

CITY OF CHATTANOOGA
STORM WATER REGULATIONS BOARD

MINUTES

June 11, 1998, 5 p.m.
Public Works Conference Room
Second Floor, City Hall

I. Verification of meeting notification was made, and the meeting was called to order by the Chairman at 5:05.

II. The roll call showed the following members were present:

Ray Childers, Chairman
Evelyn Lovelady
Vicki James
Mike Poe, Vice Chairman
Tony Williams

Those absent were Derek Henry, Secretary and Charles Shaw.

The following staff members were present:
Jack Marcellis, Public Works Administrator
Jack Wilkinson, City Engineer
Tom Scott, Stormwater Manager
Carol Putnam, Assistant Stormwater Manager
Ken Fritz, Special Council, City Attorney's Office

Also present were Councilman John Taylor, Mrs. Ruth Croson and Mr. \T. F. Croson.

III. It was moved by Mike Poe and seconded by Evelyn Lovelady to adopt the minutes from January 15, 1998. This was approved by all present.

IV. Hearing of Appeals

A. Mrs. Ruth Croson (property at 2809 26th St E., 156K -D -018, 27 year resident)

Tom Scott explained the history: that this lot on 26th Street was 10,000 sq feet, but the 10' alley was abandoned 2/25/94 increased the lot size to 10,825, taking the storm water fee from \$24.00 to \$36.00. Deed shows 10,000 sq ft + alley / 10,825 sq ft.

CITY OF CHATTANOOGA
STORM WATER REGULATIONS BOARD
MINUTES

June 11, 1998, 5 p.m.
Public Works Conference Room
Second Floor, City Hall
Page 2

Vicki James questioned - what does the City do when alleys are abandoned? - assumed by ordinance only.

Jack Marcellis explained the process of abandonment.

Jack Wilkinson explained - the process is what a surveyor would do today; deed title and search.

Ray Childers questioned - does she have to accept the ownership if she doesn't want it.

Jack Wilkinson explained - the easement for the City is not ownership.

John Taylor - What about if the City changes the deed?

Mrs. Croson - Doesn't make it right for everyone else.

Ray Childers - What is the board's jurisdiction? Does she have 10,000 or 10,825?

Vickie James - The Deed should show total property minus easement.

Ray Childers/Vickie James - Request Storm Water staff to do more research.

Jack Wilkinson - Given by plat, this is a right of way, if abandoned, then goes back to property owner, no underlying fee.

Ray Childers - One question - does Mrs. Croson own 10,825 sq feet?

- Tax Assessor's records says "she does".

Ray Childers - Then the storm water fee is \$36.00.

Tony Williams moved to deny the request, Vicki James seconded. Passed by all.

CITY OF CHATTANOOGA
STORM WATER REGULATIONS BOARD

MINUTES

June 11, 1998, 5 p.m.
Public Works Conference Room
Second Floor, City Hall
Page 3

Ray Childers thanked Mrs. Croson for standing by her principal and he wished he could have helped her.

Mrs. Croson - needs ditch cleaned out. (get right of entry)

Councilman Taylor thanked the Board & Mrs. Croson.

Jack Marcellis - everyone within 200' feet gets notified.

V. Annual Report and Storm Water Update

Tom Scott

- The Annual Report was submitted on time to Tennessee Dept of Environment and Conservation.
- Fee in effect since 1993. The process will change, but not the end result.
- There are four new positions: 2 Water Quality Analyst I, 1 Water Quality Analyst II, and a Fee Maintenance Clerk.
- An exciting part, thanks to the Mayor, there will be 4 - \$1 million contracts per year, plus Preventive Maintenance Program that started in Tunnel Boulevard Area, is now in East Brainerd, and soon to be in Lupton City.

Jack Marcellis - \$7.8 million for storm water problems with maintenance, 1100 projects in the next three years, includes some larger projects.

VI. Update on court challenge to Stormwater ordinance

Ken Fritz - The judge upheld the ordinance in it's entirety - dismissing all claims. Plaintiffs have appeals, takes 1 1/2 years. Looking for court of appeals to hear.

VII. Other discussion from Board on others present

Refund report is in the packet. Current year plus two years back, \$125,000. The checks have gone out.

VIII. The meeting adjourned at 6:05.