In the absence of Chairman Bennett, Vice Chairman Benson called the Agenda (Work) Session to order, with Councilpersons Gaines, Robinson, Rico and Berz present. Councilman Gilbert joined the meeting later. City Attorney Michael McMahan; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Larry Zehnder, Beverly Cosley, Dan Johnson, Paul Page, Greg Haynes, Chief Parker, Chief Cooper, Capt. Snyder, Jim Templeton, and Jerry Stewart. Daisy Madison, Steve Leach, Barry Bennett, Solomon Hatch, and Danny Thornton joined the meeting later.

**MELVIN BREWER—IRONWORKERS**

Vice Chairman Benson stated that Melvin Brewer was present and wished to address the Council; that he had not known that Mr. Brewer would be here tonight but would allow him a short time to speak.

**Mr. Brewer** stated that he was with the Ironworkers’ Union and also represented the Building Trades; that he was present, along with other workers, because they were concerned about the Volkswagen contracts that were being let out; that tax money had made it possible for Volkswagen to be here; that they were saying that it is local participation if someone is within 150 miles of Chattanooga; that they could not train young apprentices if they did not get help; that recently four buildings had been given to a non-union company out of North Carolina. Again, he stated, he was asking for the Council’s help, adding that he had promised Vice Chairman Benson that he would keep this brief.

Vice Chairman Benson stated that he was sorry to have to put a “lid” on the time. He asked if any of the Council members had any questions?

Councilwoman Berz stated that we were working on local preferences; that this had happened before we had had a real chance to get involved. She asked if he had been talking with Gary Watkins about the timetable.

Mr. Brewer responded that they were really waiting until after the election.

Councilwoman Berz mentioned that there would be a District 6 Summit that would be working on this, and she asked Mr. Brewer what the Council could do.
Mr. Brewer responded that the Council could make these contractors aware; that people who would be coming in would be bringing their own people and he asked what our citizens were supposed to “eat”. He urged that the Council get a dialog going and let them know that there was no need to bring everyone new in; that our workers had built sawmills and nuclear plants.

Councilman Gilbert agreed that we needed to look after our own and keep the money in our City; that we need to look at people locally who have to feed their families; that we were talking about a new Trade School, but we needed to take care of our current workers.

Councilwoman Gaines stated that she had met with officers from Germany and also some of the personnel representatives from Maryland. She suggested that Mr. Brewer try to make an appointment with Mayor Ramsey and Mayor Littlefield.

Mr. Brewer assured her that both Mayors were well aware of this situation.

Councilwoman Gaines noted that we had just awarded millions of dollars around this site, including a bridge.

Mr. Brewer assured her that Mayor Littlefield was well aware of the situation.

Councilwoman Gaines stated that she understood they had done that but that they needed to know who the players are—mentioning Zach Wamp and Bob Corker—that they needed to get appointments with these men. She stated that she was just trying to give them some avenues to pursue.

Vice Chairman Benson suggested to Mr. Brewer that when he wanted to appear before a committee that he needed to get time ahead on the agenda or that he would have an opportunity to talk at the end of each Council meeting. He again apologized for rushing him and thanked him for being positive with the Council—that this situation was like “courting a Bride-to-be” and hating that there might be a future divorce. He stated that the Council needed to be advised about these issues.

Mr. Brewer stated that this same thing was going on all over the United States—that there was a rising concern everywhere.
AGENDA ITEMS FOR APRIL 14, 2009

At this point, Vice Chairman Benson stated that Mr. Johnson should go over only the items on tonight’s agenda and at tonight’s Council meeting, he could cover next week’s agenda; that if he thought there were any pertinent items on next week’s agenda that might be controversial that he could quickly go through these at this meeting.

Mr. Johnson stated Ordinance 5(a) a closure and abandonment for Grady H. Dagnan was discussed by Public Works last week.

**Ordinances—First Reading (a), (b) and (c)** were amendments to the Zoning Ordinance and had been discussed by Barry Bennett as to definitions and changes.

**Ordinance (d)** is a zoning item, as are **Ordinances (e) through (i)**.

**Ordinance (j)** lifts conditions for Flournoy Development Company and is in Vice Chairman Benson’s district.

Vice Chairman Benson stated that this was located at Panorama and East Brainerd Rd. and had already been approved for apartments; that they were coming back with a few conditions that needed to be changed; that some people in this area were not knowledgeable about this and were trying to stop the whole thing; that the president of a distant neighborhood association had been told that they needed to fight this because it would create more traffic in East Brainerd. He explained that this was just to remove some conditions—that the whole area had already been rezoned. He added that all that lived in close proximity had been listened to and would be present at tonight’s meeting to stand up.

Councilwoman Berz wanted to know what conditions were being lifted and asked Greg Haynes to respond to this.

Mr. Haynes referred to the initial request, stating that they were going to re-position some of the buildings, which would require new site plans that would affect the buffer and landscaping. He noted that there were at least a list of 20 conditions.

Councilwoman Berz confirmed that these conditions meet the major concerns.

Vice Chairman Benson explained that the Panorama people wanted a better setback and berm and the buildings moved back; that they wanted a different elevation cut.
Mr. Johnson stated that Ordinance (k) was also a zoning item.

He then moved to Resolutions. Resolution (a) authorizes the Chief of Police to apply for a grant from the Governor’s Highway Safety Office in the amount of $300,000 to be used for radar guns and was discussed last week.

Resolution (b) authorizes acceptance of an easement from Hixson Development Partners, LLC through the Trust for Public Land on a portion of Lot 2, Morning Pointe Subdivision and will be covered later today.

Resolution (c) authorizes a City Sidewalks Requirements Contract to Yerbey Concrete Construction, Inc. in the amount of $268,508, plus a contingency amount of $31,492, for a total amount not to exceed $300,000.00 and was discussed in Public Works Committee last week.

Resolution (d) adopts the “Shallowford Road Policy” and will be covered by Barry Bennett.

Resolution (e) is a Special Exceptions Permit and will be handled by Greg Haynes. Mr. Haynes will also cover Resolution (f), which is a Preliminary and Final PUD.

Resolution (g) concerns a Lease Agreement with Heather Wagner for property known as the “Little Greenhouse” located at 451 West Main St. and was talked about last week. Mr. Johnson noted that Paul Page was present if there were further questions.

Resolution (h) authorizes the Office of Multicultural Affairs to sponsor the 3rd Annual Power of One Mayor’s Luncheon to be held on June 30, 2009, at the Chattanoogan Hotel. He explained that this would allow for OMA to solicit for this and to authorize City Departments to buy tables at said luncheon.

Resolutions (i) and (j) are recent additions. Resolution (i) authorizes the Chief of Police to apply for an Edward Byrne Memorial Justice Assistance Grant from Washington in a total amount not to exceed $842,178.00, which is part of the American Recovery and Reimbursement Act of 2009. Mr. Johnson explained that they were facing deadlines on these grants.

Capt. Jeannie Snyder explained that there were three Grants they were applying for: (l) Cops Hiring and Recovery Act, which has been completed and the Resolution is pending. This would fund 50 additional officers to fill vacancies, avoid layoffs and add units to include Crime against Children. This is in the amount of $8,682,850. The City will be responsible for the salary of these officers in the fourth year.
The second grant is the Edward Byrne Memorial JAG Local Solicitation. The deadline is May 18\textsuperscript{th} and the Resolution is pending. We are eligible for $842,178, a percentage of which will be shared with Hamilton County. This will cover dogs for the canine unit; equipment for ICAC Unit; equipment for Narcotics Division; funding for National Night Out; funding for the Citizen Police Academies; Vehicle for SWAT/Hostage Negotiation Team; training; and technology needs. Chief Cooper confirmed that this was for $842,178.

Mr. Johnson explained that Resolution (j) that authorizes a grant from COPS in the amount of $8,682,850.00 to be used to hire 50 police officers and pay their salaries for three years is somewhat disturbing because the City of Chattanooga will be required to fund these positions one year beyond the expiration of the grant. Mr. Johnson added that Daisy Madison thought that we could live with this.

Vice Chairman Benson stated that he thought the City would be required to come up with $2.9 million dollars for the fourth year.

Chief Cooper stated that this would be true only if we got 50 officers.

Ms. Madison stated with the additional officers, according to this item, we will be filling vacancies and avoiding lay-offs.

Chief Cooper noted that it could not be used for a funded vacancy, with Vice Chairman Benson stating that we don’t have the funded vacancies filled. Chief Cooper reiterated that it has to be an unfunded position.

Ms. Madison indicated that she had been trying to get a copy of this.

Vice Chairman Benson tried to clarify that this meant unfunded positions now; that if they are empty, we have to fund them.

Chief Cooper explained that 50 officers is what we are asking for, but we might not get 50, and the number we get is what we would have to fund for the 4\textsuperscript{th} year.

Ms. Madison added funded positions but not filled—that we would be filling vacancies.

Chief Cooper again stated that it said “unfunded vacancies”; that we could rehire officers that have been laid off and this would allow us to avoid future layoffs; that if we re-hired a laid off officer, this would be an unfunded position—that the current vacancy is unfunded. Ms. Madison added “unfunded but unfilled”.
Attorney McMahan noted that the Resolution reads “Apply for and Accept”; that he was hearing questions that were unanswered. He asked if we could change the language to read Apply for a Grant and accept it a later date?

Chief Cooper stated that we were applying for three grants; that if we are awarded one grant and don’t use it, we won’t get another one; that we have to be able to accept it; that these grants are for people, equipment, and civilian employees; that if we were awarded one in May and don’t put it to use, we won’t get another one.

Mr. Johnson asked when we had to apply?

Chief Cooper responded that one had already been submitted, and they were asking for an emergency deadline because the deadline is next month, and it needs to be in 30 days prior.

Councilman Rico confirmed that after the 4th year, we would be asked to pick up the salaries.

Ms. Madison explained that if the positions are not filled, we would not be held accountable; that this has to be extended to the fourth year, irrespective of other positions that are not filled.

Chief Cooper stated that “filled and funded” are the key words. He stated that it would be of benefit if we only hired 15.

Councilman Rico asked about cars for these officers? Chief Cooper responded that cars were not included.

Councilwoman Berz stated that she had heard two figures—that we get $8 million dollars to fund 50 officers and wanted to know what we would have to pick up for the 4th year?

Ms. Madison responded that we could not terminate the officer during the 4th year.

Vice Chairman Benson stated that it would cost $2.9 million if we filled 50 positions—that it could be about half that amount for the 4th year.

Chief Cooper indicated that we have 15 vacancies now; that we tried to add 10 people every year, which we did one year, and this needs to be the Plan of the City to increase manpower—that with this money, we could do this in a quick fashion. He emphasized that we were not the only City asking for this; that we were only applying for $8 million, and we could receive $10 million or even just $5 million; that this did not necessarily mean we would get 50 officers.
Councilwoman Robinson stated that we needed to look at what Chattanooga will look like in four years; that according to Greenville, S.C. there would be some fast changes; that we needed pre-emptive measures to put to good use whatever we can get to get us “rev’d” up.

Chief Cooper agreed, stating that we were looking a “gift horse” in the mouth.

Vice Chairman Benson stated that this was looking better all the time, with Councilman Gilbert stating that we needed to push this up front.

At this point Vice Chairman Benson asked if there was anything controversial on next week’s agenda?

Paul Page mentioned two items that were covered this morning.

Mr. Johnson stated that we might need to take some time and talk about Resolutions (c) and (d) on next week’s agenda.

Mr. Page stated that these were covered at this morning’s meeting and that Mr. Hooper was here to explain these further.

Both Resolutions are Lease Agreements. The first one executes a Tower Site Lease Agreement with the Board of Public Utilities of the City of Cleveland, Tennessee for use of a portion of the Candies Creek Ridge Water Storage Tank site with necessary easements for access and utilities in lieu of rent and for a term of five years with an option to renew. This will cost the City “zero” dollars and basically allows us access to some properties that Cleveland owns so that we can build communication towers—that we are the lead agency; that we have identified two of the tower sites, with the first one being in Cleveland, and it is being offered at no charge—that it is a Lease with no charge.

Resolution (d) authorizes an Antenna Site License Agreement with Premier Towers, LLC for use of a large antenna site on Bean Mountain in Polk County for an annual rent amount not to exceed $150,000.00 and a term of 21 months. We are working this out with Cleveland and Bradley County, and it is in the National Forest, which is a very desirable place to be; after the period is over, we will be purchasing this for a reduced rate. This allows us to be on the site from now on but Cleveland and Bradley County will still own it.

Councilwoman Berz confirmed that we would still have access if Cleveland and Bradley County owned this. She also wanted to know who Premier Towers were? Mr. Page responded that it was owned by Jim Peace.

Vice Chairman Benson asked if there were any other questions?
Mr. Johnson continued, stating that the rest of the items were Public Works’ items. He did mention Resolution (f) which encourages the Legislature of the State of Tennessee to adopt legislation promoted by the Tennessee Public Safety Coalition, which would enhance the penalties for certain violent crimes and provide for an increased number of prosecutors to enforce these laws. He stated that this was a Knoxville Resolution. Chief Cooper stated that the four major cities in Tennessee were showing their support.

Councilwoman Berz asked if we were not going to cover the purchases?

Mr. Johnson went over the four purchases on tonight’s agenda. The first one was for Public Works and the purchase of scanner equipment from Excalibur Integrated System for $11,875.60; the second was for the Police Dept. and purchase of software maintenance and support from Knowledge Computing Corp. in the amount of $31,875. The third purchase was for General Service and was an annual blanket contract for Fire Suppression Equipment and service from Vulcan Fire Systems, Inc. in the amount of $22,070; and the last was also for General Services/Purchasing Division for an Agreement for Software Maintenance & Support Services from Periscope Holdings in the amount of $14,635.

The meeting was adjourned at 3:30 P.M.