Chairman Bennett called the Agenda Session to order, with Councilmen Benson, Berz, Gilbert, Robinson, Page, Rico and Pierce present. Councilwoman Gaines joined the meeting later. City Attorneys Randall Nelson, Phil Noblett, Valerie Malueg, and Crystal Freiberg were also present, as was Shirley Crownover, Assistant Clerk to the Council.

Others present included Daisy Madison, Greg Haynes, Steve Leach, Barry Bennett, Jim Templeton, Gary Hilbert, Dennis Malone, Lee Norris, Dan Johnson, Chief Parker, Fire Marshall Haney, Chief Williams, Officer Dunn, Larry Zehnder, Donna Kelley and Bill Payne.

Chairman Bennett called attention to the Ordinances on Final Reading and then went to Resolutions.

**Resolution ©** authorizes an Agreement with Volkert & Associates, Inc. relative to Contract No. E-08-024-101, for Traffic Engineering to conduct a Traffic Impact Study for 36 intersection and three rail crossings near the Volkswagen facility at Enterprise South Industrial Park in an amount not to exceed $166,300.00 and to accept funds from Hamilton County for their participation. It was noted that Councilwoman Berz brought up the issue of mass transportation and how to share this with the County.

**Resolution (f)** authorizes payment to Pioneer Title Agency, Inc. in the amount of $148,967.50 for the City’s half of the purchase of title insurance for the Volkswagen site, the total price being $297,935.00, the other half being paid by the County. Mr. Johnson explained that this was Title Insurance and asked Adm. Leach to speak to this.

Mr. Leach explained that this was one of the requirements for title, and we need this policy; that we identified a Title company and looked at the rates. This is protection for Volkswagen’s investment and comes with a recommendation from Public Works.

**Resolution (g)** authorizes payment for on-going training conducted by the University of Tennessee Municipal Advisory Services (MTAS) for the period of Dec. 31, 2008 to Dec. 31, 2009 in the amount of $66,981.00. This will be discussed further in the Legal and Legislative Committee.
**Resolutions (h) and (i)** concern Parks and Recreation. The first authorizes a second amendment to the agreement with Lose and Associates to provide landscape services to Phase II of the Warner Park Ballfield Complex Project, increasing the amount by $9,500.00, for a revised contract amount not to exceed $294,500.00. This is for landscaping. The second authorizes an Agreement with Palmertree Construction Co., LLC for construction of a barn at Greenway Farms in the amount of $232,193.00, plus a 5% contingency amount of $11,609.65, for a total contract amount not to exceed $243,802.65. Resolution (i) is at the Greenway Farm where the building burned and this is the replacement.

**Resolution (j)** declares as surplus two vehicles and conveys them to Animal Care Trust d/b/a McKamey Animal Care and Adoption Center, Inc.

**Resolution (k)** declares as surplus ten Light Bars to be donated to the Hamilton County Rescue Service. These are red lights only.

**Resolution (l)** authorizes payment to Deane F. Allen in the amount of $13,365.90 for an additional easement on property located at 0 Apison Pike, relative to the Summit Ballfield Complex Project. It was noted that Danny Thornton did a superb job on this.

**Resolution (m)** authorizes an agreement with Brightbridge, Inc. for administration of Section 108 Guarantee Loan funds under HUD. Mr. Johnson stated that Joe Guthrie was present for questions concerning this.

Mr. Guthrie explained that in 2005 there was a $2.3 million loan from HUD to pay off a Fannie Mae Loan. This was a loan for areas around brownfields and also loans to small businesses and not-for-profit organizations. Like most federal programs, there were a lot of strings attached, for instance no job could exceed $35,000; the brownfields dealt with taking blighted, overgrown lots and helping putting them back on the market place. Mr. Guthrie stated that they were working through HUD and had hoped to have this operational; that their primary concern was a workable program and a good process to accomplish their objectives and meet the requirements.

Mr. Johnson added that of $10 million dollars, $5.4 was given to EBP; $2.3 paid off the Fannie Mae Hope 6 Project; and the remaining $2.3 was a Revolving Loan Fund.

Chairman Bennett verified that the dollars were available in the community.
Resolution (n) appointed Michael A. McMahan as City Attorney, effective January 1, 2009, to fill the unexpired term of Randall L. Nelson.

Resolution (o) authorized C&L Rentals, LLC to temporarily use the rights-of-way at the intersection of E. 24th St. and Dodds Ave. and E. 25th Street and Dodds Ave. to install two control gates to restrict dumping and other illegal activities. This relates to Ordinance © and was discussed last week.

Councilman Pierce wanted to go back to Resolution (j) that declared two vehicles surplus to be conveyed to McKamey Animal Care and Adoption Center, Inc. He wanted to know where the vehicles were coming from and why they were surplus? Mr. Johnson explained that the vehicles were used by Animal Services previously and had been parked. Chief Williams added that McKamey was already using the vehicles—that they were old Animal Services vehicles. Chairman Bennett added that this was part of our Contract with McKamey.

Councilman Gilbert questioned Resolution (i) for the construction of a barn at Greenway Farms. He asked Adm. Zehnder to explain the barn. Mr. Johnson explained that this cost was covered by insurance proceeds from when the previous barn burned. Councilman Gilbert wanted to know what the barn would be used for? Adm. Zehnder explained that it was a storage facility for kayaks, etc.; that it was a 4,000 sq. ft. building; that there was a picnic pavilion attached for public use; that the building was unheated and had some restrooms. Councilman Benson confirmed that this was insurance money.

Mr. Johnson proceeded to go over Purchases for tonight’s council meeting—the first being a Contract for Dry Foods & Kitchen supplies for Human Services from THS Food Service (best incomplete bid) based on unit prices; the second was a Contract for Disposable Diapers for Human Services from Project Management Solution based on unit prices; thirdly was Taser Air Cartridges for the Police Dept. from Taser International, Inc. in the amount of $15,976.00; fourth was emergency heating and air conditioning system from Metro Services, Inc. for General Services in the amount of $21,027.00; and last was multimedia equipment and installation from Dell Marketing in the amount of $95,036.20.

An unidentified man in the audience asked for a further explanation of Resolutions (i) and (j), particularly about the donation of the vehicles to McKamey. He wanted to know if they paid for these? It was explained to him that it was a donation. He then asked about Resolution (m) regarding Brightbridge, Inc. and wanted to know if $10 million dollars was in the city’s coffers or if it were $2.3 million? Mr. Johnson again went over that it was a $10 million dollar Section 108 Loan with $5.4 going to EPB; $2.3 to pay off an existing Fannie Mae Loan; and $2.3 for a Revolving Loan Fund.

Councilwoman Berz wanted to know why we do Requirements Contracts and what “not to exceed” meant. Mr. Johnson explained that it meant not to exceed the Budget.

The meeting adjourned at 3:15 P.M.