

CHATTANOOGA CITY COUNCIL MEETING  
OCTOBER 13, 2009

Held October 13, 2009 at 6:00 P.M.  
Chattanooga City Council  
1000 Lindsay Street  
Chattanooga, Tennessee 37402-4233

COUNCIL ATTENDANCE:

Councilwoman Carol Berz, District 6  
Councilman Russell Gilbert, District 5  
Council Vice-Chair Manuel Rico, District 7  
Councilman Peter Murphy, District 9  
Councilwoman Sally Robinson, District 2  
Councilwoman Deborah Scott, District 1  
Council Chairman Jack Benson, District 4  
Councilman Andrea McGary, District 8  
Councilwoman Pam Ladd, District 3

Board General Counsel - Mike McMahan

1                   (Thereupon, the following items are  
2 from the Public Hearing portion of the agenda as  
3 follows:)

4                   CHAIRMAN BENSON: We'll move into the  
5 ordinances on the final reading. We have two  
6 ordinances passed last week that we'll address the  
7 final time. Okay. Madam clerk, will you read it?

8                   MS. O'NEAL: An ordinance adopting a  
9 Plan of Services and extending the corporate  
10 limits of City of Chattanooga, Tennessee, to annex  
11 certain territory contiguous to the present  
12 corporate limits of the City of Chattanooga known  
13 as area 10A, being certain parcels adjacent to Old  
14 Lee Highway, Green Shanty Road, Rexway Lane, Ranco  
15 Circle, and Maywater Road, within the Urban Growth  
16 Boundary of the City of Chattanooga in Hamilton  
17 County, Tennessee, as shown by the attached map.

18                   CHAIRMAN BENSON: Okay. This is the  
19 final reading, but this is a public hearing, the  
20 final public hearing also for this area 10A.

21                   Do we have anyone living in 10A that  
22 wishes to ask any questions or come to the  
23 microphone? Hearing none, Council, do we have a  
24 motion?

25                   COUNCILMAN RICO: Move to approve.

1                   CHAIRMAN BENSON:    Been moved to  
2 approve it.    Second?

3                   COUNCILWOMAN SCOTT:    Second.

4                   CHAIRMAN BENSON:    And seconded.    Any  
5 discussion from the Council?    Are we clear this is  
6 10A?    Okay.

7                   MR. MCMAHAN:    10A is the small area  
8 from Lee -- the current City limits out to Lee  
9 Highway.

10                  CHAIRMAN BENSON:    Okay.    Hearing no  
11 discussion, then we'll vote on it.    All in favor,  
12 let it be known by saying aye.

13                  COUNCIL MEMBERS:    Aye.

14                  CHAIRMAN BENSON:    Opposed, no.

15                  COUNCILMAN MCGARY:    No.

16                  CHAIRMAN BENSON:    Carry.    Okay.    Now,  
17 madam clerk, read 10B.

18                  MS. O'NEAL:    An ordinance adopting a  
19 Plan of Services and extending the corporate  
20 limits of the City of Chattanooga, Tennessee to  
21 annex certain territory contiguous to the present  
22 corporate limits of the City of Chattanooga known  
23 as area 10B, being certain parcels adjacent to Old  
24 Lee Highway, Apison Pike, Pattentown Road, and  
25 Woodland Drive within the Urban Growth Boundary of

1 the City of Chattanooga in Hamilton County,  
2 Tennessee, as shown by the attached map.

3 CHAIRMAN BENSON: Okay. The City  
4 Attorney needs to make a few remarks on this one.

5 MR. MCMAHAN: The Mayor has suggested  
6 revision to the map which was presented last week  
7 and it's coming up on the screen. I can't see the  
8 screen, but -- is the map showing on the screen?

9 MS. O'NEAL: Yes.

10 MR. MCMAHAN: Basically the bottom of  
11 the map, the red line -- the red lines, by the  
12 way, stand for sewer lines. But the red line is  
13 Sanders Road and that's the last area of this  
14 annexation. The Mayor proposes to cut out all the  
15 residential areas to the south of Sanders Road.

16 We went before all the way to the  
17 street -- I forget the name of the street, but the  
18 street that went into the landfill. So let y'all  
19 know that in response to the comments which were  
20 received by the Council, the Mayor has made a  
21 proposed revision and some additional information.  
22 You want to introduce this information, Lee?

23 MR. NORRIS: I'm sorry?

24 MR. MCMAHAN: You want to --

25 CHAIRMAN BENSON: Come up to the

1 microphone in case there's any questions.

2 MR. MCMAHAN: Show them the revised.

3 MR. NORRIS: Okay. The map you see  
4 now is the revised area 10B. What we've done is  
5 come off Pattentown Road, off Apison Pike, down to  
6 Sanders Road to provide (inaudible) to the city  
7 landfill. The red line you see there is the  
8 sanitary sewer line that would run the length of  
9 Sanders Road back up to Pattentown Road to the  
10 force main along Apison Pike.

11 As you can see, we pick up most of  
12 the parcels along the Apison Pike area.

13 CHAIRMAN BENSON: Just remain close  
14 by. We have a delegation of residents here also.  
15 Are there any questions from any of them? I think  
16 we've resolved one or two of their main issues.

17 MR. MCMAHAN: Anybody want to speak?

18 CHAIRMAN BENSON: Anyone want --  
19 yeah. At this time we've got -- we'll give you  
20 time to speak if you live in the area if you want  
21 to. You don't have to.

22 Okay. A motion has been made and  
23 seconded.

24 MS. O'NEAL: I didn't hear the  
25 second.

1 MR. MCMAHAN: We didn't have a  
2 motion.

3 COUNCILMAN RICO: I moved.

4 CHAIRMAN BENSON: He moved.

5 MR. MCMAHAN: You need to move.

6 COUNCILMAN RICO: Move to substitute.

7 COUNCILWOMAN ROBINSON: Second.

8 CHAIRMAN BENSON: Move to substitute  
9 for this change and it's been seconded and moved  
10 to substitute with the changes you've seen on the  
11 map. Any discussion?

12 All in favor, let it be known by  
13 saying aye.

14 COUNCIL MEMBERS: Aye.

15 CHAIRMAN BENSON: Opposed, no.  
16 Carry. Now we need a motion on the original  
17 motion.

18 COUNCILMAN RICO: So moved.

19 CHAIRMAN BENSON: Been moved.

20 COUNCILMAN MCGARY: Second.

21 CHAIRMAN BENSON: And seconded. Any  
22 discussion? Hearing none, all in favor let it be  
23 known by saying aye.

24 COUNCIL MEMBERS: Aye.

25 CHAIRMAN BENSON: Opposed, no.

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COUNCILMAN GILBERT: No.

CHAIRMAN BENSON: Carry.

END OF EXCERPT

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REPORTER'S CERTIFICATE

I, TERRI J. PARTAIN, Court Reporter and Notary Public in and for County and the State of Tennessee at Large, do hereby certify that I reported in machine shorthand the proceedings had in the above-styled cause on October 13, 2009;

That the said proceedings were reduced to typewriting under my personal supervision; and that the foregoing transcript is a true and accurate transcript of said proceedings.

THIS            day of            , 2009.

TERRI J. PARTAIN, Registered Professional Reporter. Notary Public in and for County and the State of Tennessee at Large. My commission expires May 9, 2012. Georgia Cert. No. B-692.