The Agenda Session was called to order by Chairman Benson, with Councilpersons Berz, Rico, Scott, Murphy, McGary, Ladd, and Robinson present. City Attorney Michael McMahan, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Beverly Johnson, Greg Haynes, Barry Bennett, Jerry Stewart, Gary Hilbert, Jim Templeton, Danny Thornton, Sandra Gober, Larry Zehnder, Richard Beeland, Chief Parker, Daisy Madison, Steve Leach, Lee Norris, Bill Payne and Dennis Malone. Cathy Fulgham and Mayor Littlefield joined the meeting later.

Chairman Benson stated that we would rush through the Agenda and then we had those who wished to speak to the Water Quality Fee Credits.

Mr. Johnson stated that the first two Ordinances on Final Reading had been worn out. The first was the Capital Budget and the second one was Chestnut Properties. Chairman Benson added that the Capital Budget was not written in concrete and could be amended; that we just needed to get this on the books.

Ordinance First Reading (a) is relative to the Street Numbering and Addressing Policy and will be discussed in Legal and Legislative Committee. Councilman Murphy stated there would not be much coverage; that we were ready to vote on this.

Ordinances (b), (c) and (d) were closures and abandonments. Ordinance (b) will be replaced by Resolution (i).

Resolutions (a), (b), (c), and (d) will be covered in the Public Works Committee. Resolution (e) adds “an amount not to exceed $45,000”. Resolution (f) concerns the acquisition of an abandoned railroad easement and Danny Thornton was available for questioning. Councilwoman Scott questioned who we were purchasing this easement from and was it a regional issue? Mr. Thornton responded that we were purchasing it from the Railroad and were expanding the building to service and maintain for all First Responders—that it included multiple counties. She wanted to know who was at the funding table with us and if all would be helping? Mr. Thornton responded “not on this purchase”; that it is a Grant and City dollars are allocated. She asked if this was Grant money or City dollars and was told that it would be coming from the Capital Budget (subject to appropriation). She noted that it was our revenue dollars and the region would be using it and wanted to know who else would be at the table for this project? Mr. Thornton responded that it was our building and would service all counties, and they would pay a fee, also Georgia.
Resolution (g) declares surplus property at 5991 Hickory Valley Rd., jointly owned by the City and Hamilton County, with an offer to purchase from Archer, Daniel, Midland Company. Councilwoman Scott asked if the price could be reported back to the Council? Adm. Leach stated that he thought it was $60,000, with Councilman Murphy stating that it was fixed by market analysis. Adm. Leach stated that this was established as a reasonable price. Councilwoman Scott stated that she would still like to know what it actually sells for—that we had sold some for much less than this.

Resolutions (h) and (i) will be covered by Public Works. Attorney McMahan stated that Resolution (i) relates back to Ordinance B for New Horizon Baptist Church.

AGENDA ITEMS FOR DECEMBER 8, 2009

Ordinances (a) through (d) First Reading are zoning matters.

Resolution (a) awards $527,828.00 of HOME Investment Partnership Act Funds income to organizations for the purpose of creating affordable housing. Beverly Johnson was present to address this. Councilwoman Robinson asked if we had seen this, with Ms. Johnson stating that it should have been in the Council packets.

Resolutions (b), (c), and (d) are Public Works’ matters.

Mr. Johnson covered the purchases for tonight’s agenda meeting.

WATER QUALITY FEE

Chairman Benson stated that a group had gotten together to discuss this and wanted to address the Council concerning this. He turned the meeting over to Mr. Bill Raines.

Mr. Raines expressed his appreciation for this opportunity, stating that they certainly wanted Chattanooga to be the cleanest city in the world; that there had been a lot of discussion about the impact of this fee, and he was suggesting a Blue Ribbon Committee to study this issue and come up with something we can live with. He suggested that this Committee consist of Roger Tudor, Ray Childress, Mike Price, Tom Ed Wilson, Bill Payne, Steve Leach, Dr. Dick Urban, Dr. Mohendra, Manny Rico, and himself. Also, someone from CBL and Associates. He stated that they would come back with a recommendation.

Councilman McGary asked if they would deal with a more equitable system or what their goals would be? Mr. Raines responded that their goal would be to get the water to federal standards; that the purpose would not be for confrontation or resolution but to send a message to the State; that they would look at what has been decided and ways to lessen the impact on the business community. Councilman McGary stated that EPA says what we will and will not do—that it is not up to us.
Chairman Benson explained that they were trying to bring the people who will be paying for this into some understanding—that we are all in this boat together.

Mr. Raines noted that this affected a pretty big segment of our business community.

Councilwoman Ladd stated that she was thrilled to hear this; that these were great ideas and were not an argument; that we had to get this pill where we could swallow it, and she was thrilled to hear this; that it was a model of what we should be doing; that it might not change her vote, but she wished she had had more information about the impact before she voted. She suggested that also someone from the non-profit entity should be represented on the Committee. She added that she had done business with Mr. Raines, and he was very fair-minded and a man of integrity and would come to a common ground solution; that this idea had her full support.

Dan Johnson stated that this was not a “Johnny-come-lately” issue and had been looked at in 2006.

Lee Norris stated that there were three councilmembers on the Stormwater Advisory Committee and also a lot of people from the community in July to November of 2006; that they reached out to the community, and we had already been down this road one time.

Chairman Benson stated that the status quo had been disturbed and everyone was ready to learn.

Councilman Murphy stated that he had listened to folks in his community and what was glaring was the churches and institutional users—that the faith community and hospitals, too, should be represented; that Orange Grove was in his district; that there was a problem with the solution that we had adopted; that it might make perfect sense from Public Works’ standpoint but from an economic standpoint it did not allow for planning; that we needed to craft a regime that rewards and a fee structure that would look different and something that could be “phased” in; that it was time to adopt something more reasonable in the regulation of our environment, and we needed a good opinion to modify and alter the course we have taken.

Councilwoman Robinson stated that another suggestion would be the Mayor’s Green Committee—that Councilman McGary was on this committee, and she mentioned a State representative.
Mr. Raines stated that we had a short timeline and the committee needed to be a reasonable number to make a decision; that we had maybe 20 days.

Chairman Benson stated that if he were talking about the extension of the deadline, that the Council could do this.

Councilwoman Scott stated that she would like to suggest that someone who had been in on the initial drafting be on the committee. Mr. Payne stated that that might be possible. She questioned if there would be anyone knowledgeable enough in Public Works or someone on the Stormwater Advisory Committee—that that would be her recommendation to the Board; that she thought the Committee should also include residents, as well.

Mr. Payne stated that the Stormwater Advisory Committee did make a recommendation.

Councilwoman Berz stated that as a mediator, her first question to Public Works would be “do we have the luxury of time to have these meetings?” Mr. Leach responded that this was not the best season. Attorney McMahan added that tax bills went out in October and many people pay their bills in December—that some people already have paid; that to reduce the fee would cause a County nightmare. Mayor Littlefield noted that we were talking about businesses and not residents. Councilwoman Berz stated that we wanted all at the table; that this idea was great as to how this is paid and the long-range plan so that businesses will not be hit all at once.

Mr. Raines stated that this was a big part and also that they would look at the Plan and the application of fees; that everyone needed to be educated, and this was a lot to absorb; that agreement with terms of compliance and how we implement this would be discussed; that they were ready to step up to the plate.

Councilwoman Berz stated that she was glad to hear that this was an educational piece, and they were ready to step up to the plate. Mr. Raines stated that they could cover good ground quickly.

Chairman Benson agreed that we needed to get everyone to the table and work together for our total citizenry. Mr. Raines stated that there was a lot of documentation to be shared with the Committee; that we are playing catch-up.
Mayor Littlefield stated that there needed to be a distinction between residential charges and those with multi-acres; that deadlines could be moved without upsetting those who had already gotten their taxbills. He stated that this issue was not unique to Chattanooga, and he thought it was great that Mr. Raines was coming with this proposal; that we had taken a dramatic step, and he would be glad to work with what has been proposed with a workable group. He stated that he was going to Washington tomorrow on this issue—that he would find out what the mood is in Washington; that cities were going to ask them to be more of a partner; that we were walking a narrow line, and it was better to work with our regulators.

Mr. Raines stated that there was also a human element; that he had gotten numerous calls asking “where do I get this money?”

Councilwoman Berz stated that the committee would look at this comprehensively in a short time; that she thought we just needed one from Public Works and one from the Council to keep this small; that 7-9 members would be workable.

Mr. Raines mentioned five implementers and six business, church, and institutional members; that hospitals were not in this number; that they could give support to the Committee; that the challenge was time.

Mayor Littlefield expressed that he did not think much could be accomplished between now and Christmas. Mr. Raines stated that he was here tonight to ask to be able to appoint a Blue Ribbon Committee—that he could work with seven.

Councilwoman Berz stated that the Council should have input on the make-up of the committee, suggesting limiting it to seven members; that someone from the government, someone from the State and someone from Industry, also someone from non-profit and someone from the Chamber. Mr. Raines suggested an Engineer Practitioner.

The makeup agreed upon was one from Industry, one from Non-Profit, one from the State (Attorney McMahan stated that Dick Urban could not serve), one from the Council, one from Public Works, one from the Chamber (Tom Edd Wilson), one Engineer, one Commercial Real Estate person, and one Attorney. **Upon motion of Councilwoman Berz, seconded by Councilman Murphy, it was agreed that this would be a nine-member committee.**

The meeting adjourned at 4:00 P.M.