

**AGENDA FOR THE REGULARLY SCHEDULED CITY OF COLLEGEDALE
COMMISSION MEETING TO BE HELD IN THE MUNICIPAL BUILDING IN
COLLEGEDALE, TENNESSEE, ON MONDAY, FEBRUARY 01, 2021 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. January 19, 2021-Commission meeting minutes
 2. January 25, 2021-Workshop meeting minutes
- V. Comments from Citizens
- VI. Unfinished Business
 - None
- VII. New Business
 1. First Reading, Ordinance #1090, an ordinance to establish a Board of Building Construction Appeals
 2. First Reading, Ordinance #1091, an ordinance to amend the municipal code to add the reciting of The Pledge of Allegiance to the order of business at regular commission meetings
- VIII. Request for reports from City Administration/Commissioners by the Mayor
- IX. Adjournment

**THE MINUTES OF THE REGULARLY SCHEDULED CITY OF COLLEGEDALE BOARD OF
COMMISSIONERS MEETING HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE
ON TUESDAY, JANUARY 19, 2021 AT 6:00 P.M.**

INVOCATION: Commissioner Debbie Baker

PRESENT: Mayor Katie Lamb, Vice Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Phil Garver, City Manager Ted Rogers

KEY MANAGERS: Assistant City Manager & CFO Michelle Toro, Building & Codes Director Andrew Morkert, Director of Public Works Eric Sines, Airport & Safety Director Chris Swain, Parks and Recreation Director Traci Bennett-Hobek, City Recorder Kristi Wheeler, City Engineer Wayon Hines

ABSENT: Commissioner Ethan White, Chief of Police Brian Hickman, Planning & Economic Development Director Kelly Martin, City Attorney Sam Elliott

GUESTS: Andrew Arnold, Johnnie Hoskins, Kurt Faires, Rita Vital

1-19-2021 (1139) COMMISSION MINUTES– January 04, 2021

It was moved by Commissioner Garver and seconded by Vice Mayor Johnson to accept the minutes of the commission meeting on January 04, 2021.

ROLL CALL:

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

Mayor Lamb opened the commission meeting for citizen comments at 6:01pm. No comments were made.

At 6:02pm the board entered into a public hearing to gain input on Ordinance #1088 & #1089. No comments were made and the meeting reconvened at 6:03pm.

1-19-2021 (1140) SECOND READING AND PUBLIC HEARING, ORDINANCE #1088, AN ORDINANCE TO AMEND OFFICIAL ZONING MAP FOR PROPERTY ON MAIN STREET

It was moved by Commissioner Garver and seconded by Commissioner White to approve Ordinance #1088, an ordinance to amend the Official Zoning Map to include and zone property on Main Street MUTC (MIXED USE TOWN CENTER) further described as Hamilton County Tax Map 132P H 007, said area being located within the corporate limits of the City of Collegedale, Tennessee.

ROLL CALL:

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

1-19-2021 (1141) SECOND READING AND PUBLIC HEARING, ORDINANCE #1089, AN ORDINANCE TO AMEND OFFICIAL ZONING MAP FOR PROPERTY ON LEE HIGHWAY

It was moved by Commissioner White and seconded by Commissioner Baker to approve Ordinance #1089, an ordinance to amend the Official Zoning Map to rezone property on Lee Highway from MUBC (MIXED USE BUSINESS CENTER) to AG (Agricultural District), further described as Hamilton County Tax Map 133 002, said area being located within the corporate limits of the City of Collegedale, Tennessee.

ROLL CALL:

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

1-19-2021 (1142) APPROVAL OF FIRST AMENDMENT TO 2020 MCKEE PILOT AGREEMENT

It was moved by Commissioner Garver and seconded by Vice Mayor Johnson to approve the First Amendment to the 2020 McKee PILOT agreement.

ROLL CALL:

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

1-19-2021 (1143) APPROVAL OF AIRPORT RUNWAY CULVERT GRANT AMENDMENT

It was moved by Commissioner Baker and seconded by Commissioner Garver to approve the airport runway culvert grant amendment for the amount of \$21,900, with the State of Tennessee paying \$20,805 and the City paying \$1,095 for the project.

ROLL CALL:

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

1-19-2021 (1144) BID APPROVAL OF AIRPORT 24 HOUR FUEL SERVICE KIOSK

It was moved by Vice Mayor Johnson and seconded by Commissioner Baker to approve the bid from Estes Equipment Company for the installation of the airport 24-hour fuel service kiosk in the amount of \$24,500 with the State of Tennessee paying \$23,275.00 and the City paying \$1,225.00.

ROLL CALL:

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

1-19-2021 (1145) TELECOMMUTING POLICY APPROVAL

It was moved by Commissioner Garver and seconded by Vice Mayor Johnson to approve the City of Collegedale Telecommuting Policy which is an arrangement by which an employee works remotely on a temporary basis when offices are closed due to inclement weather, state of emergencies, disasters, etc. This policy establishes guidelines for telecommuting for The City of Collegedale and their employees.

ROLL CALL:

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

1-19-2021 (1146) NOVEMBER AND DECEMBER FINANCE REPORT

It was moved by Vice Mayor Johnson and seconded by Commissioner Garver to accept the November and December finance report as presented by City Manager Ted Rogers.

ROLL CALL:

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

1-19-2021 (1147) MOTION TO ADJOURN

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

The meeting was adjourned 6:28pm.

Mayor, Katie Lamb

City Recorder, Kristi Wheeler

**MINUTES OF CITY OF COLLEGEDALE REGULARLY SCHEDULED
COMMISSION WORKSHOP MEETING HELD IN THE MUNICIPAL
BUILDING IN COLLEGEDALE, TENNESSEE, ON MONDAY,
JANUARY 25, 2021 BEGINNING AT 4:30 P.M.**

PRESENT: Mayor Katie Lamb, Vice Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Phil Garver, Commissioner Ethan White, City Manager Ted Rogers, Assistant City Manager & CFO Michelle Toro, Director of Public Works Eric Sines, Planning & Economic Development Director Kelly Martin, City Engineer Wayon Hines, Building & Codes Director Andrew Morkert, Parks & Recreation Director Traci Bennett-Hobek, Communications Strategist Bridgett Raper

ABSENT: Chief of Police Brian Hickman, Director of Airport & Safety Operations Chris Swain, City Recorder Kristi Wheeler

GUESTS: Sam Shorrosh

**ADDITION OF THE PLEDGE OF ALLEGIANCE TO COMMISSION
MEETINGS**

Mayor Lamb informed the commission and staff that there was no record showing that the reciting of The Pledge of Allegiance had been included in the order of business at previous commission meetings. The commission agreed to continue the process and the ordinance required to amend the Municipal Code relating to the Order of Business in the Conduct of Regular City Commission Meetings will be presented at the next commission meeting for approval.

LITTLE DEBBIE PARK AT THE COMMONS

City Manager Ted Rogers presented to the commission and staff, along with City Engineer Wayon Hines and Planning & Economic Development Director Kelly Martin, the proposed plans for the Little Debbie Park at The Commons. The park will be located on an 11-acre tract of land, which is adjacent to The Commons. The property has been donated to the City by Southern Adventist University and the park will be designed by Barge Wagner. This proposed plan will be brought before the Planning Commission at the next meeting on February 8, 2021.

REFUNDING OF BOND

City Manager Ted Rogers informed the commission of the need for the City to refinance the current bond that is currently held at a 3.95% interest rate to a 2% interest rate. He stated that this will save the city \$420,000. The commission agreed to continue with the process and will be on the agenda for approval at a future commission meeting,

PROPOSED BOARD OF BUILDING CONSTRUCTION APPEALS

Building & Codes Director Andrew Morkert presented to the commission the request to establish a Board of Construction Appeals. It has been the practice of the City in the past in the exercise of such authority to adopt such standard codes as will provide for the public welfare and safety, and in connection therewith, the City has previously adopted the International Building Code and the International Residential Code, both of which make specific reference to the creation of a board of appeals in order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of such codes. The Board of Building Construction Appeals will consist of three voting members from the City Planning Commission which will be appointed by the Mayor and subject to approval by a majority of the Board of Commissioners for the City. The commission agreed to continue the process and the ordinance required to establish the Board of Building Construction Appeals will be presented at the next commission meeting for approval.

TALLANT ROAD AND APISON PIKE INTERSECTION

Commissioner Garver informed the commission and staff of a citizen request to consider and create a solution to the intersection at Tallant Road and Apison Pike. After much discussion, it was decided to wait on the completion of the Apison Pike road project which will alleviate the issue.

COMMISSIONER REPORTS

Commissioner Garver inquired about the progress of changing the name of a certain section of Apison Pike to Veteran's Memorial Drive. At this time, nothing has been finalized by the State of Tennessee.

Vice Mayor Johnson asked for an update on a major littering situation that occurred on Main Street between the Ooltewah Baptist Church and Sonic.

Mayor Lamb thanked Public Works Director Eric Sines for contacting East Side Utility and asking them to fix the holes that were causing issues in several different neighborhoods. She also informed the commission and staff of her concern for the safety of people that are parking down the street from the Ooltewah Whistle Stop restaurant on Main Street. The commission requested a proposal for adding a sidewalk to be installed from the parking area to the restaurant. City Engineer Wayon Hines will present the proposal at a later date.

Meeting was adjourned at 5:29PM.

Katie Lamb, Mayor

Kristi Wheeler, City Recorder

ORDINANCE #1090

AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE ESTABLISHING A BOARD OF BUILDING CONSTRUCTION APPEALS

WHEREAS, Tenn. Code Ann. § 6-54-501 et. seq. authorizes the City to adopt codes as defined therein by reference relating to technical trades, such as building and electrical codes; and

WHEREAS, it has been the practice of the City in the past in the exercise of such authority to adopt such standard codes as will provide for the public welfare and safety, and in connection therewith, the City has previously adopted the International Building Code and the International Residential Code, both of which make specific reference to the creation of a board of appeals in order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of such codes; and

WHEREAS, the City administration has recommended that such a board of appeals be created;

NOW, THEREFORE, be it ordained by the City of Collegedale, Tennessee as follows:

Section 1: That a new Chapter 13 be added to Title 12 of the Collegedale Municipal Code, as follows:

12-1301. Board of Building Construction Appeals Established; Appointment of Members. There is hereby created and established a board to be called the Board of Building Construction Appeals which shall consist of three (3) voting members from the City of Collegedale Planning Commission which shall be appointed by the Mayor and subject to approval by a majority vote of the Board of Commissioners for the City of Collegedale per the requirements established in this article.

12-1302. Composition of Board. The Board of Building Construction Appeals shall be composed of the following:

- (a) One member a State of Tennessee licensed engineer
- (b) One member at large from the building industry
- (c) One member at large from the public

All Board members shall be residents of Hamilton County at the time of their appointment and during their term on the board. At the first meeting of the Board after the appointment of members of the Board created by this chapter, they shall meet and organize electing one (1) of their members to be Chairman of the Board and one (1) member to be Vice-Chairman.

12-1303. Appointment; Terms. The members shall be nominated by the Mayor, subject to City Commission confirmation, for terms of four (4) years each. Vacancies shall be

filled for a term in the manner in which original appointments are made. Continued absence of any member from regular meetings of the Board shall, at the discretion of the Mayor, render such member subject to immediate removal from the Board.

12-1304. Appeals. (1) The owner of a building, structure or service system, or his /her duly authorized agent, may appeal a decision of the Building and Codes Director or his designee to the Building Construction Appeals Board whenever any one of the following conditions are claimed to exist:

(a) The Building and Codes Director rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a structure or service system;

(b) When it is claimed that the provisions of the Code (including revisions and new additions thereto) do not apply;

(c) That any equally good or more desirable form of installation can be employed in any specific case; or

(d) When it is claimed that the true intent and meaning of the Code or any of the regulations thereunder have been misconstrued or wrongly interpreted.

(2) Notice of appeal shall be in writing and filed within 30 days after the decision is rendered by the Building and Codes Director or his designee. An appeal shall be on forms provided by the Building and Codes Director.

12-1305. Unsafe Conditions. In case of a construction project which, in the opinion of the Building and Codes Director, is unsafe, unhealthy, or otherwise creates an issue requiring expedited action in order to foster the public welfare, the Building and Codes Director may limit the time for an appeal to a shorter period. If the Director limits the time for appeal, they must put their specific reasons in writing and provide a copy to the property owner.

12-1306. Decisions. The Board of Building Construction Appeals, when appealed to and after a public hearing, may interpret the application of any provision of the city's adopted codes to any particular case when in the Board's opinion, the enforcement thereof would cause undue hardship, would be contrary to the spirit and purpose of the adopted code or public interest, or when in the Board's opinion the interpretation of the Building and Codes Director should be modified or reversed.

12-1307. Action. The board shall consider an appeal within 45 days of its filing and shall reach a decision within 30 days after the initial consideration of the appeal, unless the applicant requests or consents to additional time. Each decision of the board shall also include the basis for its decision, which shall be reduced to writing and signed by the chairman. If a decision of the board reverses or modifies a decision of the Building and Codes Director, or varies the application of any provision of the adopted code, the Building and Codes Director shall immediately take action in accordance with that decision.

12-1308. Rules of procedure. The Board of Building Construction Appeals may establish guidelines and procedures consistent with the provisions of the adopted codes. The

Board shall meet at such intervals as it may deem necessary for the proper performance of its duties. A certified copy of the board's decision shall be sent by mail to the appellant and a copy shall be kept in the public records of the Building and Codes Director.

12-1309. Quorum. Two (2) members of the Board of Building Construction Appeals shall constitute a quorum. In varying the application of any provisions of the adopted code or in modifying an order of the Building and Codes Director, affirmative votes of the majority present, but not less than three (2) affirmative votes, shall be required. A Board member shall not act in a case in which he or she might have a personal interest.

12-1310. Secretary of board. The Building and Codes Director or his designee shall serve as secretary of the Board, and shall keep a detailed record of the Board's meetings and determinations. Such record shall be a public record filed in the offices of Building and Codes Department.

12-1311. Decisions are final. Each decision of the Board of Building Construction Appeals shall be final, subject only to such review or remedy as may be obtained in a court of law.

12-1411. Fees. When a decision of the Building and Codes Director is appealed to the Board of Building Construction Appeals, the property owner or applicant shall pay a filing fee of \$100.00, which may be refundable at the discretion of the board if the board overturns the decision of the Building and Codes Director.

Section 2: 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

ORDINANCE #1091

AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 1-102 RELATING TO THE ORDER OF BUSINESS IN THE CONDUCT OF REGULAR CITY COMMISSION MEETINGS TO ADD THE RECITATION OF THE PLEDGE OF ALLEGIANCE

WHEREAS, the very purpose of a national flag is to serve as a symbol of our country and of its proud traditions of freedom, of equal opportunity, of religious tolerance, and of good will for other peoples who share our aspirations. The Pledge of Allegiance is a common public acknowledgement of the ideals that our flag symbolizes. Its recitation is a patriotic exercise designed to foster national unity and pride in those principles.

WHEREAS, prompted by the suggestion of a patriotic and concerned citizen, the City Commission deems it appropriate to amend the order of business prescribed by ordinance to include the Pledge of Allegiance;

NOW, therefore, BE IT ORDAINED by the Board of Commissioners of the City of Collegedale as follows:

SECTION 1: Municipal Code §1-102 is hereby amended by adding the following in **bold** language:

1-102. Order of business. At each meeting of the board of commissioners the following regular order of business shall be observed unless dispensed with by a majority vote of the members present:

- (1) Call to order by the mayor.
- (2) Invocation **and Pledge of Allegiance.**
- (3) Roll call by the recorder.
- (4) Approval of previous meeting minutes.
- (5) Comments from citizens.
- (6) Unfinished business.
- (7) New business.
- (8) Request for reports from city administration/commissioners by the mayor.
- (9) Adjournment

SECTION 2: This ordinance shall take effect fifteen (15) days after the final passage thereof, the public welfare requiring the same.

APPROVED AS TO FORM:

City Attorney

Mayor

Passed on First Reading

City Recorder

Passed on Second Reading