

AGENDA SESSION MINUTES

CHATTANOOGA CITY COUNCIL

November 11, 2014

In Attendance

Council Chairman Chip Henderson; Vice Chair Dr. Carol Berz; Councilpersons: Chris Anderson, Moses Freeman, Russell Gilbert, Yusuf Hakeem, Jerry Mitchell and Ken Smith; Deputy City Attorney Phil Noblett

Councilman Larry Grohn was not present.

Others in Attendance

Mayor's Office: Brent Goldberg, Chief Operating Officer; City Attorney's Office: Melinda Foster and Valerie Malueg, Assistant City Attorneys; Regional Planning: Greg Haynes, Director of Development; Public Works: Bill Payne, City Engineer; Council Office: Randy Burns, Management Analyst, and Nicole Gwyn, CMC, Deputy Clerk

Approval of Minutes

On motion of Councilman Anderson and seconded by Councilman Freeman, the minutes from the last meeting (November 4, 2014) were approved as published.

Councilman Freeman also noted that Senator Todd Gardenhire was in today's Assembly.

Ordinances (Final Reading) - (NONE)

(No ordinances for final reading this meeting)

Ordinances (First Reading) - Agenda Item 6A, 6B, 6C & 6D

There were no questions on these agenda items; therefore, the issues were closed.

Ordinances (First Reading) - Agenda Item 6E

Councilman Anderson noted that the alternate version has the three (3) new conditions discussed in the last Planning and Zoning Committee meeting. Upon no further questions, the issue was closed.

Ordinances (First Reading) - Agenda Item 6F

Mr. Haynes discussed the differences in the Planning, Staff and Applicant versions. Attorney Noblett noted a discrepancy in the site plans that he would discuss with Mr. Haynes prior to tonight's Council meeting. Councilman Freeman made comments about keeping the residential portions the same while granting the R-2 portion. Upon no further comments or questions, the issue was closed.

Ordinances (First Reading) - Agenda Item 6G

There were no questions on this agenda item; therefore, the issue was closed.

Ordinances (First Reading) - Agenda Item 6H

A discussion took place with Attorney Noblett on the process for council members to offer amendments to this ordinance. Attorney Foster and Mike Mallen, Chair of the Animal Control Board, gave an overview to Council on the four (4) changes in the alternate version. Chairman Henderson voiced concern about confusion among Council on the changes to the ordinance and asked if it would help to defer this item for further review of the alternate version. Councilman Freeman objected to delaying a vote on this item. Attorney Foster made further remarks. Upon no further comments or questions, the issue was closed.

Ordinances (First Reading) - Agenda Item 6I

Councilman Smith asked if anyone from Tennessee Department of Environment and Conservation (TDEC) was in attendance. Seeing none, he stated that each council member received a letter sent to Administration from TDEC that clarified their position on adopting TDEC's minimum standards. Councilman Anderson discussed what he inferred from the same letter.

A discussion ensued with Doug Stein, Chair of the Stormwater Board about the Stormwater Board's process that went into developing the recommended regulations.

Vice Chair Dr. Berz recommended the following four (4) caveats for consideration:

1. By a certain date, have an appeals process in place;
2. Legal considerations (ensuring City is not in contravention of case law);
3. Evaluation process (ongoing) at the end;
4. Looking at the Georgia "Blue Book" or other stormwater management guidelines.

Councilman Smith read the letter to Administration from TDEC Commissioner Robert Martineau. Attorney Malueg discussed Virginia case law regarding the flow of non-pollutant stormwater. Mr. Payne joined the discussion regarding the city's provisions for complying with the Total Maximum Daily Load (TMDL) specified in the permit.

Vice Chair Dr. Berz reiterated that she would like an appeals process in place. Further discussion with Mr. Stein ensued. Upon no further questions or comments, the issue was closed.

Ordinances (First Reading) - Agenda Item 6J

There were no questions on this agenda item; therefore, the issue was closed.

Resolutions – Agenda Item 7A & 7B

There were questions on these agenda items; therefore, the issues were closed.

Resolutions – Agenda Item 7C

Councilman Mitchell made comments about multi-year contacts. Mr. Goldberg responded about the Request for Proposal process with this particular multi-year contact. Upon no further comments or questions, the issue was closed.

Resolutions – Agenda Item 7D

Chairman Henderson noted that there was no known Opposition to this Planned Unit Development (PUD) in his district. Upon no questions, the issue was closed.**Resolutions – Agenda Item 7E**

There were no questions on this agenda item; therefore, the issue was closed.

Resolutions – Agenda Item 7F

Councilman Anderson thanked Mr. Bailey for this temporary use to install a bus shelter. Upon no questions, the issue was closed.

Resolutions – Agenda Item 7G

There were no questions on this agenda item; therefore, the issue was closed.

Adjournment

Chairman Henderson adjourned the meeting at 4:10 p.m.