

**AGENDA FOR THE REGULARLY SCHEDULED CITY OF COLLEGEDALE COMMISSION
MEETING TO BE HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE,
ON MONDAY, MAY 07, 2018 AT 6:00 P.M.**

- I. Call to Order by the Mayor
- II. Invocation
- III. Roll Call by City Recorder
- IV. Approval of previous meeting minutes
 - 1. April 16, 2018- Commission meeting minutes
 - 2. April 23, 2018- Workshop meeting minutes
- V. Comments from Citizens
- VI. Unfinished Business
 - None
- VII. New Business
 - 1. First and Final Reading, Resolution #494, approving an Interlocal Agreement with the WWTA
 - 2. First and Final Reading, Resolution #495, approving a Settlement Agreement effecting the dismissal of litigation against the WWTA
 - 3. Bid approval for the Bill Reed Road paving project
- VIII. Request for reports from City Administration/Commissioners by the Mayor
- IX. Adjournment

**MINUTES OF THE REGULARLY SCHEDULED CITY OF COLLEGEDALE BOARD OF COMMISSIONERS
MEETING HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE
ON MONDAY, APRIL 16, 2018 AT 6:00 P.M.**

INVOCATION: Commissioner Debbie Baker

PRESENT: Mayor Katie Lamb, Commissioner Debbie Baker, Commissioner Phil Garver, Commissioner Ethan White, City Manager Ted Rogers, City Attorney Sam Elliott

KEY MANAGERS: Assistant City Manager & CFO Michelle Toro, Police Chief Brian Hickman, Director of Airport Operations Chris Swain, Director of Parks and Recreation Traci Bennett-Hobek, Director of Public Works Eric Sines, Planning & Economic Development Director Kelly Martin

ABSENT: Vice-Mayor Tim Johnson, Building and Codes Director Andrew Morkert

GUESTS: Andrew Arnold

04-16-2018 (759) REGULAR MEETING MINUTES – April 02, 2018

It was moved by Commissioner White and seconded by Commissioner Garver to accept the minutes of the regular commission meeting on April 02, 2018.

ROLL CALL:

| | |
|----------------------------|---------------|
| COMMISSIONER BAKER | YEA |
| COMMISSIONER GARVER | YEA |
| COMMISSIONER WHITE | YEA |
| VICE MAYOR JOHNSON | ABSENT |
| MAYOR LAMB | YEA |

Vice-Mayor Johnson arrived to commission meeting.

04-16-2018 (760) APPROVAL OF OFFICIAL ZONING MAP

It was moved by Commissioner Garver and seconded by Commissioner White to approve the official zoning map of the City of Collegedale.

ROLL CALL:

| | |
|----------------------------|------------|
| COMMISSIONER BAKER | YEA |
| COMMISSIONER GARVER | YEA |
| COMMISSIONER WHITE | YEA |
| VICE MAYOR JOHNSON | YEA |
| MAYOR LAMB | YEA |

04-16-2018 (761) MARCH FINANCE REPORT

It was moved by Commissioner White and seconded by Vice-Mayor Johnson to accept the March finance report as presented by City Manager Rogers.

ROLL CALL:

| | |
|----------------------------|------------|
| COMMISSIONER BAKER | YEA |
| COMMISSIONER GARVER | YEA |
| COMMISSIONER WHITE | YEA |
| VICE MAYOR JOHNSON | YEA |
| MAYOR LAMB | YEA |

04-16-2018 (762) MOTION TO ADJOURN

It was moved by Commissioner White and seconded by Vice-Mayor Johnson to adjourn the meeting. No roll call was taken.

The meeting was adjourned at 6:23PM.

Mayor, Katie Lamb

City Recorder, Kristi Wheeler

**MINUTES OF CITY OF COLLEGEDALE REGULARLY SCHEDULED
COMMISSION WORKSHOP MEETING HELD IN THE MUNICIPAL BUILDING IN
COLLEGEDALE, TENNESSEE, ON MONDAY, APRIL 23, 2018
AT 4:30 P.M.**

PRESENT: Mayor Katie Lamb, Vice Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Phil Garver, Commissioner Ethan White, City Manager Ted Rogers, Assistant City Manager & CFO Michelle Toro, Strategic Planning & Economic Development Director Kelly Martin, Building Codes & Safety Director Andrew Morkert, Director of Airport Operations Chris Swain, City Engineer Wayon Hines, Communications Strategist Bridgett Raper, Court Clerk Tonya Sadler, Director of Public Works Eric Sines, Parks and Recreation Director Traci Bennett-Hobek

ABSENT: Chief of Police Brian Hickman

GUESTS: Joanne Stanfield, Nikki Johnson

PROPOSED CHANGES TO LIBRARY BY-LAWS

Nikki Johnson, Library Board Chairperson, proposed several changes to section Article II-Membership in the Library By-Laws. She proposed an amendment to change the Library Board members to seven or nine members rather than seven. She also proposed to change the members that are City of Collegedale citizens from five of the seven to a simple majority. The Commission did not accept the proposal and no changes were made to the Library By-Laws.

RECYCLE CENTER UPDATE

Commissioner Phil Garver requested an update on the Recycle Center from Public Works Director Eric Sines. Mr. Sines stated that the new compactor has been well received by the community and has to be emptied every 45 days. Revenue from the compacted recycle items is at an average of \$250 a month. He also stated that volunteers work at the Recycle Center only on Sundays, 4-6pm. Commissioner Garver requested that reminders to recycle be put on the City of Collegedale's digital signs. Vice-Mayor Tim Johnson suggested placing tags with recycle center information on items that are set out for pickup by the City.

SIDEWALKS ON OOLTEWAH-RINGGOLD ROAD

Commissioner Phil Garver suggested that sidewalks should be continued down Ooltewah-Ringgold Road starting at Caddo Lane. Strategic Planning & Economic Development Director Kelly Martin stated that the City's Multi-Modal standards, adopted as Ordinance #1039, will generally require sidewalks as a part of new commercial development. City Manager Ted Rogers stated that the State of Tennessee will install sidewalks with the future expansion of Ooltewah-Ringgold Road.

SOLICITATION AT CITY PARKS

Parks & Recreation Director Traci Bennett-Hobek stated that there is an issue with solicitors at the City of Collegedale parks/property. It was decided that the topic will be discussed and a solution will be put in place.

BUS PARKING

Parks & Recreation Director Traci Bennett-Hobek brought attention to the issue of automobiles parking in the Bus Parking Only spaces at the Imagination Station playground. It was decided that the topic will be discussed and a solution will be put in place.

TENTS AND VENDORS AT CITY PARKS

Parks & Recreation Director Traci Bennett-Hobek informed the commission and staff that there is an issue with vendors setting up tents and giving away or selling items at the City of Collegedale parks. It was decided that the issue will be further discussed and a solution will be put in place.

CITY MANAGER REPORT

City Manager Ted Rogers informed the commission and staff that a contract has been signed to purchase the Brookside Plaza at 9325 Apison Pike. He also stated that an agreement with the WWTA should be brought before the Commission in the next few weeks. Mr. Rogers then addressed the issue of residential trash cans being left beside the road longer than the allowed time of 24 hours and that the problem was being enforced by the Codes Department staff. City Manager Rogers also updated the commission and staff concerning the Prospect Church Road project that will be replacing the bridges with culverts. The project will begin soon and is scheduled to be completed by the end of this summer.

KEY MANAGER'S REPORTS

Strategic Planning & Economic Development Director Kelly Martin stated that the area on Main Street has attracted attention for further mixed-use development. Mr. Martin also informed the commission and staff that the city is no longer using consultants Retail Strategies for future development and that he is also working on a Planning & Economic Development website for the city.

Building Codes & Safety Director Andrew Morkert informed the commission and staff that a Change of Occupancy Form has been created that will help expedite the process for occupancy change and educate the due process for opening businesses.

Director of Airport Operations Chris Swain stated that the runway surface repair project will begin on May 7, 2018 and will be finished in approximately two weeks. He also stated that an airport work group, consisting of pilots, mechanics, flight instructors and business owners, will be meeting on April 26, 2018 to discuss future developments, events and ideas to increase business.

Court Clerk Tonya Sadler informed the commission and staff that approximately 300 warrants have been served since January, 2018.

Communications Strategist Bridgett Raper stated that the City app is functional but Red Branch Development is still working on several issues. She also gave an update on House Bill #0971 to the commission and staff.

Public Works Director Eric Sines stated that the turn signal at Ooltewah-Ringgold Road and Apison Pike had been reprogrammed by NABCO. He also mentioned future road paving projects that will be occurring this summer.

Assistant City Manager & CFO Michelle Toro informed the commission and staff that the FY-Budget for 2018-2019 will be discussed at the May 29th Commission Workshop.

COMMISSIONER'S COMMENTS

Commissioner Ethan White stated that issues with the crossing guard, at A.W. Spalding Elementary School, have been brought to the commission's attention.

Commissioner Phil Garver commented on how nice the Clock Tower and the 50th Anniversary Banners look and then discussed the TDOT decision to enforce the "No Parking" zone at 5704 Main Street due to safety concerns.

Mayor Lamb commented on several different residential properties in Collegedale that require attention and also inquired about several new businesses that will be opening soon. Building & Codes Director Andrew Morkert and Strategic Planning & Economic Development Director Kelly Martin were able to address her questions and concerns.

Meeting was adjourned at 6:28 PM.

Katie Lamb, Mayor

Kristi C. Wheeler, City Recorder

RESOLUTION #494

A RESOLUTION OF THE CITY OF COLLEGEDALE, TENNESSEE APPROVING AN INTERLOCAL AGREEMENT WITH THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY AND REPEALING RESOLUTION #473, WHICH IMPOSED A MORATORIUM ON ADDITIONAL SEWER CONNECTIONS FROM AREAS OF HAMILTON COUNTY OUTSIDE THE AREAS IDENTIFIED IN AREA "A" OF THE COLLEGEDALE SUPPLEMENT WASTEWATER FACILITIES PLAN AS OF MAY 22, 2018

WHEREAS, on March 18, 2005, the City and the Hamilton County Water and Wastewater Treatment Authority ("WWTA") resolved certain service area and other issues that arose between the parties as a result of the annexation of an area served by the WWTA that became effective in 2001.

WHEREAS, as a result of a Consent Decree entered in an action by state and federal environmental authorities, in March, 2015 the City of Chattanooga asserted that WWTA was a customer of the City that counted against the 4.56 MGD flow limit allowed the City by the May 26, 1980, agreement between the City and Chattanooga to effectuate the Chattanooga Area 208 Waste Treatment Management Plan (208 Plan) as it relates to the Collegedale municipal sewer system (the "208 Agreement").

WHEREAS, prior to March, 2015, Chattanooga allowed WWTA to increase its flow into the Collegedale pump station greatly in excess of the flow established by the 208 Plan. Relying on Chattanooga's contractual undertaking in the 208 Agreement that Chattanooga would not let another government's flow into the system affect the City's guaranteed 4.56 MGD, and the fact that Chattanooga dealt with WWTA as a separate customer, the City did not protest Chattanooga's allowing WWTA to greatly expand its flow into the pump station.

WHEREAS, faced with the rapid expansion of the WWTA's flow from outside the 208 Plan for the service area of the Collegedale pump station, and Chattanooga's change in position, which resulted in the City's resumption of ownership of the Collegedale pump station, on November 2, 2015, the City passed Resolution #473, imposing a moratorium on any further flow into the Collegedale system from the WWTA, except for commitments that the WWTA made to developers and contractors prior to the date of passage. Collegedale acted to prevent unplanned flow from the WWTA from consuming a disproportionate and unplanned portion of the contractual 4.56 MGD.

WHEREAS, the City and WWTA have negotiated an interlocal agreement ("2018 Interlocal Agreement") with the WWTA which adjusts certain issues created by Chattanooga's change of position and certain other disagreements between WWTA and the City and superseded in part an interlocal agreement executed in 2005 that settled outstanding issues between the parties.

WHEREAS, one of the requirements of the 2018 Interlocal Agreement is the repeal of the moratorium imposed by Resolution #473.

WHEREAS, on May 3, 2018, the WWTA board approved the 2018 Interlocal Agreement at a special called meeting, and committed to paying the City's currently due invoices by May 9, 2018.

NOW, THEREFORE BE IT RESOLVED by the City of Collegedale, Tennessee as follows:

1. The 2018 Interlocal Agreement (attached hereto as Exhibit A) is approved. The Mayor or City Manager may execute the 2018 Interlocal Agreement, and deliver the same to the City Attorney, who will exchange it (or counterparts) with counsel for the WWTA to complete the agreement.

2. Resolution #473 is repealed effective 12 noon on May 8, 2018.

3. The City Manager and the City Attorney are authorized to take all necessary actions to effectuate this Resolution.

Resolved this 7th day of May, 2018.

Mayor Katie Lamb

ATTEST:

City Recorder, Kristi Wheeler

Approved:

City Attorney, Sam D. Elliott

RESOLUTION #495

A RESOLUTION OF THE CITY OF COLLEGEDALE, TENNESSEE APPROVING A SETTLEMENT AGREEMENT EFFECTING THE DISMISSAL OF LITIGATION AGAINST THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY

WHEREAS, on March 13, 2017, the City filed a civil action in the Chancery Court for Hamilton County, Tennessee, styled *City of Collegedale v. Hamilton County Water and Wastewater Treatment Authority*, Docket No.: 17-0464 in The Chancery Court for Hamilton County, Tennessee (the “Action”); and

WHEREAS, the WWTa filed a counterclaim making certain assertions against the City; and

WHEREAS, the issues in the Action have been resolved through December 31, 2017 by means of a Settlement Agreement and the payment of \$230,958.72 for wheelage and treatment payments through that date; and

WHEREAS, to effectuate the settlement, WWTa has paid, and the City has received, \$230,958.72; and

WHEREAS, the Interlocal Agreement which is the subject of Resolution #494 sets rates for wheelage and treatment from January 1, 2018 forward;

NOW, THEREFORE BE IT RESOLVED by the City of Collegedale, Tennessee as follows:

1. The Settlement Agreement (attached hereto as Exhibit A) is approved.
2. The City Manager and the City Attorney are authorized to take all necessary actions to effectuate this Resolution, including dismissal of the Action with prejudice.

Resolved this 7th day of May, 2018.

Mayor Katie Lamb

ATTEST:

Approved:

City Recorder, Kristi Wheeler

City Attorney, Sam D. Elliott