

## COUNCIL AGENDA SESSION

November 11, 2008

3:00 P.M.

Chairman Bennett called the agenda session to order with Councilpersons Berz, Benson, Gaines, Pierce, Rico, Shockley, Page and Robinson present. City Attorney Randall Nelson and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Richard Beeland, Chief Williams, Dennis Malone, Greg Haynes, Jerry Stewart, Councilman-Elect Russell Gilbert, Paul Page, Lee Norris, Steve Leach, Dan Johnson, Jim Templeton, Barry Bennett, Larry Zehnder, Chief Parker, and Daisy Madison.

Mr. Johnson welcomed Chairman Bennett back from China.

He began with **Ordinance 1st Reading (b)**, concerning the EPB Franchise, which will be discussed later in Public Works Committee.

**Ordinances © through (h)** are zoning matters and will be covered in tonight's Council meeting.

**Ordinance (i)** lifts conditions on a previous rezoning and is for Betts Engineering Associates, Inc. and will be discussed in Public Works Committee later.

**Resolution (a)** relating to Scenic Industries Pilot Program was discussed in committee last week.

At this point Councilman Benson asked to go back to **Ordinance (h)** Flournoy Development Co., LLC from R-1 to R-3 for property located in the 7200 Block of East Brainerd Road and the 1200 Block of Panorama Drive. He stated that this situation had been going on since 2001 and there had been at least 30-40 meetings and members of the community would be present at tonight's meeting. He stated that he would like to give the committee some background on this case—that everyone in the community would love to keep this area pristine; however it had already been clear-cut and had been sold to another fellow who had worked with the community in trying to figure out something to go there. He went on to say that he thought everyone was together on this; however he had had a phone call from a lady this afternoon who was bringing a lawsuit against the City about blight. She had said she knew nothing about meetings and wanted to keep this R-1—that she was raising “cain” or maybe he should say “objecting”. He reiterated that he thought this community would love for this to stay R-1 but this was not the reality, and they were accepting this reality with conditions.

Councilwoman Robinson asked if the man who owned this was a silent partner with Flournoy?

Councilman Benson responded “no”; that Jerry Fowler was the original owner, and he had sold it to a Mr. Gallimore, who had taken a great affection for this community; that this lady who is against this does not even live close; that this was a tough situation that they had been working on for years.

Councilman Pierce wanted to know how this was different from the request in 2001? Councilman Benson explained that in 2001, they wanted this zoned commercial.

Councilwoman Berz wanted to know where the property is located.

Councilman Benson stated that it was Panorama Drive off of E. Brainerd Rd.; that when the Council refused to rezone this commercial, the owner cut every tree down, prompting Councilman Rico to state that they were **his** trees.

Proceeding with the agenda, Mr. Johnson stated that **Resolution (b)** instituting legal action would be discussed later in Public Works committee.

**Resolution ©** correcting the heating, cooling and ventilation systems at the DRC was discussed last week.

**Resolution (d)** authorizing the acceptance of a permanent conservation easement from Dean Construction, LLC will be discussed by Larry Zehnder later.

**Resolution (e)**, a Street Dedication, is also a Public Works’ item.

### **AGENDA ITEMS FOR NOVEMBER 18<sup>TH</sup>**

**Ordinance 6(a) First Reading** is a closure and abandonment for Jacquelyn C. Smith for the 1700 Block of Holly Oak Lane. This will be discussed in detail in the Public Works’ committee later.

**Resolution (a)** authorizes payment of the 2009 Dues in the amount of \$10,610.00 to renew the City of Chattanooga’s membership in the National League of Cities. This had to be reported because it was over \$10,000. Councilman Pierce asked if this was a late payment? He was told “no”.

Councilwoman Robinson noted that **Ordinance 6(a)** was recommended for denial by Staff and Public Works. She wanted to know what this means?

Mr. Johnson assured her that this matter would be covered in detail in the Public Works committee.

Continuing with **Resolution (b)**, accepting a payment from Hudson Companies, Inc., this is a Public Works' item.

**Resolution ©** declares Police Department guns as surplus property and authorizes said guns to be traded in to G.T. Distributors, Inc. for credit for a total of \$21,230.00. Mr. Johnson stated that Chief Williams was here to discuss this.

Councilman Pierce wanted to know how often we trade guns? Chief Williams responded that it happens ever several years—that none are confiscated guns—that it happens every 3-4 years. Councilman Pierce wanted to know how much we get for each weapon? Chief Williams responded about one-half the original price. Councilman Pierce wanted to know the value of pistols? Chief Williams responded that new ones cost about \$600 each, and we get about half the value to buy new guns, which are used for the academy; that we are not replacing guns.

**Resolution (d)** authorizes a Personal Services Contract with Dr. Barbara Medley for oversight of the Office of Multicultural Affairs for the period of November 1, 2008 through November 19, 2008. Mr. Johnson explained that this would give her time on the contract to legally take her through until the new person takes over.

Chairman Bennett mentioned a change that was discussed at this morning's agenda meeting that she thought was a bond issue. Mr. Johnson noted that it was a change on sidewalks that would be covered later.

The meeting was adjourned.