

RESOLUTION NO. 49-2022

A RESOLUTION TO APPROVE A SETTLEMENT AGREEMENT WITH TENNESSEE RIVERKEEPER, INC

WHEREAS the City of Manchester, Tennessee operates a sewer system, and

WHEREAS Tennessee Riverkeeper, Inc. has filed a lawsuit in Federal Court for declaratory and injunctive relief to include imposition of fines, civil penalties, and litigation expenses to include attorney fees and costs against the City of Manchester, Tennessee for wrongful discharge of wastewater, and

WHEREAS a mediation was conducted between the parties, and a proposed settlement was entered into subject to the approval of the Manchester Board of Mayor and Alderman, wherein the matter was tentatively settled for the payment of attorney and litigation fees and costs in the amount of TWENTY-SIX THOUSAND FIVE HUNDRED AND SEVENTY-TWO AND 17/100 DOLLARS (\$26,572.17) to Riverkeeper, without the admission of wrongdoing on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the City of Manchester, enter into a consent decree that is consistent with the attached settlement agreement with Tennessee Riverkeeper, Inc.,

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the Mayor and Finance Director are authorized to execute this Consent Decree.

Resolved this 1st day of November 2022.

Marilyn Howard, Mayor

Bridget Anderson, Finance Director