

HAMILTON COUNTY COMMISSION AGENDA PREPARATION SESSION AUGUST 8, 2018

COMMITTEE ASSIGNMENTS

Chairman Fairbanks indicated the upcoming agenda items would be considered as follows:

- Fee Office reports for the quarter ending June 30, 2018 would be submitted for the record.
- A Report of Investment Activity for the quarter ending June 30, 2018 was submitted for the record.
- An Order confirming the appointment of Philip R. Schofield to the Hixson Utility Board of Commissioners would be submitted for the record.
- An Order of Designation to the Planning Commission would be submitted as a matter of record.
- Resolution No. 818-19 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.
- Resolution Nos. 818-29 and 818-30 were assigned to the Finance Committee, chaired by Commissioner Smedley.
- Resolution Nos. 818-31, 818-33, 818-34A, 818-34B, 818-35, 818-36, 818-37A, 818-37B, 818-38A, 818-38B, 818-39A, 818-39B, 818-40A, 818-40B, and 818-41 were assigned to the Zoning Committee, chaired by Commissioner Bankston.
- Resolution Nos. 818-20 through 818-28, 818-32, and 818-42 through 818-50 were heard by a Committee of the Whole.

0:27

PRESENTATION – DENNY MANNING

Commissioner Boyd asked Denny Manning, East Ridge City Chaplain and former East Ridge City Councilman, to come forward for a special presentation. Mr. Manning thanked Commissioner Boyd for his recent \$7,500.00 appropriation to the East Ridge Police Department out of District 8 discretionary monies (*Resolution No. 718-26*). He

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thanked Commissioners for supporting the appropriation and reported the East Ridge Police Department was very grateful for the support.

Chairman Fairbanks thanked Mr. Manning for attending today's meeting.

2:33

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-20

Mayor Coppinger spoke regarding this Resolution, which confirms the appointment of Chris Adams as Director of the Emergency Management Department. He stated Mr. Adams retired as Fire Chief at the Chattanooga Fire Department and came to work for the Hamilton County Emergency Management Department in December 2017 as a Fire Training Officer. It was noted Mr. Adams will be filling the vacancy created by the retirement of Tony Reavley.

Commissioner Graham congratulated Mr. Adams and voiced his support for his appointment.

5:34

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-21

This Resolution confirms the reappointment by the County Mayor of Deborah Noel-Maddox, Greather Tinker, and Heather Bruggink to the Scenic Cities Beautiful

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Commission for three-year terms beginning August 17, 2018 and ending August 17, 2021.

There were no questions from Commissioners.

5:57 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-22**

This Resolution confirms the reappointment by the County Mayor of Dean Moorehouse to the Hamilton County Beer Board for a term expiring August 15, 2021.

There were no questions from Commissioners.

6:17 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-23**

This Resolution confirms the reappointment by the County Mayor of Sheila Boyington to the Chattanooga-Hamilton County Hospital Authority Board of Trustees for a four-year term beginning August 31, 2018 and ending August 31, 2022.

There were no questions from Commissioners.

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6:38 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-24**

This Resolution confirms the appointment of Dick Gee to the Hamilton County Water and Wastewater Treatment Authority Board of Commissioners, to fill the unexpired term of Peter Avisto, ending June 2, 2020.

There were no questions from Commissioners.

7:03 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-25**

Commissioner Fields spoke regarding this item, which appropriates \$12,000.00 from general fund travel discretionary monies, as allotted to District 2, to Walden's Ridge Emergency Service to assist with the purchase of equipment.

There were no questions from Commissioners.

7:34 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-26**

Geno Bennett, Director of Support Services for the Sheriff's Office, spoke regarding this item, which authorizes the County Mayor to submit a joint application with the City of Chattanooga and accepts the "2018 Justice Assistance Grant" with a term

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ending September 30, 2021. Additionally, this item amends the Sheriff's Office capital outlay budget by adding \$43,445.00 to revenues and expenditures. He reported Hamilton County has been awarded \$43,445.00 from the 2018 Justice Assistance Grant program, which will be used to purchase various law enforcement equipment and/or training opportunities and materials. No county match is required.

9:30

In response to Commissioner Graham's question, Hamilton County Sheriff Jim Hammond stated the county's chances of obtaining the grant are very high.

Chairman Fairbanks asked Sheriff Hammond to introduce members of the Sheriff's Office staff who were present at today's meeting. Sheriff Hammond introduced Don Gorman, Director of Administration, and his wife, Carrie. It was noted Mr. Gorman will be retiring on Friday, August 10th. He also introduced Ron Bernard, Information Systems Manager, and Captain Mark King, who began his law enforcement career 36 years ago as a Boy Scout Explorer. It was noted Captain King will fill in when Mr. Gorman retires.

Chairman Fairbanks congratulated Mr. Gorman on his retirement.

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11:54 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-27**

Purchasing Director Gail Roppo spoke regarding this item, which authorizes the county to continue to lease vehicles under the contract with Enterprise Fleet Management, Inc. for fiscal year 2019 in an amount not to exceed \$314,000.00 for said newly leased vehicles. She referred to the initial project (*Resolution No. 1017-7*), which authorized the leasing of 23 vehicles, and stated this will authorize the leasing of approximately 40 more vehicles for county departments, not including the Sheriff's Department.

13:17 In response to Commissioner Boyd's question, Ms. Roppo stated it is too early to determine the amount of savings to the county; however reports indicate vehicle maintenance and fuel costs are trending down.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-28

This Resolution authorizes the County Mayor to enter into and execute an agreement with TWH Architects, a Michael Brady Inc. company, for preliminary design services through construction administration for the new Mowbray Volunteer Fire Department for an amount not to exceed \$395,150.00.

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There were no questions from Commissioners.

Commissioner Smedley, Chairman of the Finance Committee, stated the Finance Committee would meet in the Commission Room immediately following today's Agenda Session.

Commissioner Bankston, Chairman of the Zoning Committee, stated the Zoning Committee would meet in the Commission Conference Room following today's Agenda Session.

17:00

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-32

John Bridger, Executive Director of the Regional Planning Agency, spoke regarding this item, which grants a special exceptions permit for a telecommunications tower on property located at 9031 Jennifer Lane. Mr. Bridger began his presentation by giving an overview of permit requirements in Hamilton County as well as Federal Communications Commission (FCC) regulations. It was also his understanding several other cell tower permits would be requested over the next 6 to 12 months. He distributed a handout outlining federal regulations for new cell tower request. A copy of the handout was filed in the Clerk's Office. Mr. Bridger reported federal regulations include a timetable of 150 days for review and action for new cell tower requests from

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the date the application is submitted and complete. Additionally, proper assurance that decisions do not impact citizen access to cell service, assurance of fair treatment across carriers, and written communication to the application establishing a clear basis for documenting denials within 30 days of the decision are required. It was noted FCC regulations prevent radio frequency emissions as a basis for denial.

Mr. Bridger also provided information regarding Hamilton County permit review criteria, which is included in Article IV, Section 410 of the Hamilton County Zoning Regulations. At this time, he asked for any questions pertaining to these requirements.

23:35 In response to Commissioner Graham's question, Mr. Bridger confirmed the fall zone must be equivalent to height of the tower. Commissioner Boyd requested Mr. Bridger to provide information on how that requirement applies to monopoles.

In response to Commissioner Smedley's question, Mr. Bridger reported the applicant submitted a letter stating other sites were considered and the proposed site was the most suitable. Commissioner Smedley asked that the other site locations considered be provided to Commissioners.

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29:30

In response to Commissioner Martin's question, Mr. Bridger stated impacts on adjacent residential property could be considered when making a decision. He noted he would forward specific case law regarding land use impacts to Commissioners.

There were no further questions regarding permit requirements and FCC regulations.

At this time, Commissioner Bankston invited Mr. Bridger to present information regarding the proposed cell tower. It was noted the applicant and opposition were present.

32:07

Mr. Bridger presented details regarding the request for a special exceptions permit for a telecommunications tower located at 9031 Jennifer Lane along Hurricane Creek Road and Fuller Road, where the entrance would be located. He reported the request submitted by the applicant stated there was a need to improve the quality of cell phone service, particularly inside buildings. He noted a secondary purpose of the new site would be to provide capacity offload of two adjacent towers at Ringgold Road and Banks Road, which are heavily utilized by subscribers. Mr. Bridger stated the application was given a recommendation to approve from staff as it met the requirements of the special permit. Planning Commission recommended denial on the basis that the proposed facility was too close to adjacent residential homes.

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In response to Commissioner Fields' question, Mr. Bridger reported the closest residential home is 156 feet from the proposed location, and the tower will be 150 feet in height.

38:51

In response to Commissioner Beck's question, Mr. Bridger clarified staff recommended approval based on the permit requirements and Planning Commission then recommended denial after hearing from opposition.

Commissioner Martin requested information on other cell towers that were denied based on close proximity to residential homes. Attorney Taylor stated he would report back with that information.

43:20

Commissioner Smedley stated the proposed location is in District 7 and she has been very involved in the process. She explained the site is surrounded by residential homes and Planning Commission records indicate the closet tower in proximity to unincorporated residential developments is 500 feet, located on Camp Road. She also clarified RPA staff recommendations come based on a specific checklist that applications must meet while Planning Commission recommendations come after hearing from the applicant and opposition. She added the Planning Commission's decision to deny was unanimous.

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Commissioner Smedley added the Planning Commission meeting as well as a community meeting was well attended by those in opposition.

In response to Commissioner Mackey's question, Commissioner Smedley stated there was no evidence of health concerns due to radio frequency exposure.

At this time Commissioner Bankston asked the applicant to come forward and make his presentation.

49:21 Kurt Faires, Attorney with Chambliss, Bahner & Stophel, P.C., spoke on behalf of the applicant, Vogue Towers. He explained the application does meet FCC regulations and Hamilton County requirements for a special exceptions permit. He submitted a new site plan, which shows the new proposed tower location at 190 feet from the nearest residential home. He clarified the break point on the tower is at 75 feet. A copy of the site plan was filed in the Clerk's Office. Mr. Faires provided information on alternative sites and explained there was no other suitable location as it was determined there was a gap in cell service in that area. He added the demand for capacity will continue to increase. Mr. Faires reminded Commissioners that according to FCC regulations, radio frequencies are not a basis for denial. He concluded his presentation by reporting that cell towers do not appear to have a negative impact on property values.

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Commissioner Smedley cited several reports on the negative impact towers have on property values. She also shared information provided by Ken Wilkerson, Director of Hamilton County Emergency Services, which stated there appears to be no problems with cell phone coverage in the Hurricane Creek area.

59:41 In response to Commissioner Fields' question, Mr. Faires clarified the new proposed tower location is 190 feet from residential homes. He noted the tower will be inside of a padlocked 10-foot fence. He confirmed the application has met all Hamilton County and FCC requirements.

Commissioner Bankston asked any opposition to come forward.

1:01:50 Gina and Zach Lee, residing at 827 Brookhollow Lane Chattanooga, TN 37421, spoke in opposition to the proposed cell tower. Mrs. Lee stated the new site plan places the cell tower 190 feet from her soon to be constructed home. She stated she found out about the special permit request after she and her husband purchased the property. Her concerns include a decrease in property value, which averages a 20% loss once the tower is built according to several reports she cited. Mrs. Lee reported there is 350 feet between her home and the closest residential property; the proposed site is between those properties. Other concerns included safety and aesthetic concerns. She added a nearby church would welcome the tower.

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Commissioner Graham thanked Mr. and Mrs. Lee for their presentation and for their service to the community and country. It was noted Mr. Lee is a City of Chattanooga Police Officer and military veteran.

1:11:30

Commissioner Smedley asked Commissioners to coordinate with the Lees to tour the property and see where the tower will be located before making a decision.

Mr. Faires responded to the opposition's comments. He stated the tower is not located in the Hurricane Creek subdivision. He noted the engineers at Verizon Wireless, who has already signed a lease, determined there was a gap in service in the area. Mr. Faires also added barbed wire will be placed on top of the 10-foot fence to provide additional security.

1:14:20

In response to Commissioner Graham's question, Mr. Faires stated the proposed location is 190 feet from the Lee's residence and 176 feet from the adjacent residential property; the fall zone is 75 feet.

Commissioner Smedley asked that Commissioners deny this request based on aesthetics concerns, the negative precedence it would set, land use impact, the negative impact on property values, and safety concerns. She reminded Commissioners the Planning Commission unanimously voted to deny the request.

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Chairman Fairbanks asked Mr. and Mrs. Lee to leave their contact information so that Commissioners may tour the property.

1:19:25 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-42**

Commissioner Graham spoke regarding this item, which approves the expenditure of up to \$33,274.89 from discretionary bond funds as allotted to District 6 to assist with the purchase of new windows for the gymnasium at the John A. Patten Recreation Center.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-43

Commissioner Graham spoke regarding this item, which approves the expenditure of \$25,000.00 from general fund discretionary monies, as allotted to District 6, to assist the Town of Lookout Mountain with needed repairs to their recreation facilities.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-44

Commissioner Graham spoke regarding this item, which approves the expenditure of \$17,000 from general fund travel discretionary monies, as allotted to District 6, to assist the City of Red Bank with needed repairs to their recreation facilities.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-45

Commissioner Graham spoke regarding this item, which approves an appropriation of \$15,000.00 from general fund discretionary and travel monies, as allotted to District 6, to The Honoring the Sacrifice Foundation.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-46

Commissioner Graham spoke regarding this item, which approves an appropriation of \$15,000.00 from general fund travel discretionary monies, as allotted to District 6, to Medal of Honor Hall of Valor Museum of Military History Foundation.

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There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-47

Commissioner Graham spoke regarding this item, which approves the expenditure of \$19,000 from general fund travel discretionary monies, as allotted to District 6, to assist with the construction of a new Children’s Hospital at Erlanger.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-48

Commissioner Graham spoke regarding this item, which approves an appropriation of \$15,000.00 from general fund travel discretionary monies, as allotted to District 6, to Public School Bible Study Committee.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-49

Commissioner Graham spoke regarding this item, which approves an appropriation of \$25,852.80 from general fund discretionary monies, as allotted to District 6, to Lookout Valley Neighborhood Association.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 818-50

Commissioner Graham spoke regarding this item, which approves an appropriation of \$25,000.00 from general fund discretionary monies, as allotted to District 6, to Lookout Valley Lions Club.

There were no questions from Commissioners.

ANNOUNCEMENTS

Chairman Fairbanks asked for announcements from members of the Commission.

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1:23:43 Commissioner Graham stated he has been on the Commission for eight years now and has voted on one tax increase in that time. In response to Commission Graham's question, Administrator of Finance Al Kiser reported that taxes in Hamilton County have never been raised \$180 million with one vote.

1:24:52 Commissioner Martin announced today was the first day of school in Hamilton County. He encouraged everyone to thank teachers for their public service. He thanked the citizens of District 3 for participating in last week's election.

1:26:02 Commissioner Boyd announced a brief Security and Corrections Committee meeting would take place today in the Commission Conference Room before the Zoning Committee meeting begins. He also thanked everyone for participating in the election and congratulated all the winners.

1:27:31 Commissioner Smedley stated it was an honor to meet Denny Manning at today's meeting.

Commissioner Beck spoke about lies that are spread during campaign season.

Mayor Coppinger thanked the citizens of Hamilton County for their confidence in reelecting him for another four years.

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1:29:52 Chairman Fairbanks thanked all the teachers in District 1 and all over Hamilton County for their service. He stated his family delivered donuts to teachers in his district this morning.

DELEGATIONS

Chairman Fairbanks asked for delegations on matters other than zoning.

1:30:48 Christopher Dahl, residing at 2020 East 12th Street Chattanooga, TN 37404, addressed the Commission regarding hardships and inmate treatment at Silverdale.

Being no further business, Chairman Fairbanks declared the meeting adjourned. The next regularly scheduled meeting will be Wednesday, August 15th at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

09-05-18
Date

W.F.K
Clerk's Initials