AGENDA SESSION
MAY 18, 2010
3:15 P.M.

The Agenda Session was called to order by Chairman Rico, with Councilpersons Berz, Ladd, Benson and Scott present. Councilmen Murphy, Robinson and Gilbert left to go to the services for Jack Lupton. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.


Mr. Johnson began with the agenda, noting that Ordinances (a) thru (i) were zoning matters and had been discussed. Adm. Leach stated that there were two different issues on the agenda, Ordinances (d) and (h) which are both due to a clear lack of parking. Ordinance (d) involves lifting conditions; that there were some concerns on a Parking Plan and John Van Winkle was here for questions; that he was not comfortable with what we have seen.

Chief Parker noted that they had donated a parking lot for a community park.

Adm. Leach stated that the Council needed to talk to the Staff before they approved these two Ordinances. Mr. Haynes noted that Ordinance (d) is not a rezoning. Councilwoman Berz asked if Adm. Leach wanted us to defer these two Ordinances? Adm. Leach stated that they wanted the Council to require that these people work with the Staff. Mr. Johnson stated that he thought a Parking Plan had been given to Traffic Engineering.

John Van Winkle responded that Mr. Palmer had done all he can do, but he would like for them all to do a three-year Plan because after that there would be no guaranteed parking there; that we need a committed community parking plan for long-term; that they can’t all claim the same parking, and they wanted the neighborhood to work with the City.

Chairman Rico asked Mr. Van Winkle if he would be at tonight’s meeting, and he said yes.
Adm. Leach recognized “National Public Works Week”.

Mr. Johnson went on to **Ordinance (j)** for the Pops Project to be held July 4th.

**Ordinance First Reading (a)** provides for an interim budget and appropriates funds for the usual and ordinary expenses of City government for the months of July, August, and September, 2010. He noted that he hoped we would not need this.

**Ordinance (b)** is a rezoning for Robert McNutt and is deferred from May 11th.

**Resolution (a)** authorizes the Personnel Director to execute an amendment to the contract with ChipRewards, Inc. for an employee incentive program, increasing the amount from $45,000 in an amount not to exceed $145,000. Mr. Johnson asked if Donna Kelley was present? He noted that this was not an increase in the Budget.

Ms. Kelley explained that several years ago we set aside money, and we maintained the cost—that it was Disease Management; that we stopped this and encouraged employees in other ways, and this is one of the most successful ways; that there is no additional funding, but it is within our Mega Fund. She stated that this program had had amazing results, with Mr. Johnson adding that this saves money.

Councilwoman Ladd stated that she had voted against this out of ignorance but had spent time with Donna Kelley and was now in support; that there is a public perception of an awards program for employees, but Ms. Kelley had explained this; that there might still be a perception problem. She stated that this was a great investment for saving for the City, and she appreciated a better understanding of this.

Councilwoman Berz stated that this falls under Personnel and Ms. Kelley needs approval today; that it makes for a healthier workforce and costs are down. She stated that this was not new money, and it promotes better health.

A question was asked of Councilwoman Scott, and she stated that she was still in “shock” over the Budget!

Councilwoman Berz stated that Ms. Kelley was an expert in this field and that Chattanooga is a model.
Resolution (b) is a Parks and Recreation item and was discussed last week.

Resolutions (c) and (d) are Public Works’ items and were discussed last week.

Councilman Benson wanted to comment on Resolution (d), which authorizes a contract with U.S.X-Press, Inc. for the installation of a traffic signal at the intersection of Jenkins Road and the driveways for U.S. Xpress, Inc. in an amount not to exceed $116,167, with an apportionment by the City in the amount of $27,400.00. He stated that when he saw this on the agenda, it was the first time he knew about it and found out that discussions had been going on for a year or more, and he knew nothing about it; that this was in his district, and the community did not know anything about it. He stated that he would like to know what is going on in his district; that John Crawford of Friends of East Brainerd reports to them; that this is at Jenkins and Min-Tom and nobody in East Brainerd said that they needed this traffic light at this spot; that he had a problem with not being brought along on this. He stated that he also had another problem with fairness; that two traffic signals had been installed and the developers paid 100%, and now U.S. Xpress, Inc. is asking the City to pay a part of this. He went on to say that he called one of the developers who had to pay 100% and told him about the City paying 23%. This developer said that he could live with it, but it was not fair. He stated that he had not gotten with the other developer who paid 100%. He stated that he was not saying that he would vote against this but as a councilperson you should be given information about things happening in your district; that he was still thinking about this; that no one had called, and this was for the convenience of one company. He noted that John Van Winkle was present and works for the people who made this decision; that it was not a number one priority in East Brainerd, and he had not decided how he was going to vote.

Resolution (e) authorizes the sale of City-owned property located at 1700 Baldwin Street to Jerry Stubbs in the amount of $3,000, plus closing costs. This was discussed last week.

Resolution (f) authorizing an Agreement with the University of Tennessee at Chattanooga for the lease of the UTC/Warner Park Indoor Softball Training Center was discussed last week. Councilwoman Scott stated that she would reaffirm that this is not the best deal for the City of Chattanooga but is good for UTC.

Resolution (g) was discussed last week.
Resolution (h) authorizes Brooks, Moore & Associates to temporarily use the right-of-way located at 3905 St. Elmo Ave. for the placement of a canopy over a portion of the right-of-way, subject to certain conditions. Adm. Leach stated that this was moved ahead at the request of Chairman Rico and was pretty straight-forward. Dennis Malone showed a picture of what it would look like, which is made a part of this minute material.

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Resolution (a) is a Public Works’ item and will be discussed next week.

Resolution (b) authorizes payment to Artech Design Group for additional services related to LEED Certification for Fire Station #4 in the amount of $16,175. Councilwoman Scott asked if Artech designed this building? Chief Parker responded that they designed it to be LEED friendly but the LEED qualifications and part of the fee goes to the National Green Association and part to Earthworx—that it goes to four different people. Councilwoman Scott asked if this would change anything on the building in place and was told “no”.

Resolutions (c), (d), and (e) are Public Works’ items and will be discussed next week. Councilwoman Berz asked whose districts were involved in these temporary uses? Adm. Leach stated that Resolution (c) was north of the river; Resolution (d) is downtown; and Resolution (e) is north of the river.

Resolutions (f) and (g) are Public Works’ items and will be discussed next week.

Resolution (h) authorizes a waiver of all admission fees for the Chattanooga Zoo at Warner Park on October 2, 2010 for the purpose of hosting Go!Fest.

Resolution (i) is connected to the same thing and authorizes the Mayor to conduct continuing fundraising and solicitation efforts to support Go!Fest. The project cost is $8,000. Councilwoman Scott asked what was spent last year versus what was raised? Mr. Beeland answered that the City spent nothing last year.

Resolution (j) is a Special Exceptions Permit for The Covenant to extend for one year the Special Exceptions Permit for PUD known as The Covenant Planned Unit Development on tracts of land located in the 1600 Block of Eucalyptus Drive. Councilwoman Berz stated that she thought this was in her district off of Moore Rd. Greg Haynes stated that it was either her district or Councilman Gilbert’s. Councilwoman Berz questioned if someone was forgetting to put the District number in the Agenda; that it had been requested that the district be denoted. Mr. Haynes responded that the district is within the case; that this is a PUD that has expired; that they have two years to record a Plat and there can be an additional year.
Councilman Benson agreed that the Council needs to know the district and what affects their district; that if it is parochial to a district, it needs to be listed.

**Resolution (k)** authorizes the acceptance of a donation of property from JH Holdings located at 1144 Gas Street. Mr. Thornton stated that this was in Councilman McGary’s district. Councilwoman Scott asked what the chemical composition was on this property and if this was a brownfield? Mr. Thornton stated that there was nothing on the front of the property. Attorney McMahan explained that we had to post nothing as it is a requirement of TDEC; that we do not expect any liability, but we would be covered. Councilwoman Scott stated that this seemed rather “iffy” to her. Attorney McMahan assured that the Brownfield Agreement protects us. She asked if no City dollars were needed, and Attorney McMahan responded that it cost $3,000 to get this protection, but it is a one-time fee. Councilwoman Scott stated that there are multi-expenses for monitoring and associated costs and questioned why we would take this on this year. Attorney McMahan responded that they are offering to give it to us.

**Resolution (l)** authorizes the City Finance Officer to execute loan extension documents relative to the Dogwood Manor property that extends the maturity date of the loan on said property. Ms. Madison explained that this is an on-going extension of the Loan for Dogwood Manor and is guaranteed by the City; that it is a balloon-type program, and this extends this loan an additional 120 days while we look for cheaper financing; that this is a done deal at $2 ½ million.

Mr. Johnson went over purchases, beginning with Purchase (l) of a slope mower for Public Works from CMI Equipment Sales, Inc. in the amount of $41,000. Councilwoman Berz asked if this was on a replacement schedule or we bought as needed? Mr. Templeton responded that the life cycle is seven years. She asked if it really needed to be replaced and was told that it really did.

**Purchase (2)** was a Contract for Telephony Upgrades from Excalibur for Information Services in an amount not to exceed $500,000 annually. Betty Jean Wells was present to go over this. She presented a handout, which is made a part of this minute material. Mark Keil noted that this was in the prior Budget—that we were uncertain about Nortel. Ms. Well stated that we received Avaya with Excalibur. Councilwoman Berz asked if this was an “end of the life” issue with our telephones? Councilwoman Scott wanted to know what we paid for this last year and what this represents cost-wise? Mr. Keil responded that it costs $100,000 to upgrade software and $300,000 for a new user. He stated that this was not an increase—that a new system costs less to maintain. Councilwoman Scott asked if this was more money, or less money or a wash? Mr. Keil stated that he could get a figure for the savings; that there is a cost savings—that it would be cheaper on this system than the old one. Councilwoman Scott indicated that she was not sure about this. Councilman Benson asked if we would see the cost savings in two years?
Mr. Keil explained that this is a blanket contract; that we are putting everything on a new system; that the first year we will get most of the cost savings. Councilman Benson stated that it would be three years before we see a complete return on our investment and by then there will be new equipment with more technology.

Ms. Wells stated that we would take advantage and use voice; that there will be savings as we develop.

Mr. Keil stated that this would be implemented in the next five years; that it is an upgrade, and we would realize a cost savings in two years.

Councilwoman Scott stated that this was very difficult for her; that we are putting this technology forward and looking at IS there are three new positions in IS; that technology is great and every week we see a software upgrade, and it was difficult to get a feel for saving money when we are still spending.

Mr. Johnson stated that this would be spent over two years.

Mr. Keil stated that this had been funded for prior years; that with newer technology we strive for less people; that this was saving us from adding employees. Councilwoman Scott pointed out that we were still adding three employees.

**Purchase #3** is for the Police Dept. and the purchase of a Renewal Agreement for Annual Software Maintenance & Support Services from VisionAir in the amount of $199,900 annually. Mr. Keil stated that there would be a three years’ savings. Councilwoman Berz asked if this was a Maintenance Agreement with Mr. Keil stating that we call it software. He asked that Chief Rawlston confirm that they could not function without this.

**Purchase #4** is for General Services and the purchase of a Blanket Contract for Medium and Heavy Truck Tires from Best One Tire in the amount of approximately $30,000 annually.

**Purchase #5** is also for General Services and the purchase of a Blanket Contract for Car and Light Truck Tires from Best One Tire in the amount of approximately $68,000 annually.

**Purchase #6** is for General Services to ratify the purchase of vehicle parts from Lee-Smith, Inc. for $154,408.94. Mr. Page explained that we cancelled the contract last week, and it was pulled off the agenda, but we have to pay this man.
**Purchase #7** is for Parks and Recreation and is an emergency purchase for a Replacement Pump for the Riverfront Passage from Southeast Company, Inc. in the amount of $18,725.00. Councilwoman Scott asked if this was out of warranty? Mr. Zehnder stated that the Pumping System was not functioning; that electrical work caused the pump and motor to fail, and the company could not warrant it because it was installed wrong. Councilman Benson asked if this would be covered in our lawsuit and was told that they hoped so.

**Purchase #8** was for the Police Department for surplus guns to be used as trade-in on new guns from GT Distributors giving credit on the guns. Chief Rawlston noted that we were not using shotguns.

**Purchase #9** was for Information Services and purchase of a contract for Annual GEMBASE Maintenance with Ross Systems in the amount of $11,133.74. Mr. Keil explained that this was the only vendor that would pay after it was used a year, and it was not in next year’s budget.

The meeting was adjourned at 4:00 P.M.