for its employees and subcontractors performing in a safe manner when at the facility of Vendor and in full compliance with all laws, ordinances, rules, permits and regulations, including but not limited to those issued by or relating to the DOT, EPA and OSHA.

15. **Insurance – Vendor** During the term hereof, the parties and each and every of their respective subcontractors performing under this agreement shall maintain sufficient insurance to insure against all risks as is customarily maintained in similar businesses operating in the same vicinity. The coverages maintained by the parties and each and every of their respective subcontractors performing under this Agreement shall meet the following requirements:

Type	Amount
Worker’s Compensation	Statutory
Employer’s Liability	\$500,000.00
Comprehensive General Liability	\$2,000,000.00
Auto Liability	\$2,000,000.00

16. Indemnification Liability. Each party to this Agreement agrees to be responsible for the liabilities arising out of their own conduct and the conduct of their officers, employees and agents. Each party hereto (“Indemnifying Party”) shall indemnify, defend and hold harmless the other party and its subsidiaries, affiliates and parent corporations, as applicable, and their respective officers, directors, lenders;

~~employees, subcontractors and agents (collectively, "Indemnified Party") from and against any and all claims, suits, losses, liabilities, assessments, damages, fines, costs and expenses, including reasonable attorneys' fees (collectively, "Claims") to the extent arising or resulting from: (a) the acts, omissions, negligence, or willful misconduct (including criminal acts) of the Indemnifying Party, or its employees, representatives, agents, contractors, or subcontractors (excluding Indemnified Party), (b) the violation of any law, rule, regulation, license, permit, ordinance, or order by the Indemnifying Party, or its employees, representatives, agents, contractors, or subcontractors (excluding Indemnified Party), (c) the Indemnifying Party's breach of any term, condition, representation, warranty, or covenant herein, or (d) with respect to the City as an Indemnifying Party only, Unacceptable Waste. The City ~~shall agrees it shall also~~ be responsible for increased inspection, testing, study and analysis costs made necessary due to reasonable concerns of Vendor as to the content of the City Waste, following discovery of ~~Unacceptable Hazardous~~ Waste. ~~This The indemnification and other~~ obligations stated in this Section shall survive the termination of this Agreement.~~

17. **Default** In the event that either party contends that the other has breached a provision of this Agreement, the non-breaching party shall give written notice of the breach to the breaching party, and demand a cure. In the event that the breach would result in immediate injury to the party making demand, the breaching party shall affect a cure as soon as possible but within not less than two (2) days. In the event of notice of any other breach, the breaching party shall affect a cure within five (5) business days.

In the event that the breaching party fails to affect a cure within the time period set forth above, the non-breaching party shall be entitled to terminate this contract and/or to pursue all other remedies available at law or in equity.

Nothing contained in this Section shall be construed to be a waiver of any remedy available to either party, at law or in equity.

18. **Force Majeure** In the event that either party is rendered unable, wholly or in part, by the occurrence of a Force Majeure to carry out any of its obligations under this Agreement, then that party's obligations, to the extent affected by such occurrence, shall be suspended during the continuance of such inability.

In the event that either party intends to rely upon the occurrence of a Force Majeure to suspend or to modify its obligations, such party shall notify the other party in

writing as soon as reasonably possible, setting forth the particular circumstances. Notices shall likewise be given after the effect of such occurrence has ceased.

In the event that because of Force Majeure, either party is unable to perform its obligations hereunder for a period in excess of thirty (30) days, the other party shall be entitled to terminate this Agreement.

19. **Amendments to the Agreement** All provisions of this Agreement shall be strictly complied with and conformed to by the parties and no amendment to this Agreement shall be made except upon the written consent of the parties. No amendment shall be construed to release either party from any obligation of this Agreement except as specifically provided in such amendment.
20. **Waiver** A waiver by either party of any breach of any provisions hereof shall not be taken or held to be a waiver of any succeeding breach of such provision or as waiver of any provision itself. No payment or acceptance of compensation of any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance unless evidenced in writing. Where the condition to be waived is a material part of this Agreement such that its waiver would affect the essential bargains of the parties, the waiver must be supported by consideration and take the form of an amendment to this Agreement as provided for in the preceding Section.
21. **Notice** Vendor shall direct all notices and correspondence under this Agreement for the City to:

City of East Ridge
Attn: City Manager
1517 Tombras Avenue
East Ridge, TN 37412

City shall direct all notices and correspondence under this Agreement for to:

City Waste LLC
Attn: District Manager
3105 Freeman Street
Chattanooga, TN 37406

Notices shall be deemed given up seven (7) days from the date postmarked and shall be sent certified mail; return receipt requested, postage prepaid.

22. **Assignment** This Agreement may not be assigned, nor performed in whole or in part by any subcontractor in whole or in part, or any duties delegated except as contemplated hereby, by either party without the prior written consent of the other party, with the giving or withholding of such consent to be wholly and unconditionally within the complete discretion of the party being requested to consent.
23. **Binding Effect** This Agreement shall inure to the benefit of and be binding upon the respective successors and permitted assigns of the parties.
24. **Entire Agreement** This Agreement embodies the entire agreement of the parties as to the subject matter hereof and supersedes any prior oral or written agreements, regarding such subject matter entered into by the parties.
25. **Severability** In the event any provision(s) of this Agreement is/are void, invalid, or unenforceable under any federal, state, regional or local laws, regulations or ordinances, the balance of this Agreement shall remain in full force and effect and binding on the parties hereto.
26. **Choice of Law** This Agreement shall be deemed to have been made in and shall be construed under the laws of the State of Tennessee. Any and all disputes arising under this Agreement shall be decided under Tennessee Law.

CITY OF EAST RIDGE

BY: _____
Mayor

Date

Witness: _____
 Title: _____

Date

Vendor: City Waste LLC

BY: _____
 Title: _____

Date

Witness: _____
 Title: _____

Date

ORDINANCE NO. 1212

AGENDA MEMORANDUM

Rezone

Date: November 14th, 2024

Submitted by:



Michael Howell, Chief Building Official

SUBJECT:

On October 7th, 2024, Hannah Claire Boggess submitted a petition to the East Ridge Planning Commission to rezone the following parcels:

1. 6728 Ringgold Road Tract 1 (Tax Map ID# 170I-C-004) - requesting to be rezoned from R-3 Apartment District and C-1 Tourism Commercial District to C-2 General Commercial District
2. Tract 2 (Tax Map ID# 170I-C-002.01) – requesting to be rezoned from C-1 Tourism Commercial District to C-2 General Commercial District

The East Ridge Planning Commission reviewed the request to rezone and approved and recommended the rezoning move forward to the City Council for review.

ORDINANCE NO. 1212

AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 6728 RINGGOLD ROAD FROM R-3 APARTMENT DISTRICT AND C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT, AND AN UNADDRESSED PROPERTY IN THE 6700 BLOCK OF RINGGOLD ROAD FROM C-1 TOURISM COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT

WHEREAS, Hannah-Claire Boggess, with Chambliss, Bahner and Stophel, P.C. petitioned the East Ridge Planning Commission to recommend to the Mayor and Councilmembers of the City of East Ridge, Tennessee, the rezoning of property located at 6728 Ringgold Road from R-3 Apartment District and C-1 Tourism Commercial District to C-2 General Commercial District, and an Unaddressed Property in the 6700 Block of Ringgold Road from C-1 Tourism Commercial District to C-2 General Commercial District, Tax Map 170I-C-002.01 and 004. The property is more particularly described as follows:

Two unplatted tracts of land located at 6728 Ringgold Road and an unaddressed property in the 6700 block of Ringgold Road being the properties described as Tracts 1 and 2 in Deed Book 13663, Page 972, ROHC. Tax Map 170I-C-002.01 and 004

WHEREAS, the East Ridge Planning Commission held a public hearing on this petition on October 7, 2024, where it reviewed the rezoning request and heard and considered all statements concerning the petition; and

WHEREAS, the East Ridge Planning Commission, by motion, recommended approval of the rezoning petition on October 7, 2024; and

WHEREAS, the applicant has properly advertised in a paper of general circulation in the City of East Ridge that they will make application to the City Council of the City of East Ridge to request approval of the rezoning; and

WHEREAS, notices of the public hearing before the City Council of the City of East Ridge have been served upon all property owners in the City within a distance of 300 square feet from the affected property; and

WHEREAS, the East Ridge City Council held a public hearing on November 14, 2024, at which time all interested parties were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, as follows:

Section 1. That the zoning regulations and the zoning map of the City of East Ridge, Tennessee, be and the same hereby are amended to rezone the property located at 6728 Ringgold Road from R-3 Apartment District and C-1 Tourism Commercial District to C-2 General Commercial District, and an Unaddressed Property in the 6700 Block of Ringgold Road from C-1 Tourism Commercial District to C-2 General Commercial District, Tax Map 170I-C-002.01 and 004 for uses consistent with such zoning.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Approved on First Reading _____, 2024

Approved on Second Reading _____, 2024

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

Written Narrative – Rezoning of 6728 Ringgold Road, East Ridge, TN

FRHP Lincolnshire, LLC owns four parcels related to its operating of the Camping World business. Two of the parcels are located in the City of East Ridge, Hamilton County, Tennessee and two of the parcels are located in Catoosa County, Georgia. One of the parcels in East Ridge, Parcel 170I C 002.01 is zoned both C-1 and R-3.

The rezoning request to make the entire property C-2 would align the zoning with the current use of the property as a commercial space for the operation of the Camping World business.



Chattanooga-Hamilton County Regional Planning Agency
Zoning Change Application Form

CASE NUMBER: 2024-0154		Date Submitted: 08/13/2024	
<i>Sections 1-9 below to be filled out by Applicant- RPA staff will assist if needed</i>			
1 Applicant Request			
Rezone From: C-1 & R-3		Rezone To: C-2	Total acres in request area: 6.95
2 Applicant Requested Conditions		Yes:	No: <input checked="" type="checkbox"/>
3 Proposed Conditions – Attach a separate page if conditions won't fit in this box			
None			
4 Property Information			
Property Address: 6728 and an unaddressed property in the 6700 block of Ringgold Rd		Property Tax Map Number: 170I-C-002.01 & 004	
5 Proposed Development			
Reason for request/Project description:	Update zoning to comply with current use of property		
6 Site Characteristics			
Current Use:	Retail space for the sale of camping equipment and campers		
Adjacent Uses:	Hotel, storage facilities, fireworks store, former speedway		
7 Applicant Information			
Name: Chambliss, Bahner & Stophel, P. C. Attn: Hannah-Claire Boggess			
Address (street, city, state, zip): 605 Chestnut St, Suite 1700, Chattanooga, TN 37450			
Phone: 423-757-0286		Email: hboggess@chamblisslaw.com	
Primary Contact (if different than applicant information):			
Address (street, city, state, zip):			
Phone:		Email:	
<input type="checkbox"/> ← If the Applicants Information is the same as the Property Owners, please check the box to the left.			
8 Property Owner Information <i>Only fill out this section if applicant is <u>not</u> the property owner. RPA requires a signed Owner Authorization form from the property owner. Property Owner Authorization Forms are available through the RPA.</i>			
Name: FHRP Lincolnshire, LLC			
Address (street, city, state, zip): 250 Parkway Dr, Suite 270, Lincolnshire, IL 60069			
Phone: 715-491-5033		Email: casey.smith@campingworld.com	
9 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: <u>See Submitted Application</u>		Date: _____	
Office Use Only:			
Checklist			
<input checked="" type="checkbox"/> Application	<input checked="" type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Ownership Authorization	
<input checked="" type="checkbox"/> Property Cards	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats	
<input checked="" type="checkbox"/> Application Fee: \$635	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Credit	<input type="checkbox"/> Check
<input checked="" type="checkbox"/> Notice signs	Number of notice signs: 1		
Municipality: East Ridge		Planning District: 6	Neighborhood: None
County Commission District: 8		City Council District: N/A	
PC meeting date: East Ridge		Application processed by: Jennifer Ware	
Staff Recommendation :	PC Action/Date:	Legislative Action/Date/Ordinance:	

**Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT**

CASE NUMBER: 2024-0154

PROPERTY ADDRESS: 6728 Ringgold Road

APPLICANT: Chambliss, Bahner & Stophel

PROPERTY OWNER: FRHP Lincolnshire, LLC

JURISDICTION: East Ridge

TAX MAP PARCEL ID: 170I-C-002.01 & 170I-C-004

REASON FOR REQUEST/PROJECT DESCRIPTION: Rezone from C-1 Commercial District and R-3 Residential Apartment District to C-2 General Commercial District to update zoning to comply with the current commercial use of the property (Camping World).

PROPERTY DESCRIPTION

EXISTING LAND USE

Commercial

SURROUNDING LAND USES

North: Commercial
East: Vacant Commercial & Institutional
South: Commercial
West: Commercial & Lodging

NATURAL RESOURCES

The site is located in the floodway and 100-year floodplain.

ZONING

ZONING HISTORY

- There is no zoning history for the site.
- The site is surrounded by C-1 zoned property was zoned to commercial in the 1960's to the 1980's.

ZONE DISTRICT COMPATIBILITY

USE	CURRENT R-3 DISTRICT	CURRENT C-1 DISTRICT	PROPOSED C-2 DISTRICT
Single-Family Residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-Family Residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lodging	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Institutional	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Office	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEVELOPMENT STANDARDS	CURRENT R-3 DISTRICT	CURRENT C-1 DISTRICT	PROPOSED C-2 DISTRICT
Lot Size	10,000 sf plus 2,000 sf for each additional unit	N/A	N/A
Lot Frontage	60'	N/A	N/A
Setbacks	Front: 25' Side: 10' Rear: 25'	Front: 25' Side: 10' when adjoins residential zone Rear: 25' when adjoins residential zone	Front: 25' Side: 10' when adjoins residential zone Rear: 25' when adjoins residential zone
Building Height	2.5 stories or 35'	No building shall exceed the shortest distance from building to nearest boundary of an R-1, R-2, R-3 RZ-1 or RT-1 district	No building shall exceed the shortest distance from building to nearest boundary of an R-1, R-2, R-3 RZ-1 or RT-1 district

DISCUSSION OF STAFF RECOMMENDATION

Yes No See Comments

COMPATIBILITY WITH ADJACENT LAND USES

The site is surrounded by commercial uses.

Case Number: 2024-0154

Yes No See Comments

COMPATIBILITY WITH DEVELOPMENT FORM

The development form of the area is suburban commercial with commercial buildings, parking lots and drive thrus.

Yes No See Comments

CONCERNS WITH NUISANCES

The business is already in operation and there are no concerns with nuisances to adjacent commercial property.

ON SITE

CIVIL GROUP

THIS DRAWING AND THE PROJECT AND ALL THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF LOMA ARCHITECTURE AND SHALL REMAIN THE PROPERTY OF LOMA ARCHITECTURE. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LOMA ARCHITECTURE.

DRAFT

REVISIONS

NO.	DATE	DESCRIPTION

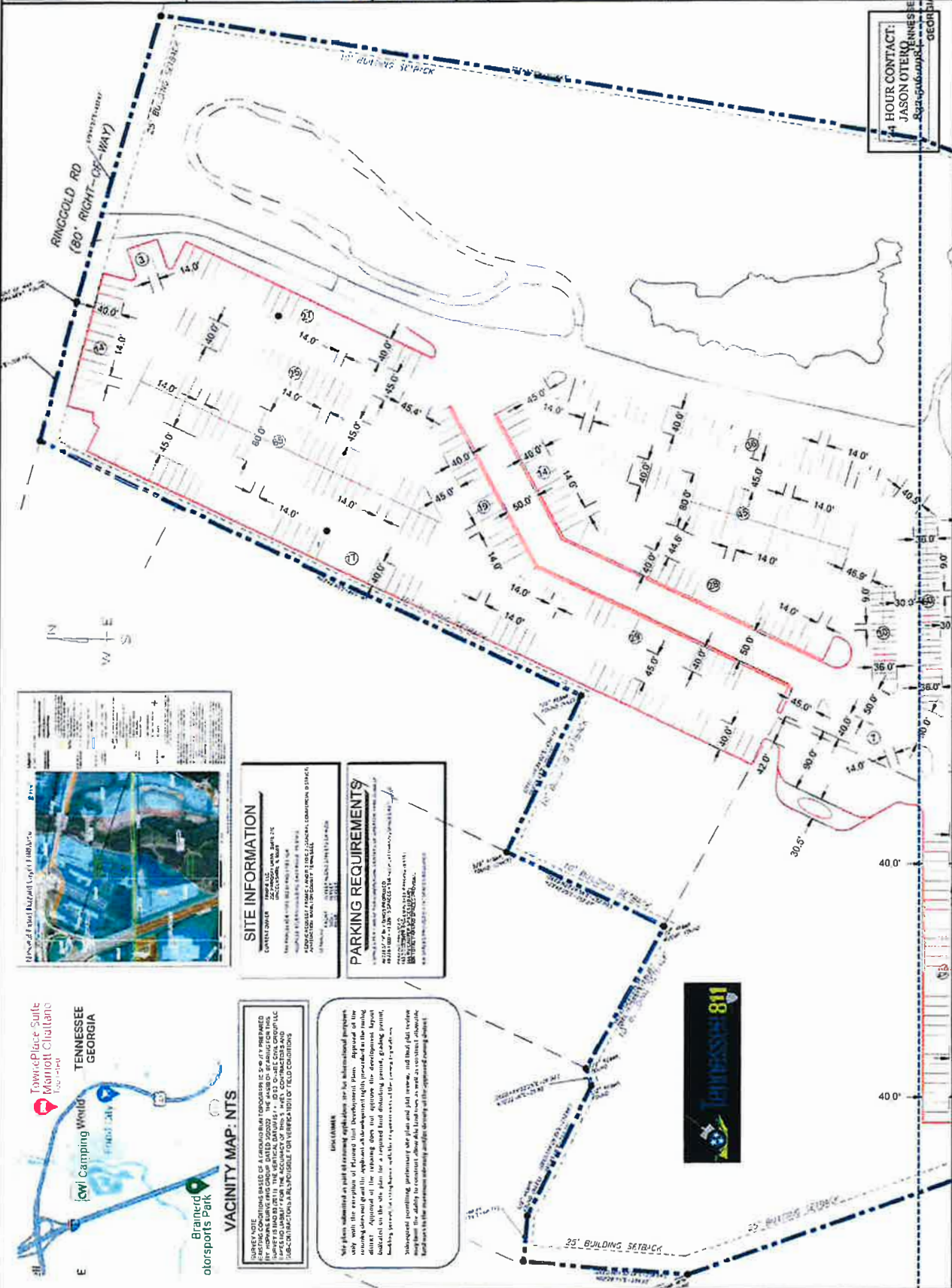
CLIENT:
LOMA ARCHITECTURE
3888 N. SAM HOUSTON PKWY.
E, SUITE 165
PHONE: 832-506-0964

CAMPING WORLD
6728 RINGOLD RD, EAST
RIDGE, TN

OVERALL SITE PLAN

DATE: 08/01/2022
DRAWN BY: JASON OTERO
CHECKED BY: JASON OTERO

SHEET 1 OF 1



24 HOUR CONTACT:
JASON OTERO
832-506-0964



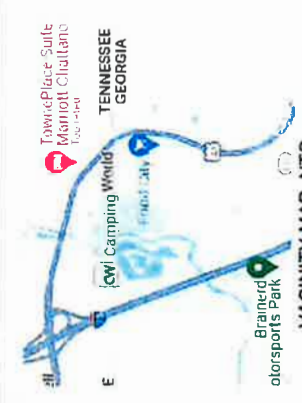
SITE INFORMATION

CONTRACT NO. 2022-0000000000000000
PROJECT NO. 2022-0000000000000000
DATE: 08/01/2022

APPROVED FOR THE CITY OF RICHMOND, TENNESSEE, COMMUNITY DEVELOPMENT DEPARTMENT, 1000 W. MAIN ST., RICHMOND, TN 37132

PARKING REQUIREMENTS

SEE CITY OF RICHMOND, TENNESSEE, COMMUNITY DEVELOPMENT DEPARTMENT, 1000 W. MAIN ST., RICHMOND, TN 37132



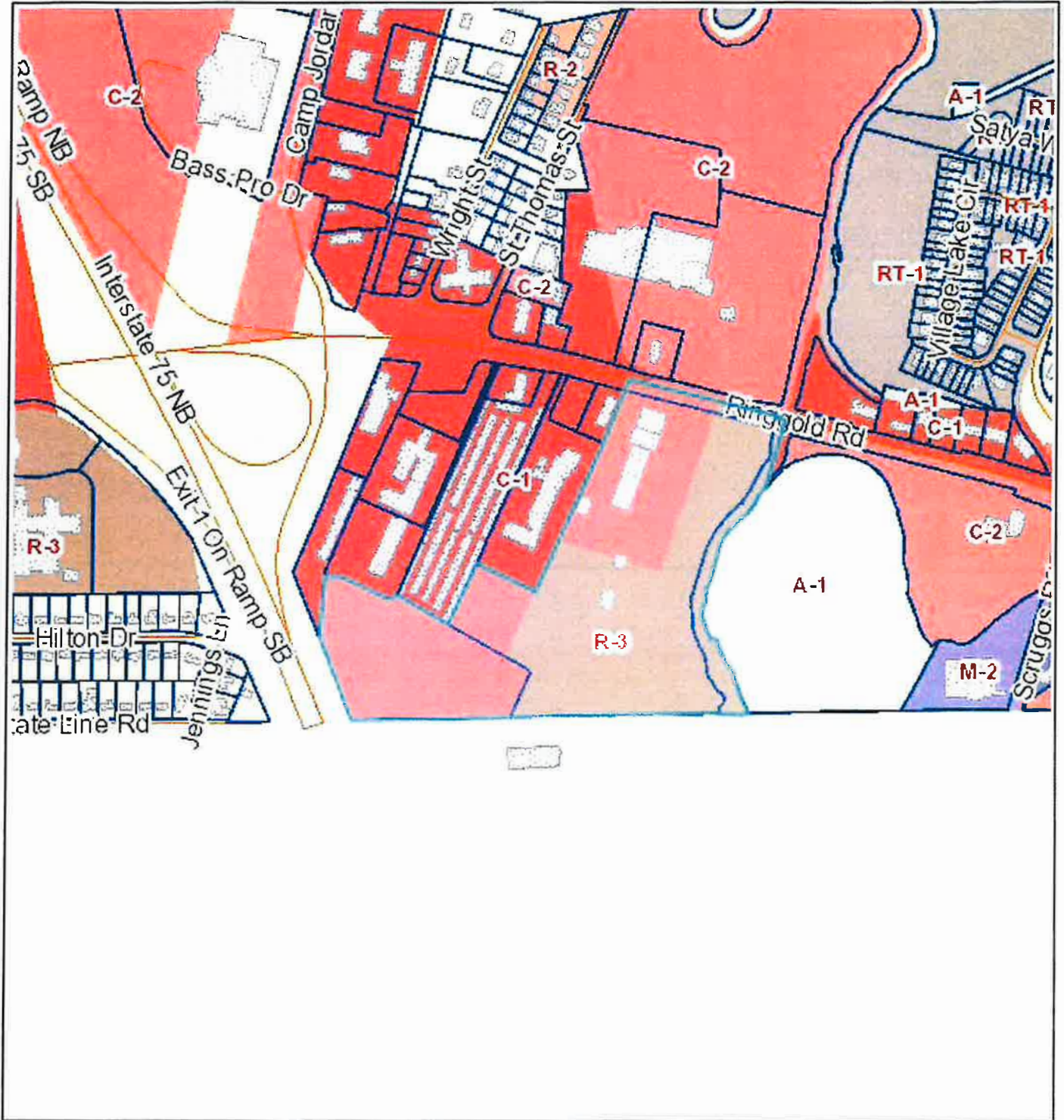
VICINITY MAP: NTS

NOTES:
THIS MAP IS BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHY AND FIELD SURVEY DATA. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THIS MAP FOR THE INTENDED PURPOSE. FOR THE CITY OF RICHMOND, TENNESSEE, COMMUNITY DEVELOPMENT DEPARTMENT, 1000 W. MAIN ST., RICHMOND, TN 37132

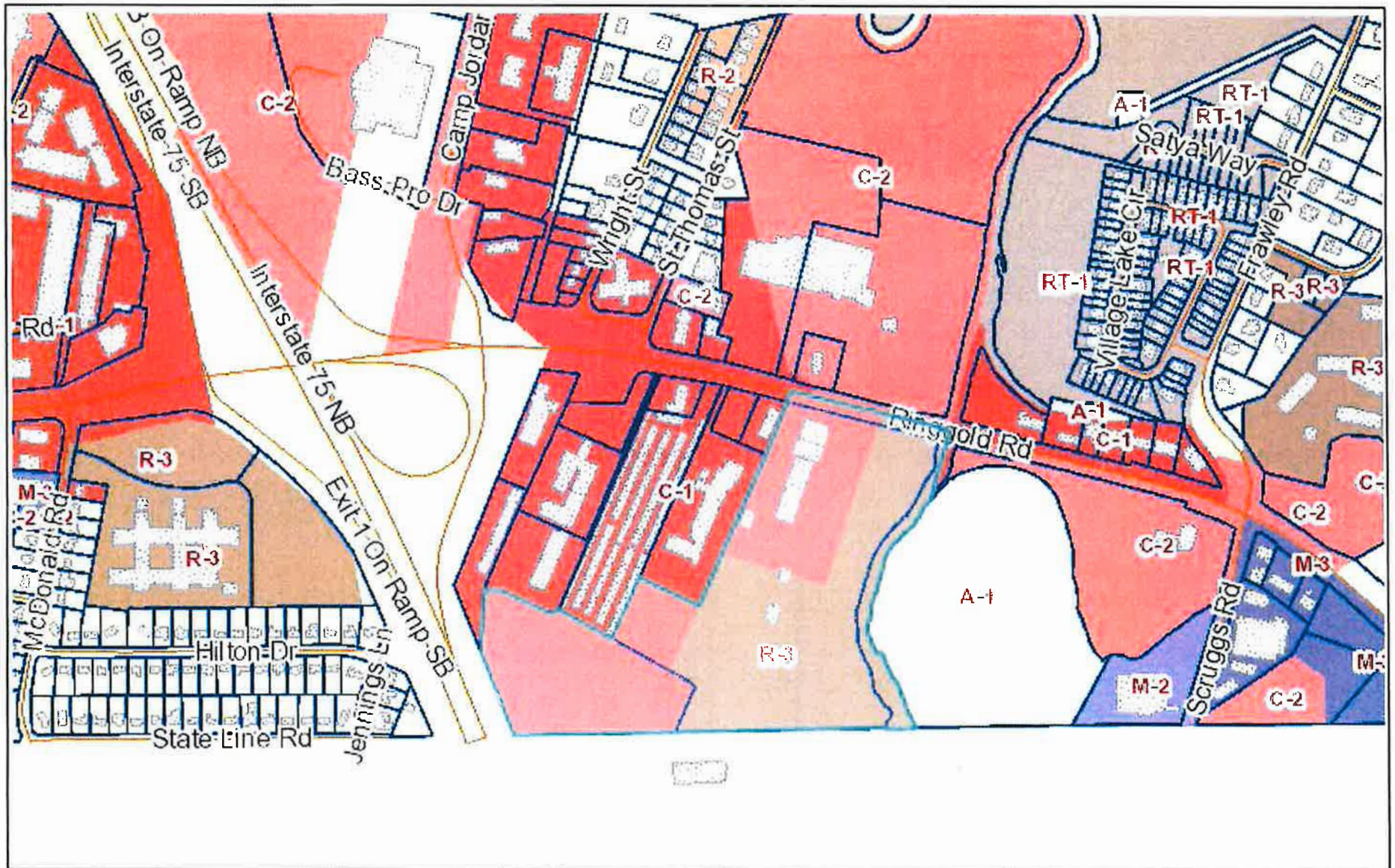
NOTES:
THIS PLAN IS SUBMITTED AS PART OF AN EXISTING APPLICATION FOR THE SUBMITTED PROJECT ONLY WITH THE EXCEPTION OF PLANNING THAT DEVELOPMENT PLAN. APPROVAL OF THE PLANNING DEPARTMENT SHALL BE REQUIRED FOR THE SUBMITTED PROJECT. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THIS MAP FOR THE INTENDED PURPOSE. FOR THE CITY OF RICHMOND, TENNESSEE, COMMUNITY DEVELOPMENT DEPARTMENT, 1000 W. MAIN ST., RICHMOND, TN 37132



2024-0154 Rezoning from C-1 & R-3 to C-2



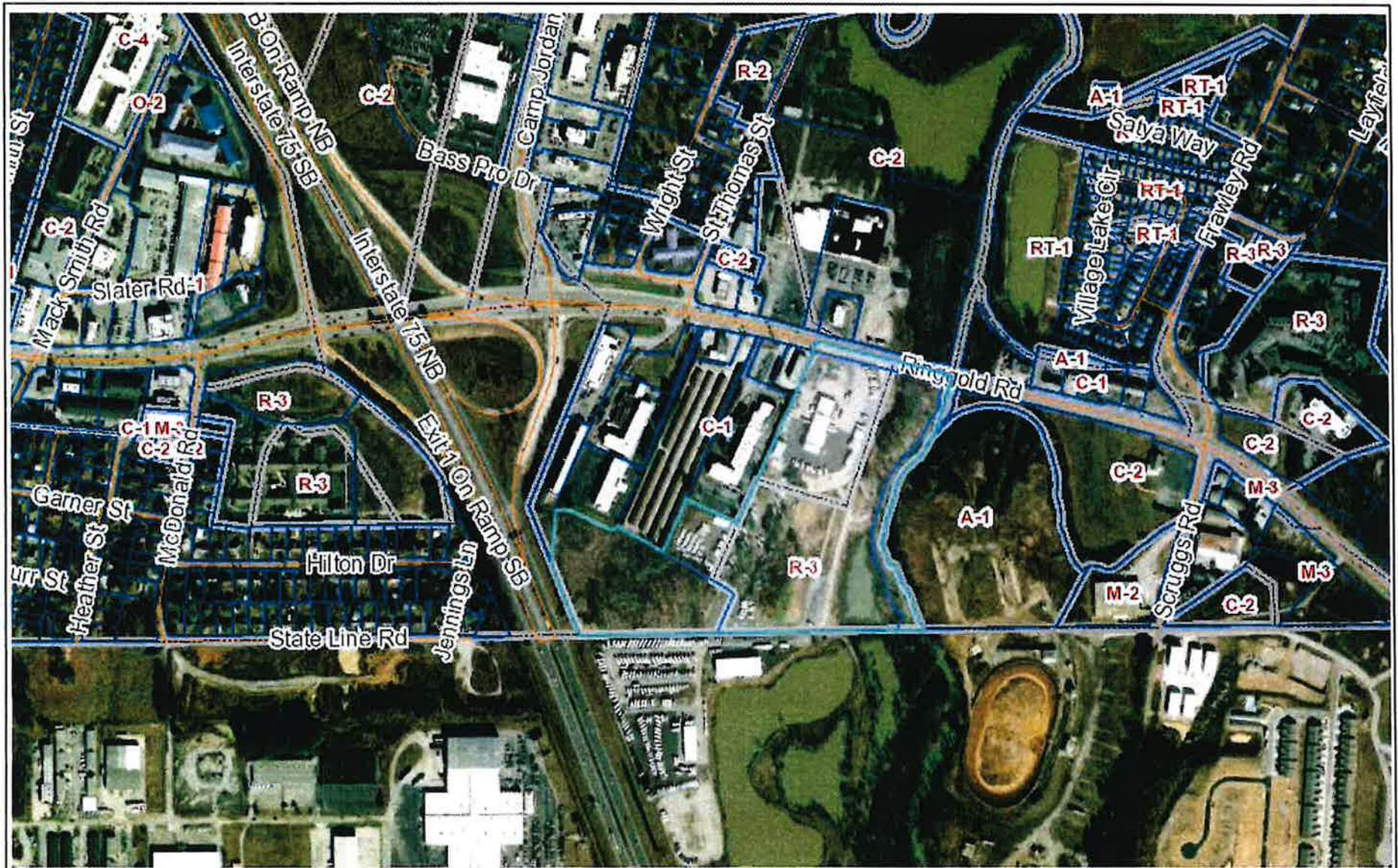
2024-0154 Rezoning from C-1 & R-3 to C-2



2024-0154 Rezoning from C-1 & R-3 to C-2



2024-0154 Rezoning from C-1 & R-3 to C-2



ORDINANCE NO. 1213

**AGENDA MEMORANDUM
BUDGET AMENDMENT**

November 14, 2024

Submitted by:

Diane Qualls

Diane Qualls, Finance Director

Per T.C.A. 6-56-208 the budget can be amended during the year as one way to monitor the budget. Staff will need to amend the budget to reflect opening a new bank account and reopening a fund, Federal Forfeiture Fund as these funds cannot combine with any other fund. This fund falls under the Federal Government guidelines.

The Grant Fund, Debt Service Fund, Solid Wast Fund and the Capital Improvement Fund will also have amendments.

ORDINANCE NO. 1213

**AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL
TO AMEND THE FISCAL YEAR 2025 OPERATING
BUDGET, ORDINANCE NO. 1206, BY CHANGING THE
REVENUES AND EXPENDITURES OF VARIOUS FUNDS**

WHEREAS, Ordinance No. 1206 provided for the revenue for the City of East Ridge, Tennessee, for the fiscal year July 1, 2024 to June 30, 2025 and appropriated such revenue for the payment of expenses of the municipal government, and made certain other provisions with respect to the financial operation of the City of East Ridge, and

WHEREAS it is necessary and appropriate that said Ordinance No. 1206 be amended by changing the revenues and expenditures of various funds; and

WHEREAS T.C.A. §6-56-208 allows the governing body of a municipality to amend the annual budget ordinance in the same manner as any other ordinance may be amended; and

WHEREAS the Council finds that the proposed budget amendment is for legitimate municipal purposes and consistent with applicable law; and

WHEREAS, the Council has general authority to adopt an ordinance relative to the management and control of the finances of the municipality that is for the good of the government, protection of its citizens, and necessary and proper for carrying out the power granted to the Council pursuant to applicable law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE that pursuant to the Municipal Budget Law of 1982, as amended and codified at Tennessee Code Annotated §6-56-201 *et seq.*, Ordinance No. 1186 is and the same hereby shall be amended as follows:

Grant Fund	Budget	Amendment	Final
Revenue			
THSO Grant	0	10,000	10,000
Use of Fund Balance	0	6,575	6,576
Total Budget (Amended)	12,425	16,575	29,000
Expenditures			
THSO Expenditures	0	10,000	10,000
Total Budget (Amended)	19,000	10,000	29,000

Federal Forfeiture Fund	Budget	Amendment	Final
Revenue			
Seized/Awarded by DOJ	0	20,000	20,000
Total Budget (Amended)	0	20,000	20,000
Expenditures			
Operating Supplies/Equip.	0	20,000	20,000
Total Budget (Amended)	0	20,000	20,000

Debt Service Fund	Budget	Amendment	Final
Revenue			
Transfer In	1,731,833	604,324	2,336,157
Use of Fund Balance	0	34,342	34,342
Total Budget (Amended)	2,531,833	638,666	3,170,499
Expenditures			
Series 2024 Bond Issue	0	604,324	604,324
Total Budget (Amended)	2,566,175	604,324	3,170,499

Capital Projects Fund	Budget	Amendment	Final
Revenue			
LPRF Grant	0	600,000	600,000
Use of Fund Balance	0	1,209,319	1,209,319
Total Budget (Amended)	13,276,657	1,809,319	15,085,976
Expenditures			
City Hall Complex	0	15,500	15,500
Multi Modal Project	0	400,000	400,000
Dickert Pond & Boardwalk	0	10,000	10,000
Community Center (LPRF)	0	1,200,000	1,200,000
McBrien Complex	0	7,500	7,500
Total Budget (Amended)	13,452,976	1,633,000	15,085,976

BE IT FURTHER ORDAINED, that to the extent required, a true and correct copy of this ordinance showing the approved budget amendments shall be filed with the applicable agency or entity as required by law.

BE IT FURTHER ORDAINED, that if any section, clause, provision, or portion of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision, or portion of this Ordinance.

BE IT FURTHER AND FINALLY ORDAINED, that this Ordinance takes effect immediately after its passage, the public welfare of the City requiring it.

Approved on first reading _____, 2024

Approved on second reading _____, 2024

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney