

AGENDA ITEMS WORK SESSION
August 5, 2008
3:00 P.M.

Chairman Bennett called a meeting to order to go over Agenda Items for the current and following week and also purchases on tonight's agenda. Present were Councilmen Benson, Berz, Rico, Shockley, Robinson, Gaines, Page, and Pierce. Also present were Attorney Randall Nelson; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council.

Others present included Jim Templeton, Jerry Stewart, Gary Hilbert, Dennis Malone, Barry Bennett, Karen Hundt, Pam Glaser, Greg Haynes, Dan Johnson, Larry Zehnder, Steve Leach and Missy Crutchfield. Daisy Madison and Richard Beeland joined the meeting later.

Chairman Bennett expressed appreciation to Councilman Rico for letting us experiment with his allotted time, explaining that we would get some items that were not controversial out of way and then could go into committee meetings. She called on Dan Johnson, Chief of Staff.

Mr. Johnson acknowledged that there were no purchases on tonight's agenda.

The first agenda item was **Ordinance (a)**, which was a closure and abandonment for Bob Franklin—GPS. Mr. Johnson noted that we had been talking about this for two to three days and since additional information was needed, the matter would be deferred.

Adm. Leach stated that he had talked to someone today and also the attorney for GPS; that their attorney will get together with our attorney and work out what legal agreement needs to be provided.

Attorney Nelson stated that he talked to Mr. McGinnis and told him this would be deferred, and he thought this was wonderful; that he had heard the application would be amended. Adm. Leach agreed that there were some discrepancies.

Councilwoman Berz stated that she thought the concern was leaving the road open all the time and confirmed that it would not close during nighttime hours.

Resolution 7(a) authorized the Department of Education, Arts & Culture to apply for a grant from the National Endowment for the Arts in the amount of \$9,107.00 to be used for a 2009 8-week Summer Film Project for teens in the Westside Neighborhood. Mr. Johnson noted that this was covered last week, and there is no expense to the City.

Resolution 7(b) authorizes payment in the amount of \$18,000 to *Chattanooga Parent Magazine* for advertisement to run six times in the school year, promoting Parks and Recreation Department programs. Adm. Zehnder explained that this was a quality publication of all our programs, which we had been producing ourselves in an “on and off” no deliberate way; that we were working out an agreement with *Chattanooga Parent Magazine* to provide several pages; they will handle the printing and publication, and it will save us \$12,000 a year in what it costs us, and we will also get distributions. He stated that this was just a change in direction.

Councilman Pierce questioned why this could not go with the Neighborhood Services Newsletter and let them publish it? Adm. Zehnder explained that they did not get the same type of readership, with Chairman Bennett adding that *Chattanooga Parent Magazine* is circulated in all of the schools.

Councilman Benson also saw the value in one city publication, combining Missy Crutchfield, Larry Zehnder, and Neighborhood Services.

Mr. Zehnder noted that it was costing us \$18,000 a year, and we will save \$12,000, with Councilman Rico adding that it goes to all schools.

Councilman Benson still wanted someone to look at the possibility of consolidating a publication to include all.

Mr. Johnson explained that this was a different audience that this would be going to; that there would not be much readership for an all in one publication. Councilman Benson begged to differ, using the Chattanooga Times as an example.

Mr. Zehnder stated that we had used the newspaper in 1993 for a publication of city services insert; that it was very expensive, counting the printing and insertion fees; that this would cost more.

Councilwoman Berz stated that she thought it was a great idea!

Resolution 7© authorizes payment in the amount of \$7,486.38 to Cues, Inc. for services provided that exceeds the \$10,000 per vendor limit for the year 2007-2008.

Resolution 7(d) authorizes Contract No. E-04-002-201, Mountain Creek Road Improvements to Stein Construction Co. in the amount of \$210,682.00, plus a contingency amount of \$19,380.00 for a total contract amount not to exceed \$230,000.00. Adm. Leach urged to go forward with this contract.

AGENDA ITEMS FOR AUGUST 12, 2008

Mr. Barry Bennett went over **Ordinance 6(a)** for Habitat for Humanity to rezone a tract of land located in the 2300 Block of East 19th St. from M-2 to R-1. He explained that the original request was for RT-1, but they changed their mind as they only needed a R-1 Zone. When it came before the Council, it had to be referred back to the Planning Commission.

Ordinance 6(b) is for Southeast Local Development Corporation to rezone tracts of land located in the 1100 Block of 10th Street and 11th Street from R-1 to R-4. This is recommended for approval by the Planning Commission for fraternity property; that initially it was to be deferred until the MLK Plan was adopted, and the Plan will support this.

Councilwoman Berz noted that it said “subject to certain conditions”. She stated that when it said this, she thought the conditions should be listed.

Attorney Nelson pointed out that this was in the Ordinance that was in the Council’s packets.

Councilwoman Berz responded that the public does not have this information, and it seems like a big secret.

Mr. Haynes noted that the public is present when they present the case.

Councilwoman Berz stated that this is a public meeting, and she thought it was a good idea to explain these conditions because the Public does not have “packets”.

Chairman Bennett questioned if we needed more information on this case.

Councilman Pierce stated that he had asked for the zoning to be delayed until the Land Use Plan is ready; that they were not getting a clearance from the neighborhood on this; that he would like this delayed until the Land Use Plan is in place.

Mr. Bennett indicated that they had no problem with this.

Ms. Hundt stated that they would be taking the Land Use Plan to Planning in September, with Councilman Pierce asking if they had talked to the neighborhood about this.

Councilwoman Robinson stated that it would be presented in her committee in about five minutes.

Ordinance © is for William J. Patterson, Jr. to rezone a tract of land located in the 200 Block of Forest Ave. and 109 Hartman St. from R-3 and O-1 to R-4. This was recommended for approval by Planning. Subject to one condition—that it be single-family or an art gallery only.

Ordinance (d) is for Bowman & Associates to rezone tracts of land located at 8509 and 8515 East Brainerd Road from R-1 and R-2 to R-3. This is recommended by Planning with two conditions—that there be a maximum of 22 units and that they attend a City of Chattanooga Pre-Submittal Meeting.

At this point, Councilman Page mentioned “subject to certain conditions”—that this is to be developed for an apartment complex; that when you say “subject to certain conditions” it eliminates “not according to site plan submitted”.

Mr. Hilbert explained that we could condition an Ordinance on Site Plan submitted; sometimes it is not referenced; if it is referenced, then the Land Development Office has to follow.

Councilman Page stated that he thought this was education for the whole Council—“not referenced to Site Plan”.

Mr. Bennett explained that this was done occasionally but not frequently; that we request a Site Plan on everything but sometimes it is not tied directly to the Site Plan; in some cases, however, it is necessary.

Resolution 7(a) expresses the intent to issue bonds in the aggregate amount not to exceed \$20,000,000.00 for the purpose of paying all or a portion of several projects. Ms. Madison explained that the purpose of this is that this is the first step—that it is a two-part process. The first part is the normal budget process and allows us to reimburse ourselves prior to issuance of bonds. The second part is for Enterprise South relative to Volkswagen coming to town. She stated that this Resolution relates to routine items and is the initial step prior to issuance of bonds.

Councilwoman Berz stated that she and Ms. Madison went over this; that it is an item for her committee, and she is prepared to back it.

Mr. Johnson noted that in 2-3 weeks they would come back with a Resolution for Enterprise South.

Mr. Zehnder noted that **Resolutions (b), (c), and (d)** were his. **Resolution (b)** authorizes an amendment to an agreement with Lose & Associates for construction documents for the redevelopment of Warner Park and its ballfield, increasing the contract amount by \$15,000, for a revised contract amount not to exceed \$285,000.00. **Resolution (c)** will be taken up later in committee. **Resolution (d)** authorizes a Conservation Agreement with the Trust for Public Land in an amount not to exceed \$100,000.00 relative to the Chattanooga Greenways Program. This continues our relationship with Trust for Public Land and gets a new agreement established for recurring things. Chairman Bennett noted that she saw Rick Wood present.

Mr. Johnson noted that **Resolutions (e), (f) and (g)** are all final contracts for Public Works. Adm. Leach explained that **Resolution (e)** authorizes Change Order No. 2 relative to the contract with Consolidated Technologies, Inc. for construction of the Phase I and Phase II Gas Collection System, decreasing the contract amount by \$74,672.52, for a revised contract amount not to exceed \$344,597.48. **Resolution (f)** authorizes Change Order No. 1, relative to the City Landfill at Birchwood Area 3, Phase I Liner with Wright Brothers Construction Co. Inc., decreasing the contract amount by \$171,255.00 for a revised contract amount not to exceed \$9,171,150.01. **Resolution (g)** authorizes Change Order No. 1, relative to the contract with Consolidated Technologies, Inc. for the City Landfill at Birchwood Area 3, Phase I, increasing the contract amount by \$72,400.00 for a revised contract amount not to exceed \$412,054.00.

Ms. Madison went over **Resolution (h)** that authorizes to apply up to \$2,000,000 from the excess of 2007-2008 collections over expenditures to the Other Post-Employment Benefits (OPEB) Trust Account. She explained that this was another routine item until a full Study is done and is mainly concerned with medical coverage to our retirees. She noted that we had been requested to report the cost of liability in the OPEB Benefit Trust Account, and she was asking that once we close out our books that they be allowed to transfer \$2,000,000 to fund this budget.

Councilwoman Berz stated that she had gone over this with Ms. Madison and recommends this.

Mr. Johnson noted that there would be a Resolution on next week's agenda for a contract with Mr. Feeley. Richard Beeland explained that we were hiring him to work as a liaison with the Hispanics. Councilwoman Berz stated that this was a great idea, with Councilman Benson stating there could be no one better!

Chairman Bennett stated that "old business" would be Charter Amendments.

The meeting adjourned at 3:30 p.m.

