

LEGAL AND LEGISLATIVE COMMITTEE

June 19, 2001

3:00 P.M.

The Meeting of the Legal and Legislative Committee was called to order by Chairman Littlefield, with Councilmen Page, Benson, and Hakeem being present. Councilman Pierce joined the meeting later. Attorney Mike McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included John Bridger, Jeff Pfitzer, Greg Haynes, and Christian Rushing.

UPDATE ON REZONING POLICY STUDIES

Chairman Littlefield acknowledged that this was the first time this Committee had met this term; that the other two members of the committee were Councilman Pierce and Councilwoman Robinson and that Councilwoman Robinson was in Rome, Italy; three other Councilmen had been recruited, including Councilmen Page and Benson who were the most involved in what we would be discussing today—the Hamilton Place, Hixson, and Highway 58 Rezoning Studies. He called on John Bridger.

Mr. Bridger noted that two areas that would be discussed today were the Hixson Plan, which would be presented by Christian Rushing and the Highway 58 Plan to be presented by Greg Haynes. He turned the meeting over to Mr. Haynes.

Mr. Haynes went over the Highway 58 Area Scope of Study, which should be completed by the end of summer or the first of fall. He referred to a map showing the area borders of Chickamauga Lake to the North, Bonny Oaks to the South, VAAP property to the East, and S. Chickamauga Creek to the West. He noted that they had been collecting background information and went over the public input phases, noting that a charrette would be held to get community input and ideas. He explained that inventory information and public input would be evaluated and processed into an Assessment Plan; a list of goal statements will be derived from the issues that arise from the public input. Information and evaluation gleaned from the previous phases will be used to develop a draft of the Plan, which will be presented to the public and other interested parties to see if anything has been left out. The Final Plan will be produced in a document format. The goal is to produce a tool that will help guide future development in the area concerning zoning issues.

Chairman Littlefield asked when this would be “wrapped” up. Mr. Haynes responded possibly by the end of the year it would be ready for adoption.

Councilman Page, who represents this district, addressed some of the needs, noting that there had been no update of the Plan in a decade and also that the VAAP Site is targeted in this area, offering a future of new businesses and industry. Mr. Haynes agreed that VAAP was a very important part and impacted this Study.

Councilman Benson stated that he attends the Planning Commission meetings at the Courthouse and that there were several petitions to rezone in the Hixson and Highway 58 areas and he wondered how many speculators were running and getting rezonings while the Plans are in progress. He stated that he did not know what we could do about this.

Councilman Page noted that in view of the problems Hamilton Place was having now that it was critical to get a group on it now rather than a hit-or-miss effort and was appreciative that the Planning Staff was taking this on.

Chairman Littlefield stated that the Studies were the beginning of the process and once the Studies were completed they would be presented to the Planning Commission and the Legal and Legislative Committee and then carried forward to the Council agenda for adoption as policy.

Christian Rushing next went over the Hixson/Northgate Area Scope of Study, noting that the process is basically the same as the Highway 58 Study; that extensive mapping and research will be performed to come up with a document that speaks to land use zoning and gives the City a firm leg to stand on.

Chairman Littlefield asked about the timing. Mr. Rushing responded that it was pretty much the same.

Councilman Page mentioned the widening of Hixson Pike and the new Super Walmart, noting that the intersection of HW 153 and Hixson Pike is a very dangerous one with many accidents and asked that this be dealt with in the Study.

Mr. Bridger stated that this was the scope of the studies as passed by the Council. He asked that if this looked fine to the committee would he need to bother the Council anymore about this. Attorney McMahan stated that there was no need for a formal Resolution, but it could be presented as a committee report.

Jeff Pfitzer went over the Hamilton Place Community Plan. He stated that they had been gathering community input since October of last year and had met with all of the community groups and a TDOT representative. He mentioned the Contract with Glatting and Jackson, who had assisted us. He explained that they had approached this in the position of a Regional Mall in the community. He also mentioned Robert Charles Lessor in regards to economics in the area and stated that we felt fortunate to have these groups

working with us and also Finn Bille who specializes in conflict resolution will help us avoid pitfalls. He stated that we would bring consultants in and meet with large segments of the community. He stated that Glatting Jackson would be working on traffic; there will be Friday and Saturday activities and there is an ongoing Study at this point. He stated that they wanted to see how the capacity of this area fits in with the region as a whole; that Glatting and Jackson would talk about traffic and ideas for addressing problems; that this would be looked at as a Regional Mall, which also serves the needs of the community. He stated that they would be working to generate ideas and had had good representation from realtors and had been talking about issues and resolutions and would formulate a draft, which they would bring back to this committee. He stated that they wanted to make sure that they involved the Council and kept them updated and informed. He extended a special invitation to the entire Council to attend the Charrette to be held on **Saturday, June 30th from 10:00 A.M. to 2:00 P.M. at the Chattanooga School for the Liberal Arts**, stating that it would be helpful to know that the Council supports this endeavor, and it would be a good opportunity to interact with the community.

Councilman Hakeem asked if anyone from the Staff would be present at tonight's meeting to bring this forward. Chairman Littlefield stated that he could bring this up himself tonight in his Committee Report.

Councilman Benson mentioned a number of man-made disasters in the district and also the traffic. He mentioned storm water and questioned if they were prepared for storm water studies in conjunction with land use and asked if this could be implemented before implementation of land use.

Mr. Pfitzer agreed that there were serious storm water problems and expressed an interest in being involved in the planning process. He stated, however, that this was beyond the scope of this Study, but they would consider this as they moved forward and see that the concerns were adequately addressed. Chairman Littlefield added that anything that was non-permeable would add to the problem. Mr. Bridger agreed that they should acknowledge the issue. Mr. Pfitzer added that they could go beyond acknowledging the issue and make some policy.

Chairman Littlefield asked if there were any other questions, stating that copies would be made of the handouts for those councilmembers not present.

Councilman Benson asked if the Regional Planning Staff could discourage applications for rezonings until these Studies come in. Chairman Littlefield stated that we could continue to approve rezonings in areas where studies are underway; that the only way to prevent this is to establish moratoriums, which gets to be legally complicated; that notices of the studies could be posted at desks where zoning requests are presented.

On motion of Councilman Benson, seconded by Councilman Page, the processes identified today were recommended for approval.

THOMAS MORRELL

Mr. Thomas Morrell asked to address this committee. Along with him were Al Weaver and Billy Boback. Mr. Morrell opened his remarks by referring to a letter he had sent to Governor Sundquist. He mentioned committing and maintaining “fraud”, stating that everything that had just went on in this meeting was “fraud”; that we could not see the forest for the trees; that truth produces oneness, liberty and prosperity and fraud produces division, destruction, and war; that people working for wages were involved in fraud; that the most profitable venture is war; that the antidote is the blood of Christ; that people don’t want peace—that they want fraud; that we exchanged the truth for a paycheck; that there is no paycheck for someone embracing the truth—that persons who embrace the truth can’t get a paycheck, stating, however, that people who live in glass houses should not throw stones; that we needed to look at the horse we were riding because it was taking us to our own destruction; that all of us were being manipulated by fraud and being played like a violin; that Satan was based on fraud and deceit.

Chairman Littlefield stated that the committee needed to know where Mr. Morrell was going with this.

Mr. Morrell mentioned the Constitution of the United States and the County of Hamilton as a seat; that all men should become kings and our property should not be taxed or zoned and man should have jurisdiction over his own property; that this is not a Democracy but a Republic; that fraud mixes up apples and oranges and is maintained by “bullshit”; that the Republic County of Hamilton was acquired in bankruptcy, and we continued to be in slavery; that people can’t own property because they are property. He stated that attorneys were the footmen of treason and were agents of fraud and deceit—that fraud and deceit carry the day and the people are not full shareholders and just receive a dividend check.

Chairman Littlefield stated that if Mr. Morrell was going to regress into profanity that he would have to ask him to stop; that he needed to wind up his remarks in three minutes and tell the committee what he expects them to do.

Mr. Morrell stated that the committee had an oath to lawful money because of attorneys; that he wanted them to make everyone shareholders and not propitiate fraud. He mentioned the case of Timothy McVeigh as being a product of fraud and stated that citizens were being abused by fraud.

Chairman Littlefield thanked Mr. Morrell for his presentation.

The meeting adjourned at 3:50 P.M.

