

**AGENDA SESSION
FEBRUARY 2, 2010
3:00 P.M.**

The Agenda Session was called to order by Chairman Benson, with Councilmen Rico, Scott, Gilbert, Berz and McGary present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Greg Haynes, Paul Page, Jerry Stewart, Steve Leach, Alice Canella, Lee Norris, Larry Zehnder, Chief Parker, Officer Tom Kennedy, Jim Templeton, Gary Hester and Dennis Malone. Daisy Madison, Barry Bennett and John VanWinkle joined the meeting later.

Mr. Johnson proceeded to go over agenda items, noting that **Ordinances (a) and (b)** had already been talked about; that both wanted to be annexed. Attorney McMahan noted that there would be a public hearing tonight and a short presentation. The second annexation is a vacant farm next to Cummings Cove.

Ordinance (c) is the Library appropriation.

Ordinance 6(a) is the Local Preference Ordinance and will be discussed in Legal and Legislative Committee. **Ordinance 6(b)** deals with extending the time in which to file a notice of protest concerning water quality fees until June 1, 2010. Councilwoman Scott questioned a person paying their taxes and wishing to hold the water quality fee; also if they paid the fee and it was adjusted, was there any way of getting a refund? Chairman Benson stated that it would be in the form of a rebate or it could be applied to next year. Attorney McMahan stated that they would be entitled to a refund. Also, it was to be announced that this extension in time did not apply to taxes.

AGENDA ITEMS FOR FEBRUARY 9, 2010

Ordinance 6(a) amends the City Code relative to two-family dwellings in a R-1 Residential Zone. Mr. Bennett noted that we are amending the Zoning regulations to delete the Section allowing Special Permits in an R-1 Zone.

Ordinances (b) thru (e) are zoning matters. **Ordinance (f)** is an abandonment in the 600 Block of Druid Lane and will be discussed in the Public Works meeting.

Resolution (a) authorizes payment to Planning Associates, Inc. for architectural services to remove and replace the roof at the Fire Training Center in an amount not to exceed \$13,416.74. Chief Parker explained that they had an option to cover the gym; there were architectural fees on the first part, and they picked up the option; that they had to report anything over \$10,000; that the pay is based on the fee schedule, and it is a requirement to get an architect. It is State Law.

Resolution (b) approves architectural services from Franklin Architects for a maximum amount not to exceed \$23,000 for services rendered on the expansion of the Chattanooga Communications Building. It was explained that this is part of the Radio Grant and is behind the Police Service Building. Mr. Page explained that we were expanding our building and collected money by allowing others to join into the system. Mr. Page added that we received the deed for the land today.

Resolution (c) authorizes General Services to modify a lease agreement with the Department of the Navy to extend the expiration date to September 30, 2010, and to allow a waiver of the 30 day notification requirement and acceptance of the Government's written notice to exercise the option to renew. This is off Amnicola Highway and is an extension of a Lease for the Training Center.

Resolution (d) has to do with Dogwood Manor, which is managed by CHA. Councilwoman Scott asked if the Resolution should not indicate that it is Dogwood Manor? Mr. Johnson stated that this was brought up at this morning's meeting. Ms. Madison noted that it referred to Dogwood Manor on the note form attached; however Ms. Scott still felt that anyone looking on the website should be able to see Dogwood Manor. Attorney McMahan stated that this would be fixed before next week.

Resolutions (e) thru (j) will be covered in Public Works committee.

Resolution (k) is a Special Exceptions Permit for River City Property Management, Inc. for a duplex in an R-1 Residential Zone at 719 North Highland Park Ave. Mr. Bennett noted that this was the last Special Exceptions Permit; that we were doing away with the entire process and Planning recommended denial on this.

Resolution (l) is a Preliminary PUD for D & M Properties, LLP, known as the Mackey Glen Planned Unit Development located at 1091 Mackey Ave. This is property in East Brainerd. This was downzoned in an earlier zoning case. Chairman Benson stated that he would be bringing conditions that the community wanted placed on this. Councilwoman Scott asked if it were in the flood zone. Mr. Bennett responded a portion was; however you can build in a flood zone. Mr. Leach added that roads have to be elevated also. Mr. Hilbert stated that they would look at this with flood certification.

Resolution (m) is a Mandatory Referral to enter into a lease agreement with Dale Lovelady for a tract of land located at 2300 Mark Lane, for a term of ten years for an annual rental rate of \$1.00. Mr. Page explained that Mr. Lovelady plans to raise a garden here, and it keeps us from having to maintain it.

Mr. Johnson went over three purchases. The first was for Parks & Recreation for two Utility Vehicles from R & S Truck & Tractor for \$16,000.00. These four-wheel vehicles are to be used for hauling. The second purchase was for the Mayor's Office and was a contract for electrical work on Veteran's Bridge from Triad Electrical for \$20,139.00. This is part of the Port Security Project and is covered by a grant. Councilman McGary asked why this came from the Mayor's Office and was told it was for IS, which is under the Mayor's Office. The third purchase was for the Police Dept. to donate a surplus ballistic vest to the Polk County Sheriff's Office. Mr. Johnson explained that the procedure is for non-real estate items, and this was the most expeditious way to handle this by declaring it surplus. Officer Kennedy explained that when officers are terminated or they retire, they leave behind a vest, sometimes with one year left; that all officers have a vest and occasionally they had a surplus and are able to benefit others. Councilwoman Scott asked the life expectancy of these vests and was told from 4-5 years at the most. Officer Kennedy stated that they did not want them to sit in the closet when an officer that could not afford one could use it.

The meeting adjourned at 3:15 p.m.