

**AGENDA FOR THE REGULARLY SCHEDULED CITY OF COLLEGEDALE COMMISSION
MEETING TO BE HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE,
ON MONDAY, MARCH 19, 2018 AT 6:00 P.M.**

- I. Call to Order by the Mayor
- II. Invocation
- III. Roll Call by City Recorder
- IV. Approval of previous meeting minutes
 1. March 05, 2018- Commission meeting minutes
- V. Comments from Citizens
- VI. Unfinished Business
 - None
- VII. New Business
 1. First reading, Ordinance #1050, rezoning property on Watkins Street from R-2 to MU-BC
 2. Signature approval for City of Collegedale/City of East Ridge PD MOU
 3. Purchase approval for police department electronic devices
 4. Bid approval for public works sweeper truck
 5. Bid approval for public works dump truck
- VIII. Request for reports from City Administration/Commissioners by the Mayor
- IX. Adjournment

**MINUTES OF THE REGULARLY SCHEDULED CITY OF COLLEGEDALE BOARD OF COMMISSIONERS
MEETING HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE
ON MONDAY, MARCH 05, 2018 AT 6:00 P.M.**

INVOCATION: Commissioner Debbie Baker

PRESENT: Vice-Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Ethan White, City Manager Ted Rogers, City Attorney Sam Elliott

KEY MANAGERS: Assistant City Manager & CFO Michelle Toro, Police Chief Brian Hickman, Director of Airport Operations Chris Swain, Building and Codes Director Andrew Morkert, Director of Parks and Recreation Traci Bennett-Hobek, Planning & Economic Development Director Kelly Martin

ABSENT: Mayor Katie Lamb, Commissioner Phil Garver, Director of Public Works Eric Sines

GUESTS: Merritt Maclafferty

03-05-2018 (741) REGULAR MEETING MINUTES – February 19, 2018

It was moved by Commissioner Baker and seconded by Commissioner White to accept the minutes of the regular commission meeting on February 19, 2018.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

03-05-2018 (742) COMMISSION WORKSHOP MINUTES– February 26, 2018

It was moved by Commissioner White and seconded by Commissioner Baker to accept the minutes of the commission workshop on February 26, 2018.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

At 6:02PM the board entered into a public hearing to gain input on Ordinances #1052. There were no comments and the meeting was reconvened at 6:03PM.

03-05-2018 (743) SECOND READING AND PUBLIC HEARING, ORDINANCE #1052, AMENDING THE OFFICIAL ZONING MAP TO REZONE PROPERTY ON OOLTEWAH-RINGGOLD ROAD (SR-321) FROM R-2 TO C-2.

It was moved by Commissioner Baker and seconded by Commissioner White to approve Ordinance #1052, an ordinance to amend the official zoning map to rezone property on Ooltewah-Ringgold Road (SR-321) from R-2 (Low Density Single and Two Family Residential) to C-2 (Shopping Center Commercial) described as Hamilton County tax parcels 132P H 011 & 132P H 014, said area being located within the corporate limits of the City of Collegedale, Tennessee.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

At 6:04PM the board entered into a public hearing to gain input on Ordinances #1053. There were no comments and the meeting was reconvened at 6:04PM.

03-05-2018 (744) SECOND READING AND PUBLIC HEARING , ORDINANCE #1053, AMENDING THE OFFICIAL ZONING MAP TO REZONE PROPERTY ON LEE HIGHWAY (US-11) FROM C-2 TO MU-BC.

It was moved by Commissioner White and seconded by Commissioner Baker to approve Ordinance #1053, an ordinance to amend the official zoning map to rezone property on Lee Highway (US-11) from C-2 (Shopping Center Commercial) to MU-BC (Mixed Use Business Center) described as Hamilton County tax map number 133 002, said area being located within the corporate limits of the City of Collegedale, Tennessee.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

03-05-2018 (745) PURCHASE OF REAL ESTATE

It was moved by Commissioner White and seconded by Commissioner Baker to approve the purchase of the 9325 Apison Pike property, for the amount of \$1.3 million with additional closing costs.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

03-05-2018 (746) BID APPROVAL FOR AIRPORT PAVEMENT MAINTENANCE

It was moved by Commissioner White and seconded by Commissioner Baker to approve the bid for the airport pavement maintenance project to JJ CUNNINGHAM, LLC of Shavertown, PA, for the amount of \$249,435.00. This is within the amount budgeted for this project.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	ABSENT

03-05-2018 (747) MOTION TO ADJOURN

It was moved by Commissioner White and seconded by Commissioner Baker to adjourn the meeting.
No roll call was taken.

The meeting was adjourned at 6:08 PM.

Mayor, Katie Lamb

City Recorder, Kristi Wheeler

ORDINANCE #1050

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE PROPERTY ON WATKINS STREET FROM R-2 (LOW DENSITY SINGLE AND TWO FAMILY) TO MU-BC (MIXED USE-BUSINESS CENTER) WITH CONDITIONS, DESCRIBED AS HAMILTON COUNTY TAX PARCEL 132P H 027, SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF COLLEGEDALE, TENNESSEE

- WHEREAS,** the authority Tennessee Code Annotated (TCA) Section 13-7-201 allows for the zoning of territory within a municipality; and
- WHEREAS,** the Collegedale Municipal Planning Commission has certified zoning districts as provided for in TCA Section 13-7-202; and
- WHEREAS,** TCA Section 13-7-204 authorizes amendments to a zoning map; and
- WHEREAS,** in accordance with TCA Section 13-7-203 subsection (b), the Collegedale Municipal Planning Commission, as case # ZON2018-01, made a recommendation to approve the zoning amendment herein described to the Board of Commissioners; and
- WHEREAS,** in accordance with TCA Section 13-7-203, subsection (a) a public hearing was held with at least fifteen (15) days notice being given prior to final reading of this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Commissioners of the City of Collegedale, Tennessee that the Official Zoning Map referenced in Section 3.02 of the Collegedale Zoning Ordinance be amended as described more accurately within the body of this ordinance:

Section 1: The following described property shall be MU-BC (Mixed Use Business Center) on the Official Collegedale Zoning Map and shown on the attached illustration:

Boundary Description for Area to be Zoned MU-BC

This change in zoning will affect parcel 027 of Hamilton County Tax Map 132P, Group H. The parcel is bounded by Watkins Street to the West.

Section 2: **This zoning change is subject to the following conditions:**

1. "Type A" landscape screen along property line abutting residential districts shall be provided;
2. Type "B" landscape screen shall be provided along the CSX rail right-of-way for a distance of 150 feet northwest as measured from the property's intersection with the Ooltewah-Ringgold Road ROW (SR-321).

3. No structure shall exceed 35 feet in height from the current street grade as measured from the Watkins Street ROW.
4. The following uses are prohibited: (a) Mini-warehouses, (b) Hotels and Motels, (c) Gasoline Service Stations, (d) Commercial Telecommunications Structures, (e) Adult-oriented establishments, and (e) Manufacturing.

NOW, LET IT BE FURTHER ORDAINED, that this ordinance shall take effect fifteen (15) days following a public hearing and a final reading by the Collegedale Board of Mayor and Commissioners, the welfare of the City requiring it.

Passed first reading _____
Votes for _____ Votes against _____

Passed second reading _____
Votes for _____ Votes against _____

Mayor

Attest: City Recorder

Approved as to form:

City Attorney

**AN AGREEMENT
FOR POLICE SERVICES BY AND BETWEEN
Collegedale Police Department and East Ridge Police Department**

WHEREAS, it is in the best interest of Collegedale Police Department and East Ridge Police Department to provide for certain police services upon request; and

WHEREAS, Sections 12-9-101 through 12-9-109, Tennessee Code Annotated, authorizes public agencies of the state to enter into interlocal agreements; and

WHEREAS, the parties hereto desire to avail themselves of the authority conferred by these laws; and

WHEREAS, the two cities may obtain more effective and efficient police services when their police officers cooperate with and assist each other in providing certain police services;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the City of Collegedale and the City of East Ridge on behalf of each of their police departments, agree as follows:

A DEFINITIONS

The following terms are defined for use in this Agreement:

- 1) "Agency" means either of the Police Departments of Collegedale and East Ridge.
- 2) "Requesting Agency" means an Agency requesting emergency police services or assistance pursuant to this Agreement.
- 3) "Responding Agency" means an Agency providing emergency police services or assistance pursuant to this Agreement, or an Agency that may be called upon to provide emergency services or assistance pursuant to this Agreement.
- 4) "Emergency police services and assistance" means personnel and equipment necessary for providing emergency police protection and services in police matters involving a life threatening situation, a situation in which there is grave danger of bodily harm, or a situation involving mob action, a riot, or other similar civil disturbance.

- 5) "Jurisdiction" of the Agency shall be as follows:
 - a) "Collegedale" means the corporate limits of said City.
 - b) "East Ridge" means the corporate limits of said City.

- 6) "Policies and procedures" means the policies and procedures adopted by the Agencies which set forth, among other things:
 - a) The persons in each Agency who are authorized to request emergency police services or assistance from another Agency and the manner in which such requests are to be processed and approved.
 - b) The persons in each Agency who are authorized to approve requests for their police officers to provide emergency police services or assistance in another Agency, and who are thus responsible for determining whether or not their Agency will respond, and if so, the number of personnel and the amount and type of equipment which will be provided.

B. POLICE SERVICES AND ASSISTANCE

The Chief of Police of the Responding Agency, or designee, shall be responsible for receiving requests for emergency police services and assistance in accordance with the policies and procedures adopted by the Agencies. The manner in which Agencies shall request emergency police services and assistance from other Agencies, and themselves respond to such requests, shall be as follows:

1. Any Agency, through its authorized personnel, may request police emergency police services or assistance from other Agencies.
2. The Requesting Agency shall specify the type of emergency police service or assistance, which is needed, and state the number of personnel and the amount and type of equipment, which are being requested.
3. The Responding Agency shall make a reasonable effort to provide the emergency police services or assistance requested pursuant to this Agreement, subject to its workload and availability of police officers at the time of the request, the nature and urgency of the request, and other such similar limiting factors. If it agrees to provide emergency police services or assistance, the Responding Agency shall, at its sole discretion, determine the number of personnel and the amount and type of equipment that will be provided.

4. The Agency which is requesting emergency police services or assistance from other Agencies, and the types of emergency police services and assistance which they are requesting are as follows:
 - a. East Ridge hereby requests that the police department of Collegedale provide emergency police services and assistance in situations where East Ridge receives calls or other requests for emergency police services and assistance from persons who would ordinarily be within the jurisdiction of the police department East Ridge.
 - b. Collegedale hereby requests that the police department of East Ridge provide emergency police services and assistance in situations where Collegedale receives calls or other requests for emergency police services and assistance from persons who would ordinarily be within the jurisdiction of the police department of Collegedale.

C. POLICE AUTHORITY

Police officers and other personnel who are providing emergency police services and assistance within the jurisdiction of another Agency shall have the following police authority and power, and be subject to the following working procedures and measures:

1. When acting pursuant to this Agreement within the jurisdiction of the requesting Agency, police officers and other personnel of a responding Agency shall therein have the same police authority and power as police officers or other personnel of the requesting Agency.
2. The heads of the Agencies shall establish working procedures and measures as they deem necessary for the control and direction of police officers, personnel, and equipment that are acting within the jurisdiction of a requesting Agency pursuant to this Agreement; provided, however, that until such working procedures and measures are established, the police officers, personnel, and equipment of a responding Agency shall be subject to the direction and control of the Police Chief of the requesting Agency.

D. LIABILITY

The law of the State of Tennessee shall be used to establish the liability of the parties to this Agreement or for injuries caused to third parties. In the event of any injury to the person or property of the police officers or other personnel of a responding Agency, when acting pursuant to this Agreement within the jurisdiction of a requesting Agency, the governmental entity of the Responding Agency shall be responsible for any damages from any liabilities arising out of such injury.

E. SEVERABILITY

If any provision of this Agreement is invalid for any reason, such as invalidation shall not render invalid other provisions of this Agreement that can be given effect without the invalid provision.

F. EFFECTIVE DATE

This Agreement shall be effective when duly executed by the authorized representatives of East Ridge and Collegedale after approval by each respective City Commission.

G. AMENDMENT

This Agreement may be modified or amended by the mutual agreement of East Ridge and Collegedale.

H. TERMINATION

This Agreement shall terminate, and shall have no force or effect, upon the passage by East Ridge and Collegedale of an ordinance, resolution, or other document indicating withdrawal from this agreement.

I. GOVERNING LAW

This Agreement shall be construed in accordance with the laws and Constitution of the State of the Tennessee.

THIS AGREEMENT entered as of the 14th day of December, 2017, by and between the City of East Ridge and the City of Collegedale

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year written above.

City of: Collegedale

By: *Lynan Hickman* By: _____
Chief of Police City Manager

By: _____
City Mayor

City of: East Ridge

By: _____ By: _____
Chief of Police City Manager

By: *Brent Lambert*
City Mayor