

AGENDA MEETING
September 2, 2008
3:00 P.M.

The Agenda Meeting was called to order by Vice Chairman Benson. Councilpersons Berz, Pierce, Shockley, Rico and Robinson were present. City Attorneys Randall Nelson, Mike McMahan and Phil Noblett were also present. Management Analyst Randy Burns and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Lee Norris, Jim Templeton, Gary Hilbert, Denny Malone, Steve Leach, Missy Crutchfield, Joachim Volz, Dan Johnson, Lt. Noorbergen., Chief Williams, Jerry Stewart, Daisy Madison, Mayor Littlefield, Gene Hyde, Richard Beeland, and Stan Sewell.

Vice Chairman Benson called on Dan Johnson to go over agenda items.

Mr. Johnson went over the following purchases: Air Relief Valves from Piping Supply for the Public Works Dept. in the amount of \$15,430.56; Electric Utility Vehicles from Crown Lift Trucks for the Public Works Dept. in the amount of \$44,450; A Shelter System from Western Shelter Systems for the Fire Department in the amount of \$143,514; and Sod for the Summitt Softball Park for Parks and Recreation in the amount of \$62,104.14 from Sod Atlanta.

Councilwoman Berz asked what a Shelter System was? Mr. Johnson responded that he was not sure. Councilman Pierce stated that he had the same question and that someone needed to be at tonight's meeting to explain this.

In regards to Sod Atlanta, Councilwoman Robinson asked if we always did business locally when we could? She wanted to know if consideration was given to local businesses. Mr. Johnson responded that we solicit all local businesses that we can, but sometimes their bids are higher.

Vice Chairman Benson noted that we want local businesses but sometimes they could get a monopoly if there was no competition.

Attorney Nelson noted that in times past we had attempted to give local contracts a 5% advantage on bids; however the contractors came back and said they did not want the 5% because if contractors get a break locally, and they take business over the State line, they withdraw it.

Ordinance 5(a), amending the Charter in regards to the City Auditor position will be discussed in a committee meeting that will follow.

Ordinance 5(b) amending the City Code in regards to the Fire and Police Pension Fund, has been worked out by attorneys.

Attorney Nelson noted that there was one change—that this is to apply to only persons hired by today—not June 30th. Vice Chairman Benson noted that we would need a motion to substitute tonight, with Councilwoman Berz adding that all were in agreement.

Mr. Johnson noted that **Ordinances ©, (d), and (e)** were all discussed last week.

In regards to **Ordinance (d)** for Southeast Local Development Corporation that rezones tracts of land located in the 1100 Blocks of 10th St. and 11th St. from R-1 to R-4, Councilman Pierce noted that he had talked to Ms. Conley, and they had worked out differences with the contractor—that the conditions had been worked out.

Ordinance 6(a), known as the Wrecker Ordinance is up for first reading. Councilman Rico stated that Paul Page would be present tonight to question how this is written.

Councilman Pierce stated that other questions had been raised and asked that this be deferred for one week.

Vice Chairman Benson stated that we needed to get this Ordinance in place so that we can have some experience.

Attorney Noblett noted that there would be more changes as we go along; that he had letters from the wrecker folks and Attorney McGovern.

Councilman Pierce stated that he felt this Ordinance still gives one wrecker company exclusivity rights by saying that wrecker companies have to have a contract.

Attorney Noblett agreed that it did speak to contracts, but not necessarily with Yates. Councilman Pierce still felt that it was exclusive.

Vice Chairman Benson explained that it has been opened up so Class “C” can go out, and it is a lot more flexible.

Councilman Pierce stated that there were questions about an incident that happened last week and questions about rotators.

Councilwoman Berz stated that if two Councilmen and Mr. Page wanted this held one more week that she had no problem with this.

Mr. Johnson stated that **Resolution (a)** authorizing Todd McCain temporary use of a right-of-way will be discussed in the Public Works committee.

Resolutions (b) and (c) have already been discussed by Larry Zehnder.

There is a change in **Resolution (d)** from Brainerd Senior Activity Center to Eastgate Senior Activity Center.

Resolution (e) regarding litter pick-up along city rights-of-way was discussed last week.

Resolution (f) regarding changing a right-of-way name was discussed last week.

Resolutions (g) through (k) will be discussed in the Public Works committee.

AGENDA ITEMS FOR SEPTEMBER 9, 2008

Ordinance 6 (a) and (b) are amendments to the Zoning Ordinance and can be discussed in committee by Barry Bennett if necessary.

Ordinance 6© authorizes the Capital Improvements Budget for 2008/2009 and has already been gone over by the Council.

Ordinance 6(d) is the GPS Closure and Abandonment, which has been deferred several times.

Ordinance 6(e) is for David Matthews and lifts conditions.

Mr. Johnson noted that **Ordinances 6(f) and (g)** are rezonings and Vice Chairman Benson does not like these cases to be discussed outside of the Council meeting. This was questioned by Councilwoman Berz who stated that this meeting is the way and where these matters should be discussed. (Agenda meeting). If this is the case, Mr. Johnson stated that we would need to get Greg Haynes to come to this meeting. Vice Chairman Benson added that he was not yet adjusted to this new format.

Mr. Johnson continued, stating that **Ordinance 6(h)** will be covered in the Public Works committee.

Resolution 7(a) concerning an Agreement with Attorney Michael J. Mahn will be covered next week by Paul Page.

Resolution 7(b) concerns funds being issued by the Chattanooga Police Department in the amount of \$10,000 to the Greater Chattanooga Crime Stoppers, Inc. to be used as rewards for tips leading to the arrest and conviction of persons who commit crimes. Councilman Pierce asked who was making this contract? Lt. Noorbergen was present and explained that \$10,000 was issued first under Chief Dotson; that Chief Parks had meant to follow up on this but never got to it. Councilman Pierce noted that this was managed through our Police Dept.; however Crime Stoppers is a countywide project, as well as outlying areas, and he wanted to know what contributions these others were making. Chief Williams explained that most of the cost comes from private donors. Lt. Noorbergen added that this is used for reward money, noting that Walmart gives a lot towards this. Councilman Pierce still felt that we were putting too much on ourselves. Vice Chairman Benson suggested that this be written for the City to match the County up to \$10,000 per year. Councilman Pierce felt that this should be even wider than the County because Crime Stoppers goes into North Georgia; however he added that he could live with the County making an equal contribution.

Resolution 7© adopts a five-year Capital Improvements Plan, which Mr. Johnson explained we are required to adopt every year, and he thought this had already been presented.

Resolution 7(d) is a change order that will be discussed in Public Works committee. **Resolution 7(e)** accepting payment from Ken DeFoor will also be discussed in Public Works committee.

Resolution 7(f) is a Special Exceptions Permit that Greg Haynes will cover.

The meeting adjourned at 3:25 p.m.