

AGENDA
EAST RIDGE CITY COUNCIL MEETING
February 11, 2010 - 6:30 p.m.

Agenda Session February 2, 2010 - 5:30 p.m.

Page #10

1. Call to Order
2. Invocation – Ronnie Mitchell – East Ridge Baptist Church
3. A. Roll Call
4. A. Approval of Minutes January 19, 2010 Agenda Meeting 144-145
B. Approval of Minutes January 28, 2010 Regular council Meeting 146-149
5. Communication from Citizens
6. A. Communication from Councilmembers
 - State of the City Address- February 18
5:30 p.m. Reception 6 p.m. SpeechB. Communication from Staff
7. Reports From Committees
8. Old Business:
 - A. **RESOLUTION NO. 2136 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN INTER-LOCAL AGREEMENT WITH THE TOWN OF SIGNAL MOUNTAIN FOR ANIMAL CONTROL HOUSING (Tabled 1/28/2010)** 150-157
 - B. **ORDINANCE NO. 872 - AN ORDINANCE OF THE CITY OF EAST RIDGE AMENDING TITLE 4, MUNICIPAL PERSONNEL, BY AMENDING SECTION 4-220 TO ADD A PROVISION ON THE TRANSFER OR DONATION OF ACCUMULATED LEAVE TIME UP TO FOUR (4) HOURS (Second & Final Reading)** 158-159
9. New Business:
 - A. **RESOLUTION 2139 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE DECLARING AN EXTENSION OF THE ORIGINAL ONE HUNDRED AND EIGHTY (180) DAY MORATORIUM ON THE ISSUANCE OF PERMITS, LICENSES AND APPROVALS FOR ADULT-ORIENTED ESTABLISHMENTS IN THE CORPORATE LIMITS OF EAST RIDGE, SO AS TO ALLOW THE EAST RIDGE CITY COUNCIL ADDITIONAL TIME TO REVIEW AND REVISE ITS EXISTING ADULT-ORIENTED ESTABLISHMENT ORDINANCE.** 160-162

- B. Request from Belvoir Christian Academy for 2nd annual 5K race/walk
- C. Census 2010 Committee Update

163-169
170-173

10. Adjourn

**AGENDA/WORKSHOP MEETING
OF THE CITY COUNCIL OF THE
CITY OF EAST RIDGE, TENNESSEE**

January 19, 2010 – 5:30 p.m.

The East Ridge City Council met pursuant to notice on January 19, 2010, 5:30 pm for the purpose of discussing items on the agenda for the January 28, 2010 Council Meeting and other items. Vice Mayor Card called the meeting to order.

Present were: Vice Mayor Card, Councilmember Lambert, Councilmember Sewell, City Manager Whitson, City Attorney Anderson, Deputy City Manager Phillips, City Recorder Middleton, Director Wheeler, Director Blackwell, Grants Coordinator Startup, Exec. Secretary Robinson and Albert Waterhouse from Waterhouse Public Relations. Mayor Steele and Councilmember Manning were not present

Items Discussed:

Vice Mayor Card introduced Tim Whitt from East Ridge Avenue. Mr. Whitt presented a petition to slow down traffic on the road. He would like to lower the speed limit and/or put up a four-way stop sign at Monroe and East Ridge Avenue. Chief Phillips stated a petition is required of a certain percentage of the residents on the street. Council would have to vote on the change. City Manager Whitson is working on a program for speed humps in certain areas.

Resolution No. 2136 – Agreement with Signal Mountain to House Animals - Vice Mayor Card introduced Honna Rogers, Signal Mountain City Manager. Mr. Whitson stated we are working on an agreement with Signal on housing animals that are brought to us from Signal Mountain staff. It will be capped at 10 a year and they would pay the entire boarding cost. Ms. Rogers stated Signal has cancelled their contract with the Humane Society. She stated they have a contract with someone to pick up the animals and deliver them to East Ridge and as a back-up to Cleveland. Mr. Whitson encouraged Councilmembers to look over the agreement and get back with him if they have questions or concerns.

Communication from Councilmembers:

- **State of the City Address** – This is scheduled on February 18, 2010, with a reception at 5:30 and the address from the Mayor at 6 pm.

Communication from Staff:

City Manager Update:

- **TPO 2035 Long Range Transportation Plan – Memorandum** - Mr. Whitson stated there will be a memo in the packet dealing with this plan. If they have questions, comments or concerns, please let Mr. Whitson know. He would like for Council to prioritize the list of projects. Deadline for turning this in to TPO will be February 2nd or 3rd. Councilmember Sewell would like to have the traffic signals synchronized especially when traffic is diverted to Ringgold Road because of wrecks on the interstate.
- **Letter of Intent for the Army Corps of Engineers** – The Corps is asking for a letter of intent to see if the City wants to pursue the study for a levee. The City would have to

seek Federal funds for this project. Mr. Whitson has been working with Nashville on this project.

- **Community Meeting at McBrien School** – This will be a community meeting at McBrien on January 21, 2010 to get suggestions from the public on uses for the school once it reverts back to the City.
- **East Ridge Documentary Video** – This is a carryover from the last meeting.
- **Housing Commission Status** – This will be rescheduled to a future agenda session, possibly February 2, 2010.
- **Bio-Diesel Program** – Mr. Whitson will provide a report to Council by e-mail on the status of this program. He stated it will not be on the agenda.

Old Business:

Resolution 2136 – Animal Control Moratorium – This is an issue that came up at the last meeting regarding keeping certain animals as pets. A citizen came forward at the last council meeting and stated she has two pet ducks and wants to keep them. Currently, it is against the ordinance to keep ducks and other farm animals as pets. Animal Control would like this ordinance revised to state that certain animals could be kept as pets but not as livestock. This would be a moratorium on enforcing this section on the code until the ordinance can be reviewed.

New Business:

Resolution No. 2137 – Employee Assistance Program – This is an annual contract which we have to have to maintain our status as a Tennessee Drug Free Work Place.

Resolution No. 2138 – CDBD Block Grant - Three properties on Welworth Avenue have been identified that meet the grant criteria. With Council approval, the City will pursue the grant application. The exact match is not known at this point, but it could be in the 10 – 20% range. In-kind services may be allowed for the City's match. Councilmember Sewell asked if the property could ever be built on again. Mr. Whitson stated this may not work the same as a FEMA grant which requires this, but this is a different situation. The grant writer is checking on this.

Other Items:

Chief Phillips would like to add a new ordinance under New Business to amend the personnel ordinance to allow employees to donate leave time to other employees in cases of emergency.

Councilmember Sewell stated he has talked to 62 citizens and none of these citizens think the City should spend almost \$400,000 on the flag memorial at I-75. Most citizens think it is a good idea but do not want to spend this amount. He would like other Councilmembers to talk to people to get their input. Mr. Sewell would like this on a future agenda for Council consideration.

Mr. Sewell would also like to put the bio-diesel program on the next agenda for discussion.

The meeting was adjourned.

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

January 28, 2010 – 6:30 p.m.

The East Ridge City Council met pursuant to notice on January 28, 2010. Mayor Steele called the meeting to order. Rev. Billy Dean gave the invocation. All joined in the Pledge of Allegiance to the flag.

Present were: Mayor Steele, Vice Mayor Card, Councilmember Lambert, Councilmember Manning, Councilmember Sewell, City Manager Whitson, City Attorney Anderson and City Recorder Middleton.

Approval of Minutes of January 7, 2010 Agenda/Workshop Meeting - Minutes were presented in writing to the Council. There were no questions or corrections. Approved as presented.

Approval of Minutes of January 14, 2010 Public Hearing - Minutes were presented in writing to the Council. There were no questions or corrections. Approved as presented.

Approval of Minutes of January 14, 2010 Regular Meeting - Minutes were presented in writing to the Council. There were no questions or corrections. Approved as presented.

Approval of December 2009 Financial Statements – Vice Mayor Card made a motion, seconded by Councilmember Manning, to approve the December 2009 Financial Statement. Mayor Steele asked about a \$40,000 expenditure at Camp Jordan. City Manager Whitson stated this was the last payment to the contractor on the lighting at Camp Jordan. The vote was unanimous. Motion approved.

Communication from Citizens:

Frances Pope, 1913 Close Road, stated she previously asked the Council if a recall option in the Charter could be put on the agenda. Mayor Steele stated there has been no request from Council to put this on the agenda.

Ms. Pope also asked why there was a drop in interest on the \$2 million for the month of December. Mr. Whitson will check with the Finance Director and get back with Ms. Pope.

Communication from Councilmembers:

Councilmember Card asked if the traffic study had been done for East Ridge Avenue. He stated that Mr. Tim Whitt brought in a petition at the last agenda meeting requesting the speed limit be lowered and/or a 4-way stop put up. This could be on the February 11th agenda or possibly on the February 25th agenda.

Mayor Steele announced the State of the City address will be February 18th, with a reception at 5:30 and the address at 6:00 pm.

Communication from Staff:

City Manager Update:

- **TPO 2035 Long Range Transportation Plan (LRTP)– Memorandum** - Mr. Whitson stated the memorandum is in the packet to provide the City's comments on the proposed 2035 plan. Mr. Whitson went through the proposed 2035 LRTP plan and noted projects that might be of interest to the City. The first category is roadway projects. Suggested projects included a connection between Camp Jordan Parkway and Gunbarrel Road with a cost of approximately \$40,000,000. This was listed as outside the funding limits. Widening of South Moore Road was also included in the long-range plan. Mr. Whitson would also like to add into the plan expansion of McBrien Road, a study of a better connection to I-24 at Spring Creek Road and a study to realign the s-curves on Belvoir Avenue. The next category is the enhancement projects, bike-pedestrian connections and the synchronization of traffic signals on Ringgold Road. There is also a need for improved bus service, possibly a trolley or smaller bus. Mr. Whitson must send this memo to TPO before the comment period closes on February 2nd or 3rd. He is asking for Council's input on changes or suggestions. Councilmember Sewell asked if sidewalks would be included on road expansions. Mr. Whitson stated that sidewalks and ADA compliance would be incorporated into the projects. Councilmember Manning asked about the status of the bus service. Mr. Whitson stated it is too early in the process to know. There are no funds available, but we must work our way through the process for it to be considered. Sending in our comments is the first step. Councilmember Manning made a motion, seconded by Councilmember Sewell, to support the Long Range Transportation Plan comments. The vote was unanimous. Motion approved.
- **Letter of Intent for the Army Corps of Engineers** – Mr. Whitson stated that the City processes that were initiated for the levee back in the 90's, under the reauthorization act, have not expired. If the Council wants to proceed, the next step would be to send a Letter of Intent to the U. S. Army Corps of Engineers. This letter does not commit the City to do the study, but it does commit us to being interested in moving forward. This would begin the process for the study. Councilmember Manning made a motion, seconded by Councilmember Sewell, to approve the letter to the Corps of Engineers. Roll call vote: Vice Mayor Card - yes; Councilmember Lambert - yes; Councilmember Manning – abstain; Councilmember Sewell - yes; Mayor Steele - yes. Motion approved.
- **East Ridge Documentary Video** – At this time, the Council and citizens viewed a documentary video on the history of East Ridge. Mr. Whitson stated the City received a grant from the Osborne Foundation to do this video.

Reports from Committees: None

Old Business:

Discussion of the Biodiesel Program – Mr. Whitson has given the Council a report on this program. The program is on track with the original time frame that was discussed. Mr. Whitson

has evaluated the market, and even though the Federal tax credit was not extended by Congress at the end of 2009, the fuel can still be produced at below market prices. If there is a tax credit in the future, the City will try to take advantage of it. Councilmember Sewell stated we have been working on this program for several months. He would like to see the City step up production. He would like for the City Manager to see if there are any warranty issues on using bio-diesel fuel. He would also like the City Manager to provide a monthly update on the progress of the program.

New Business:

Approval of Dedicated Fiber Network Connection By Electric Power Board – City Manager Whitson called on Deputy City Manager Phillips to discuss this item. He stated that Council has already approved upgrading the City's information technology system and infrastructure. He is asking permission for Electric Power Board (EPB) to run a secure dedicated fiber optic line from City Hall to the Police and Fire Service Center. This will tie the two buildings together and allow the Police and Fire to work off the same phone system at City Hall and not have to purchase a new one. The cost for EPB to do this is \$15,329.50, which is less than the next lowest quote of \$23,000. Councilmember Manning made a motion, seconded by Vice Mayor Card, to approve this expenditure. Councilmember Sewell asked if, when the City takes over the old McBrien School, if this could be done in that building. Chief Phillips stated later, if necessary, we could include McBrien School and the Community Center. The vote was unanimous. Motion approved.

RESOLUTION NO. 2135 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE DECLARING A MORATORIUM FOR ONE HUNDRED EIGHTY (180) DAYS ON ENFORCEMENT OF ANIMAL CONTROL ORDINANCE, TITLE 10, SECTION 10-102 AS IT PERTAINS TO THE KEEPING OF CERTAIN ANIMALS AS DOMESTIC PETS. City Attorney Anderson read on caption. Councilmember Sewell made a motion, seconded by Councilmember Manning, to approve Resolution No. 2135. Mr. Anderson stated this resolution would prohibit the City from enforcing this section of the animal control ordinance until the Council studies this issue and decides in which direction it wants to go. Mayor Steele believes the intent of the animal control ordinance pertains more to keeping certain animals as livestock rather than keeping them as domestic pets. The vote was unanimous. Motion approved.

RESOLUTION NO. 2136 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN INTER-LOCAL AGREEMENT WITH THE TOWN OF SIGNAL MOUNTAIN FOR ANIMAL CONTROL HOUSING. Mayor Steele read on caption. Councilmember Sewell made a motion, seconded by Councilmember Manning, to table Resolution No. 2136. The Mayor introduced City Manager Honna Rogers from Signal Mountain. Ms. Rogers explained Signal Mountain would like to enter into the agreement for housing of up to 10 animals per year. Signal Mountain will pay all costs associated with housing the pets. Roll call vote: Vice Mayor Card - yes; Councilmember Lambert - no; Councilmember Manning - yes; Councilmember Sewell - yes; Mayor Steele - yes. Motion approved.

RESOLUTION NO. 2137 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE ATTACHED CONTRACT WITH MLT EAP SERVICES, LLC FOR CONSULTATION SERVICES IN REGARD TO THE CITY OF EAST RIDGE MAINTAINING THE STATUS OF A TENNESSEE DRUG-FREE WORKPLACE. City Attorney Anderson read on caption. Mayor Steele stated this is an annual agreement that the City must do to be compliant with the Tennessee Drug Free Workplace. Councilmember Lambert made a motion, seconded by Councilmember Sewell, to approve Resolution No. 2137. Roll call vote: Vice Mayor Card - yes; Councilmember Lambert - yes; Councilmember Manning – abstain; Councilmember Sewell - yes; Mayor Steele - yes. Motion approved.

RESOLUTION NO. 2138 – A RESOLUTION REQUESTING THE CITY OF EAST RIDGE TO APPLY FOR THE 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN REGARDS TO SLUMS AND BLIGHT REMOVAL. City Attorney Anderson read on caption. Vice Mayor Card made a motion, seconded by Councilmember Manning, to approve Resolution No. 2138. City Manager Whitson stated there is a substitute resolution on the dais for council’s consideration. Mr. Whitson stated that under CDBG rules, one matching number was required not a number range. The vote was unanimous. Motion approved.

ORDINANCE NO. 872 - AN ORDINANCE OF THE CITY OF EAST RIDGE AMENDING TITLE 4, MUNICIPAL PERSONNEL, BY AMENDING SECTION 4-220 TO ADD A PROVISION ON THE TRANSFER OR DONATION OF ACCUMULATED LEAVE TIME UP TO FOUR (4) HOURS (1st reading). City Attorney Anderson read on caption. Councilmember Manning made a motion, seconded by Councilmember Sewell, to approve Ordinance No. 872 on first reading. Mr. Whitson stated that this pertains to an employee who lost his home in a fire and employees wanted to help. This ordinance would allow employees to donate up to four hours of their paid leave time and then it would be converted to cash and deposited in a bank account in the employee’s name that was set up for this purpose. Councilmember Manning asked if the donations would be on a volunteer basis. Mr. Whitson stated that they would. The vote was unanimous. Motion approved.

Mayor Steele announced that all four grants applied for through the MPO stimulus funds were approved. The Mayor thanked City Manager Whitson, Grant Coordinator Startup, Director Wheeler and Thompson Engineering for all their hard work on this project.

The meeting was adjourned.

STAFF REPORT

To: Mayor and City Council
Thru: William R. Whitson, City Manager
From: Eddie Phillips, Deputy City Manager
Date: February 11, 2010
Subject: Resolution No. 2136

Summary Statement: A Resolution authorizing the City Manager to sign an Inter-Local Agreement with the Town of Signal Mtn. to provide limited animal control services.

Review: This Inter-Local Agreement will allow East Ridge to accept a limit of only ten (10) animals per year from Town of Signal Mtn. authorized employees only. Signal Mtn. will pay all boarding cost, etc., and East Ridge will receive all adoption fees generated.

Fiscal Impact: Increase in adoption revenue to be determined.

Department Recommendation: Recommend Approval

City Manager Comments/Recommendation: Recommend Approval

Attachment:
(1) Inter-Local Agreement
(2) Resolution No. 2136

RESOLUTION NO. 2136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN INTER-LOCAL AGREEMENT WITH THE TOWN OF SIGNAL MOUNTAIN FOR ANIMAL CONTROL HOUSING

WHEREAS, the Mayor and members of the Town Council for the Town of Signal Mountain are desirous of having an animal control housing agreement with the City of East Ridge, Tennessee; and

WHEREAS, the City of East Ridge, Tennessee has facilities and equipment and is willing to provide certain animal control services to the Town of Signal Mountain; and

WHEREAS, it is necessary and appropriate that the parties memorialize their agreement in writing;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Ridge hereby agrees and approves that certain Animal Control Housing Agreement between the City of East Ridge and the Town of Signal Mountain to accept up to ten (10) animals a year only from the officials of the Town of Signal Mountain or its duly authorized representative. The Town of Signal Mountain will pay all expenses of the City of East Ridge to house said animals for whatever period of time and shall have the right to not accept animals if the City of East Ridge has no currently available capacity all on the terms and conditions as set forth in the Inter-local Agreement attached hereto and made a part hereof as Exhibit "A".

BE IT FURTHER RESOLVED, that this Resolution takes effect from and after its passage, the public welfare requiring it.

Passed this _____ day of _____, 2010.

Mike Steele, Mayor

Attest:

William R. Whitson, City Manager

Approved as to Form:

John R. Anderson, City Attorney

10-151

EXHIBIT "A"

**INTER-LOCAL AGREEMENT BETWEEN THE
TOWN OF SIGNAL MOUNTAIN AND
THE CITY OF EAST RIDGE FOR
ANIMAL CONTROL HOUSING**

This Inter-local Agreement made and entered into this ____ day of _____, 2010, by and between the City of East Ridge, Tennessee and the Town of Signal Mountain, Tennessee,

W I T N E S S E T H:

WHEREAS, the Mayor and members of the Town Council for the Town of Signal Mountain are desirous of having an animal control housing agreement with the City of East Ridge, Tennessee; and

WHEREAS, the City of East Ridge, Tennessee has facilities and equipment and is willing to provide certain animal control services to the Town of Signal Mountain; and

WHEREAS, it is necessary and appropriate that the parties memorialize their agreement in writing;

NOW, THEREFORE, IN CONSIDERATION of the premises and the mutual covenants of the parties hereto and pursuant to §12-9-108 of the Tennessee Code Annotated, it is agreed as follows:

1. Animal Control Housing. The City of East Ridge agrees to house no more than ten (10) animals in aggregate per contract year for the Town of Signal Mountain at the East Ridge Animal Shelter on the terms and conditions set forth herein.

Animals will be delivered to the East Ridge Animal Shelter, located at 105 Yale Street, East Ridge, TN only by officials of the Town of Signal Mountain or its duly authorized representatives.

The City of East Ridge agrees to accept animals delivered by employees of Animal Control Emergency Services (ACES) for the Town of Signal Mountain (Town) or employees of the Town of Signal Mountain during regular operating hours. If an animal must be delivered outside of normal business hours of 10:00 am through 6:00 pm on Mondays through Thursdays or 10:00 am through 5:00 pm on Fridays, the Town of Signal Mountain agrees to reimburse the City of East Ridge for any additional payroll expenses incurred by the City of East Ridge for its employees including without limitation overtime.

2. Costs. The Town of Signal Mountain agrees to pay to the City of East Ridge a one time vaccination fee of \$15.00 for required vaccinations given to all animals at the East Ridge Animal Shelter plus the regular daily boarding rate charged to East Ridge citizens, currently \$7.00 per day, to house the animals at the East Ridge facility

until any animal delivered by employees of the Town or employees of ACES for the Town is either adopted or redeemed by its owner. Any expenses paid by the owner of an animal upon pickup will not be billed to the Town of Signal Mountain. The town of Signal Mountain will be responsible for the boarding costs per animal for a period of 60 days if animal has not been adopted or redeemed by its owner during the 60-days. After which the Town of Signal Mountain may remove the animal or continue to pay the daily boarding fee until the animal is adopted or placed into a suitable rescue organization.

If during the 60-day boarding period if “any” Town of Signal Mountain animal becomes sick or injured it is the responsibility of the Town of Signal Mountain to pay veterinary costs associated with that animal. Costs will be billed at our discounted rate. The Town of Signal Mountain shall be notified before any animal is brought to our veterinarian for treatment.

The City of East Ridge will provide an itemized invoice monthly to the Town of Signal Mountain for any expenses incurred by housing any animals delivered by employees of ACES for the Town.

3. Citizens. Citizens of the Town of Signal Mountain are not authorized under this agreement to leave any animals with the City of East Ridge. The City of East Ridge may choose in its sole discretion to accept animals from the citizens of the Town of Signal Mountain for a fee of \$35.00 if there is adequate room at the shelter at time of surrender, but acceptance is in the sole discretion of East Ridge Animal Services staff.

4. Term and Renewal. This agreement shall remain in force for a period of twelve (12) months (agreement period), from the date of execution. After the initial agreement period, this contract may be renewed for two (2) additional one year periods based on mutual satisfaction of the parties and action by the respective legislative bodies. Upon one hundred twenty (120) days notice, either party may cancel this agreement.

5. Effective Date. This Agreement shall effect on the ____ day of _____, 2010, from and after its adoption by the governing bodies of the Town of Signal Mountain and the City of East Ridge.

6. Governing Law. This agreement shall be construed and governed in accordance with the laws of the State Tennessee.

7. Entire Agreement. This is the entire agreement by and between the parties. Any modification or amendment hereto must be in writing and signed by all parties.

8. Attorneys' Fees. In the event of a default hereunder the non-defaulting party shall be entitled to its reasonable attorneys' fees incurred in accordance with the enforcement of this agreement.

IN WITNESS WHEREOF the parties have hereunto set their hands this _____ day of _____, 2010.

Town of Signal Mountain,
Tennessee

Charlie Hall
Animal Control Emergency Services, LLC

Mayor

Date

Date

City of East Ridge, Tennessee

Mayor

Attest:

William R. Whitson, City Manager

Approved as to form:

John R. Anderson

**INTER-LOCAL AGREEMENT BETWEEN THE
TOWN OF SIGNAL MOUNTAIN AND
THE CITY OF EAST RIDGE FOR
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W I T N E S S E T H:

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WHEREAS, the City of East Ridge, Tennessee has facilities and equipment and is willing to provide certain animal control services to the Town of Signal Mountain; and

WHEREAS, it is necessary and appropriate that the parties memorialize their agreement in writing;

NOW, THEREFORE, IN CONSIDERATION of the premises and the mutual covenants of the parties hereto and pursuant to §12-9-108 of the Tennessee Code Annotated, it is agreed as follows:

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Animals will be delivered to the East Ridge Animal Shelter, located at 105 Yale Street, East Ridge, TN only by officials of the Town of Signal Mountain or its duly authorized representatives.

The City of East Ridge agrees to accept animals delivered by employees of Animal Control Emergency Services (ACES) for the Town of Signal Mountain (Town) or employees of the Town of Signal Mountain during regular operating hours. If an animal must be delivered outside of normal business hours of 10:00 am through 6:00 pm on Mondays through Thursdays or 10:00 am through 5:00 pm on Fridays, the Town of Signal Mountain agrees to reimburse the City of East Ridge for any additional payroll expenses incurred by the City of East Ridge for its employees including without limitation overtime.

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until any animal delivered by employees of the Town or employees of ACES for the Town is either adopted or redeemed by its owner. Any expenses paid by the owner of an animal upon pickup will not be billed to the Town of Signal Mountain. The town of Signal Mountain will be responsible for the boarding costs per animal for a period of 60 days if animal has not been adopted or redeemed by its owner during the 60-days. After which the Town of Signal Mountain may remove the animal or continue to pay the daily boarding fee until the animal is adopted or placed into a suitable rescue organization.

If during the 60-day boarding period if "any" Town of Signal Mountain animal becomes sick or injured it is the responsibility of the Town of Signal Mountain to pay veterinary costs associated with that animal. Costs will be billed at our discounted rate. The Town of Signal Mountain shall be notified before any animal is brought to our veterinarian for treatment.

The City of East Ridge will provide an itemized invoice monthly to the Town of Signal Mountain for any expenses incurred by housing any animals delivered by employees of ACES for the Town.

3. Citizens. Citizens of the Town of Signal Mountain are not authorized under this agreement to leave any animals with the City of East Ridge. The City of East Ridge may choose in its sole discretion to accept animals from the citizens of the Town of Signal Mountain for a fee of \$35.00 if there is adequate room at the shelter at time of surrender, but acceptance is in the sole discretion of East Ridge Animal Services staff.

4. Term and Renewal. This agreement shall remain in force for a period of twelve (12) months (agreement period), from the date of execution. After the initial agreement period, this contract may be renewed for two (2) additional one year periods based on mutual satisfaction of the parties and action by the respective legislative bodies. Upon one hundred twenty (120) days notice, either party may cancel this agreement.

5. Effective Date. This Agreement shall effect on the ____ day of _____, 2010, from and after its adoption by the governing bodies of the Town of Signal Mountain and the City of East Ridge.

6. Governing Law. This agreement shall be construed and governed in accordance with the laws of the State Tennessee.

7. Entire Agreement. This is the entire agreement by and between the parties. Any modification or amendment hereto must be in writing and signed by all parties.

8. Attorneys' Fees. In the event of a default hereunder the non-defaulting party shall be entitled to its reasonable attorneys' fees incurred in accordance with the enforcement of this agreement.

IN WITNESS WHEREOF the parties have hereunto set their hands this _____ day of _____, 2010.

Town of Signal Mountain,
Tennessee

Charlie Hall
Animal Control Emergency Services, LLC

Mayor

Date

Date

City of East Ridge, Tennessee

Mayor

Attest:

William R. Whitson, City Manager

Approved as to form:

John R. Anderson

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STAFF REPORT

To: Mayor and City Council
From: William R. Whitson, City Manager
Date: February 11, 2010
Subject: Ordinance 872-Amendment to the Personnel Ordinance

Summary Statement An Ordinance of the City of East Ridge amending Title 4, Municipal Personnel, by amending section 4-220 to add a provision on the transfer or donation of accumulated leave time up to four (4) hours.

Review: According to Ordinance 872, employees will be able to donate up to 4 hours of their leave time to another employee during any fiscal year by providing written notice to the City Manager. The City shall agree to convert the corresponding amount of up to 4 hours of leave time to the cash equivalent and make the donation as prescribed by the employee. Management believes this provision will only be used in rare/special cases. This change in policy is a result of discussion held with the City Council about the special situation resulting from a fire at an employee's home earlier this month.

The ordinance will take effect upon approval.

Fiscal Impact: Limited fiscal impact anticipated.

Department Recommendation: Approval

City Manager Comments/Recommendation: Approved

ORDINANCE NO. 872

**AN ORDINANCE OF THE CITY OF EAST RIDGE
AMENDING TITLE 4, MUNICIPAL PERSONNEL, BY
AMENDING SECTION 4-220 TO ADD A PROVISION
ON THE TRANSFER OR DONATION OF
ACCUMULATED LEAVE TIME UP TO FOUR (4)
HOURS**

WHEREAS, the City of East Ridge has considerable time invested in its employees;

WHEREAS, in order to protect that investment and maintain a qualified and stable work force, the City of East Ridge is desirous of allowing employees to transfer or donate up to four (4) hours of accumulated leave time under certain conditions;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of East Ridge, Tennessee that Title 4, Municipal Personnel, Section 4-220 be amended in its title to be **4-220. Approval of Paid Leave and Donation of Leave Time** and to add to the end of Section 4-220 the following paragraph:

Employees may during any fiscal year of the City donate to another employee up to four (4) hours of accumulated leave time by providing written notice to the City Manager of such donation upon such form as shall be prescribed by the City Manager or designee. Under other circumstances as designated by the City Manager or his designee, such as disaster relief, charitable relief for City employees or such similar type of extraordinary circumstances, City employees may donate in any fiscal year of the City up to four (4) hours of accumulated leave and the City shall undertake to convert said accumulated leave of up to four (4) hours to the cash equivalent and make the donation as prescribed by the employee. The donation of the cash equivalent of up to four (4) hours of accumulated leave shall be on such form as shall be prescribed by the City Manager or his designee.

BE IT FURTHER ORDAINED, that this Ordinance take effect from and after its passage, the public welfare requiring it.

Passed first reading _____, 2010.

Passed second reading _____, 2010.

Mike Steele, Mayor

Attest:

William R. Whitson, City Manager

Approved to form:

John R. Anderson, City Attorney

10-159

STAFF REPORT

To: Mayor and City Council
From: William R. Whitson, City Manager
Date: February 11, 2010
Subject: Resolution No. 2139

Summary Statement: Resolution to declare an extension of the original one hundred and eighty day moratorium on the issuance of permits, licenses and approvals for adult-oriented establishments in the City of East Ridge.

Review: This proposed moratorium is to extend the previously designated time of one hundred and eighty (180) days for the issuance of permits, licenses and approvals for adult-oriented establishments in the City of East Ridge. This extended period of time will allow the City Council to examine existing ordinances which pertain to adult-oriented enterprises. Once this review is completed, the City Council will adopt the new regulatory language for adult-oriented establishments.

Fiscal Impact: None.

City Manager Comments/Recommendation: Recommend Approval

RESOLUTION NO. 2139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE DECLARING AN EXTENSION OF THE ORIGINAL ONE HUNDRED AND EIGHTY (180) DAY MORATORIUM ON THE ISSUANCE OF PERMITS, LICENSES AND APPROVALS FOR ADULT-ORIENTED ESTABLISHMENTS IN THE CORPORATE LIMITS OF EAST RIDGE, SO AS TO ALLOW THE EAST RIDGE CITY COUNCIL ADDITIONAL TIME TO REVIEW AND REVISE ITS EXISTING ADULT-ORIENTED ESTABLISHMENT ORDINANCE.

WHEREAS, on August 13, 2009, the City Council of the City of East Ridge, Tennessee approved Resolution No. 2121 declaring a temporary moratorium of up to one hundred eighty (180) days on the issuance of permits, licenses and approvals for adult-oriented establishments in the corporate limits of the City of East Ridge; and

WHEREAS, the City Council of the City of East Ridge would like to extend the original moratorium for another one hundred and eighty (180) days to allow additional time to review and revise its existing ordinances with regard to the regulation of adult-oriented establishments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Ridge, Tennessee, that the original one hundred and eighty (180) moratorium on the issuance of permits, licenses and approvals for adult-oriented establishments in the corporate limits of the City of East Ridge is hereby extended another one hundred and eighty (180) days until a review and drafting of regulatory language for adult-oriented establishments is completed and adopted.

BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after its passage, the public welfare requiring it.

Passed this _____ day of _____, 2010.

Mike Steele, Mayor

Attest:

William R. Whitson, City Manager

Approved as to Form:

John R. Anderson, City Attorney

10-161

RESOLUTION NO. 2121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE DECLARING A MORATORIUM FOR ONE HUNDRED EIGHTY (180) DAYS ON THE ISSUANCE OF PERMITS, LICENSES AND APPROVALS FOR ADULT-ORIENTED ESTABLISHMENTS IN THE CORPORATE LIMITS OF EAST RIDGE SO AS TO ALLOW THE EAST RIDGE CITY COUNCIL THE OPPORTUNITY TO REVIEW AND REVISE ITS EXISTING ADULT-ORIENTED ESTABLISHMENT ORDINANCE.

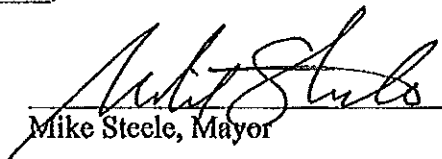
WHEREAS, the City Council of the City of East Ridge, Tennessee has determined the need to declare a temporary moratorium of up to one hundred eighty (180) days in order to protect the public health, safety, and/or general welfare of the City of East Ridge as it pertains to adult-oriented establishments; and,

WHEREAS, the adoption of the temporary moratorium on the acceptance of applications for the issuance of permits, licenses, and approvals for adult-oriented establishments allows the City Council time to review and revise its existing ordinances with regard to the regulation of adult-oriented establishments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Ridge, Tennessee, that until a review and drafting of regulatory language for adult-oriented establishments is completed and adopted there is hereby declared a temporary moratorium on the issuance of permits, licenses, and approvals for adult-oriented establishments for one-hundred eighty (180) days within the corporate limits of East Ridge, Tennessee.

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

Passed this 13th day of August, 2009.


Mike Steele, Mayor

Attest:


William R. Whitson, City Manager

Approved as to Form.


John R. Anderson, City Attorney

10-162

STAFF REPORT

To: Mayor and City Council
Thru: William R. Whitson, City Manager
From: Eddie Phillips, Deputy City Manager
Date: February 11, 2010
Subject: Request for 2nd annual 5k Run Fundraiser for Belvoir Christian Academy

Summary Statement: Belvoir Christian Academy (BCA) request permission for 2nd annual 5K Run fundraising event. They request partial closing of several streets and use of city traffic control and police personnel. They are attempting to secure corporate sponsor or East Ridge Merchants Assoc. to provide financial support.

Fiscal Impact: Some overtime cost. BCA request permission to pay for the cost of off duty police in installments.

Department Recommendation: Approval

City Manager Comments/Recommendation: Approval

Attachment:
Proposal from BCA



Belvoir Christian Academy

800 Belvoir Avenue
Chattanooga, TN 37412
Phone (423) 622-3755
Fax (423) 622-0177

Frank Streufert, Principal
www.bealions.org

Mr. William Whitson
City Manager
1517 Tombras Avenue
East Ridge, Tennessee 37412

January 20, 2010

Dear Mr. Whitson:

On behalf of Belvoir Christian Academy, I would like to submit a proposal for the second annual 5K Race and Walk that has been scheduled through the Chattanooga Track Club for Saturday, April 24, 2010.

We are excited about being able to offer this event to our community for a second time. However, we will once again need your support in making this a safe event for our participants.

The following pages include a proposal of our plans. We did not make any changes to the routes or other logistical information. Thank you for your consideration in once again approving this event. Along with the goal of raising funds for the BCA Athletic Club, we also hope this event will bring positive publicity to our city.

Sincerely,

Emily Patton,
Interim Development Director and PTL President

Belvoir Christian Academy makes disciples for Jesus while upholding academic standards of excellence.

A Ministry of Christian Education of First Lutheran Church and Good Shepherd Lutheran Church
Accredited by National Lutheran Schools Accreditation Commission

10-164

Proposal for 2nd Annual 5K Race/Walk and “Kiddie K” for Belvoir Christian Academy (BCA)

- I. Date
- II. Time
- III. Location
- IV. Parking
- V. Contacts
- VI. Purpose of Race
- VII. Routes
- VIII. Safety Precautions

Date: April 24, 2010

Time: 9 a.m. (day-of-race registration to begin at 7:30 a.m.)

Location: BCA campus, 800 Belvoir Ave., East Ridge

Parking: Rear parking lot of BCA and adjoining lot of Good Shepherd Lutheran Church

Contacts: Paul Hill, BCA Athletic Director - (423) 622-3755, ext. 21
Emily Patton – (423) 629-9657

Purpose of Race: To raise funds for BCA's Athletic Booster Club

While Belvoir Christian Academy's primary purpose is to bring its students an excellent education with a strong emphasis on teaching Christian principles, the school board also recognizes the need to provide quality athletic choices to promote the physical health and well-being of its children.

Coach Paul Hill, Athletic Director for BCA, has sought to bring additional sports and training opportunities to the students. Thus far, these have included pre-season basketball and soccer training camps, a track club, intramural sports (soccer and basketball) for students in the fourth grade as well a new tennis team to begin this spring. Mr. Hill will also continue the soccer, softball and golf programs. These activities are in addition to the daily gym classes that all students, Pre-K3 – 8th grades, participate in regularly.

To provide quality sports equipment, additional coaching support staff, uniforms, supplies for concession and other items, the BCA Booster Club has an ongoing need for funding to continue its programs. It is our hope, through sponsorships from local businesses and race registration fees, to raise a minimum of \$1,500 to go toward the BCA Booster Club.

Route for 5K Race and Walk (3.1 miles)

The following route is same one that our race participants followed in 2009. This was also approved by the City of East Ridge. The route has not been altered.

- Depart from the front BCA parking lot, facing the intersection of Belvoir Avenue and Fountain Avenue.
- Turn left at the intersection of Belvoir and Fountain.
- Proceed 0.2 miles and turn left onto Belvoir Drive.
- Proceed on Belvoir Drive for 0.4 miles.
- Turn right onto Marlboro Avenue.
- At 0.6 miles, proceed on Marlboro Avenue 0.2 miles.
- At 0.8 miles, turn right at the 4200 block of Ringgold Road.
- Proceed on Ringgold Road (going toward tunnels) from 0.8 miles to 2 miles. Turn right on Wimberly and take a direct left to proceed on OLD RINGGOLD ROAD. Turn right onto Germantown Road.
- Continue on Germantown Road to Fountain Avenue – mileage is now at approximately 2.3 miles.
- Proceed 0.8 miles on Fountain Avenue.
- Course ends at 3.1 miles (5K) at the intersection of Belvoir Avenue and Fountain Avenue, facing BCA.

Route for “Kiddie K” (one kilometer is .62 miles.)

- Depart from the front BCA parking lot, facing the intersection of Belvoir Avenue and Fountain Avenue.
- Turn left at the intersection of Belvoir and Fountain.
- Proceed a short distance to Belvoir Crest Drive (this is almost adjacent to BCA’s parking lot).
- Turn right on Belvoir Crest Drive.
- Proceed on Belvoir Crest Drive for 0.4 miles to meet with Belvoir Terrace.
- From Belvoir Crest, continue left onto Belvoir Terrace for 0.2 miles
- Turn right back onto Belvoir Crest Drive.
- Take a direct left back onto Belvoir Avenue and proceed a short distance to intersection of Fountain Avenue and Belvoir Avenue directly into BCA front parking lot. This route is basically a circle on Belvoir Crest Drive and Belvoir Terrace.
- This distance equals 0.7 miles, a little over the .62 distance of 1K, but this will still be an appropriate and safe distance for the children who participate. Additionally, children will spend a very short time on the main road of Belvoir Avenue.

Safety Precautions

The following residents will be notified of the race date, time and route by postcard so that they will be prepared for runners and walkers on their neighborhood streets on race day. Contact information will be provided for questions they may have.

- Part of Belvoir Avenue
- Belvoir Drive
- Part of Marlboro
- Ringgold Road businesses
- Part of Germantown Road
- Part of Fountain Avenue
- Belvoir Crest Drive
- Belvoir Terrace

Traffic cones set up to block access to right lane for portions of race on:

- Marlboro Avenue
- Ringgold Road
- Germantown Road
- Fountain Avenue

Traffic Control - We request the services of a number of East Ridge police officers to be stationed at various points. We realize there is a fee associated with these services, and we once again request that we be allowed to make a partial payment prior to the race date and make the final payment following the race once additional funds become available from the proposed proceeds.

Medical personnel – Frank Pate of Southern Searchers, along with other medical professionals, will be on site of the BCA campus throughout event as well as follow participants on RV while on route.

STAFF REPORT

To: Mayor and City Council
Thru: William R. Whitson, City Manager
From: Trish Startup, Grants Coordinator
Date: February 11, 2010
Subject: 2010 Census

Summary Statement:

The 2010 Census Complete Count Committee will provide Council an update on the efforts of communicating important information regarding the 2010 census to the citizens of East Ridge. The complete count committee was formed as a result of the City Council's trip to Washington, DC last year. The committee will be highlighting its communication plan.

Review:

More than 130 million addresses throughout the nation will receive a census form in Mach 2010. Every year the federal government allocates more than \$400 billion to states and communities base, in part, on census data. Census data is used to determine location of retail stores, addition of roads, schools, hospitals, hew housing developments and other community facilities. Census data determines boundaries for state and local legislative and congressional districts. Thus, determining the number of seats each state will have in the US House of Representatives.

With only 10 questions, the 2010 Census questionnaire takes approximately 10 minutes to complete. Households will be asked to provide key demographic information, including: whether a housing unit is rental or owned; the address of the residence; and the names, genders, ages and races of others living in the household. It is very important for everyone to understand that by law the Census Bureau cannot share and individual's responses with anyone, including other federal agencies and law enforcement entities.

Fiscal Impact:

As mentioned above, the Census data helps determine the allocation of federal funds to a community for many years to come.

City Manager Comments/Recommendation:

The City Manager urges Council to assist in getting the word out about the 2010 Census count and its importance to the City of East Ridge.

City of East Ridge
Complete Count Committee for 2010 Census
Communication Plan
Updated February 3rd, 2010

Background: The City of East Ridge, Tennessee, is a municipality of approximately 21,000 on the Tennessee/Georgia line that desires a full and complete count of all residents in order to capture credit for all future funding formulas generated by the Federal government. The City Council has established a complete count committee to work with the City Manager to coordinate with the Census Bureau in getting out the information regarding the Census process in East Ridge.

Complete Count Committee: The Complete Count Committee (CCC) consist of community members charged with the task of increasing awareness about the Census and motivating residents in the community to respond. The City of East Ridge CCC consists of the following members: Mark Dempsey (mdempsey@eastridgetn.org) , William Whitson (wwhitson@eastridgetn.org) , Gail Varrell (sonjron855@aol.com) , Mack Newman (newman_mack@hcde.org) , Trish Hardin Startup(tstartup@eastridgetn.org) , Natalie Blackwell (nblackwell@eastridgetn.org) , Frances Pope (mfpope@bellsouth.net) and Ben Raymond, Census Sponsor (BFRaymond@comcast.net).

Goal of the Committee: The CCC is charged with influencing members of the community to complete and return their 2010 Census questionnaires. The goal will be to communicate 1) understand the importance of being counted 2) understand that the Federal Government does not use this information to track people or take legal action against them and 3) understand that a full and complete count of all citizens is important to financial and economic well being of our community.

Key Message(s):

- "Be Counted & Just Mail it in!"
- Census is Confidential
- A full and complete count of all citizens is vital for financial and economic well being of East Ridge.

Target Audience

Citizens of all ages, backgrounds and economic level residing in our East Ridge.

Key Target Groups

- ✓ Civic Clubs (Kiwanis, Lions, Rotary etc...) – Amanda Miller
- ✓ ERMA – William Whitson
- ✓ Chamber Members
- ✓ ERYF

- ✓ Churches/Faith Community
- ✓ Home Owners Association
- ✓ Public/Private Schools – Mack Newman
- ✓ Boy Scouts/Girl Scouts
- ✓ Energize East Ridge
- ✓ Neighborhood Watch Groups – Erik Hopkins

ACTION ITEM – work on compiling contact names and info

Materials & Budget amounts

- Yard signs – 500
- Post cards – 7500
- Posters – 250
- Pens – 2000
- Banners – 2

Timing:

- **July 2009-December 2009:**

- Make information available at events like Breakfast Connections
- Create and obtain Census marketing materials such as banners, flyers and other signage.
- Sponsor a census booth at community events.

- **January 2010-March 2010:**

- Clarify timeline dates and responsibilities to move forward with plans
- Place signage in highly visible area
- Develop non-English flyers and information (Spanish, Bosnian (check with Codes), Korean (church) – also check with high school)
- Consider using local groups for door-to-door information
- Consider incorporating message at Chamber breakfasts
- Contact ERMA, Energize ER, etc, to see how they want to get involved.
- Include 2010 Census logo and message on newsletters and city website.
- Post files of questionnaire, FAQ's, et cetera.
- Make information available at Spring event and/or Bugapaluza.
- Add Census message to all city meetings, events and correspondences.
- Plan a major promotional event around the mail out of Census questionnaires.
- Saturate public access areas with information.
- Place Census message on all city marquees.
- Place public service announcements in local media encouraging residents to complete and return questionnaires. (Hometown News, Talk Radio)
- Arrange for City Manager Whitson to speak at local churches and civic groups, encouraging participation and stressing confidentiality.
- Work with other cities to see how they are spreading the Census message

- **April 2010:**

- Place public service announcements in local media encouraging residents to complete and return questionnaires.

-Create a Questionnaire Assistance Center at City Hall, with a call-in line for questions.

CCC Strategy Action Items (Timeframe/person responsible):

- E-News letter Items (Monthly or as often as deemed necessary/CCC and city staff).
- Reports/updates at City Council meetings and via media outlets (Monthly or as often as deemed necessary/ CCC and city staff).
- Put postcards in grocery stores for bagging of groceries (January-March 2010/CCC to decide on lead person).
- Shred-A-Thon (March or April 2010/CCC to decide on lead person)
- Ms. Robinson will call the pastors to arrange meetings for Mr. Whitson and local churches so they can post the signs and hand out flyers. The signs will need to be 10 ft from the right-of-way. No signs can be hung on a pole.
- Terry Robertson will talk to the principals for them to hand out signs and flyers to students. She will also deliver posters to stores.
- Francis Pope will post the flyer on the Chattanooga.com
- Amanda Galas will send the information to the realtors listing developed by Waterhouse.
- Ms. Robinson will set up an appointment for Mr. Whitson to meet with Erik Hopkins about helping with this project by reaching neighborhood watch groups.
- The committee will evaluate the idea on putting magnetic bumper stickers on City vehicles.
- Ms. Robinson will translate the sign/flyer and take it to Hispanic stores and to a community church.
- Coloring books will be given to the EREC to hand out to children.
- Waterhouse PR will do a feature article on the complete count committee efforts.
- Signs and posters will be delivered to pharmacies and gas stations by Gail Varnell.
- Ms. Robinson will contact veterans groups and senior citizens groups (particularly Silver Sneakers) to deliver flyers and/or posters.
- The next meeting will be Wednesday, February 17 at 10 a.m. at the City Hall.
- Natalie Blackwell will send an earlier reminder for everyone to come to the meeting.

FEBRUARY MEETING ITEMS

Assign specific dates and responsibilities

- Next meeting will be on Wednesday, February 17 at 10 a.m. at the city Hall.
- The above stated action items will be reviewed during the February 17 meeting.