

**AGENDA SESSION**  
**MARCH 29, 2011**  
**3:00 P.M.**

Chairman Rico called the meeting of the Agenda Session to order with Councilpersons Ladd, Benson, Scott, Robinson and Russell present. Councilman Murphy and Councilwoman Berz joined the meeting later. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Marie Chinery, Dan Johnson, Mark Keil, Gary Hilbert, Karen Hundt, Chief Parker, Alice Cannelli, Larry Zehnder, Daisy Madison, Justin Holland, Dickie Hutsell, Richard Beeland, Dennis Malone, Steve Leach, Mike Patrick, Jimmy Templeton, Lee Norris, Beverly Johnson, Brian Shultz, and Tony Boyd.

Mr. Keil explained some new technology owned by the City (Hologram). Councilwoman Scott asked if this was something we already had or would like to have? Mr. Johnson responded that we already have this; that we never envisioned something like this—that it was interesting. Councilwoman Scott wanted to know whose idea this was? Mr. Johnson responded that when you have open minds, all sorts of things develop. Councilwoman Scott quipped “are you implying my mind is not open?”

**Ordinance V(a)** relates to Coolidge Park. Attorney McMahan noted that this would be covered in committee, questioning if it would be the Legal and Legislative Committee. Councilman Benson responded that it would be in Safety Committee.

**Ordinance VI(a)** is a franchise for Memorial Health Care System and will be discussed in Public Works Committee. This will be a Public Hearing.

**Resolution (a)** relates to the lawsuit involving Hargreaves Associates, Inc. Mr. Johnson stated this had been deferred because Attorney McMahan was in Nashville last week. Attorney McMahan noted that Councilwoman Scott wanted to review this further, and it was put off a week. Councilwoman Scott noted that today she had been dealing with about one hundred e-mails and then realized there were eight pieces to this issue, and she had had no chance to read it all; that this was important, and she wanted to read this before we vote. Chairman Rico jokingly asked her what she did last night?? She responded that she attended a Personnel Hearing that lasted until 10:00 P.M.—one that, according to the legal team, was supposed to be short!

Councilman Benson stated that he hated to put this off; that what Councilwoman Scott wants to read is over 100 pages, and he could not do it; that he had gotten 200 e-mails today on one Special Permit; that he would rather have a briefing to explain this than depending on him reading it. Attorney McMahan stated that they were not against any deadline; that anyone wanting to speak to him personally about this could do so.

**Resolutions (b) through (e)** are Public Works' items.

**Resolution (f)** is an RPA issue to accept grants from the Lyndhurst and Benwood Foundations in the total amount of \$120,000 and city funds in the amount of \$48,500 for a total contract amount of \$168,500.00 to enter into a professional services agreement with Jones & Jones Architects and Landscape Artists to develop a plan for the gateways to the Moccasin Bend and Stringer's Ridge areas.

Councilwoman Scott asked if this would be discussed in a committee? Attorney McMahan noted that it was coming through the Planning Commission. She stated that she wanted this discussed one place or another before we vote.

Karen Hundt explained that this was the gateway into the Moccasin Bend area; that they had a steering committee and an RFQ with eleven responses; that the committee unanimously chose Jones & Jones Architects; that they did excellent work; that most of the money is coming from the two Foundations—Lyndhurst \$90,000 and Benwood \$30,000; the \$48,500 is coming from the Office of Sustainability, making \$168,500. She stated that they would look at a number of issues—Moccasin Bend, Gateway, Downtown, and also the Manufacturers Rd. corridor to see what we can do to beautify this area and make it worthy of a National Park. She explained that the Office of Sustainability was involved with the stormwater issues and green infrastructure. She stated that these consultants are good and have a lot of experience, and it is a good fit.

Councilwoman Robinson stated that this was important; that this will become the gateway to the North Shore; that hundreds of millions of dollars had been spent, and she applauded this foresight into getting this properly designed and the stormwater handled; that this is a sensitive area with new residences and shopping center and a proposed new hotel and to the left will be the Moccasin Bend National Park—that this will all distinguish Chattanooga, Tennessee. She asked if the City's portion of \$48,500 was in a proposed budget? Ms. Hundt responded that these funds are coming from the Office of Sustainability; that they are stormwater funds to be used for this purpose.

Chairman Rico stated that he thought this was through a Grant. Ms. Hundt explained that it is funded through the Department of Energy but part is city funds coming from the Office of Sustainability.

Councilwoman Scott stated that what Councilwoman Robinson had said was excellent, but she was concerned about the prioritization of stormwater money for high priority uses and was not aware that this was where these dollars were coming from and would like to know more about the stormwater portion; that we have so many areas that are flooding on a regular basis, and she would have thought that stormwater would have been included in this automatically. She stated that this was her only concern with the \$48,500.

Adm. Leach stated that he was not sure about the source, and they would need to take this into consideration; that there are new techniques for handling water quality; that no one in his department is aware of this \$48,500, and he needed to talk to his staff about this.

Councilwoman Scott asked if this could be deferred for a week. Adm. Leach stated that this money was not in their budget.

**Resolution (g)** is a Special Exceptions Permit for Sharon Kelly and Jermaine Harper for a nightclub located at 3116 Brainerd Rd. Mr. Johnson noted that this is probably the issue that brought about the 200 e-mails; that it is a nightclub deal with a “coffee” name. He asked if this should be discussed later? Councilman Murphy noted that the City Attorney was missing at this point and stated that he thought this was a zoning matter and should be discussed fully at tonight’s meeting. Chairman Rico asked Councilwoman Berz if she wanted this discussed now, with Councilman Murphy still stating that it was a zoning case. Councilwoman Berz stated that it had gone through the process and should be discussed by a full committee. Councilman Murphy still felt that the Council should talk about this at tonight’s meeting. Councilwoman Berz stated that she might suggest that it be moved up on tonight’s agenda if a mob of people were present. Councilman Murphy noted that some are opposing this, and they would need to choose a spokesperson.

**Resolution (h)** is a resolution to change the right-of-way name of the 1400 to 1499 Block of Manchester Ave. to the 1400 to 1499 Block of Glen Haven Place due to duplicate street name. This is a Public Works’ issue.

#### **AGENDA ITEMS FOR APRIL 5, 2011**

**Ordinance 6(a)** establishes event fees for usage of various Chattanooga Parks and Recreation facilities. Councilwoman Scott asked if there would be a Parks and Recreation Committee today? Councilman Gilbert responded “no”. She stated that she understood setting the fees and reevaluating them and also the chart that the Council had received. Her concern was with the last section, and she had problems because fees were listed anywhere from \$5.00 to \$60.00 depending on nebulous things; that the area rents for a certain amount of money and latitude is given, and it is an Administrative decision. She stated that this could be difficult to audit; that we had had problems in this department regarding money and administrative decisions; that fees with this wide of a range is opening us up for a lot of issues we can’t monitor and will be difficult to document; that she would like more specificity up front.

Adm. Zehnder explained that when facilities are involved “yes”—this would be true, but this is activity prices that will be charged, and a range is given to activities—that it depends on how long they are and how many staff members are needed, and it has to be varied; that it used to be that administration could set an activity fee but now he had to come before the City Council

and get fees established; that there were hundreds of programs, and it would be difficult, if not impossible, to set a fee in advance—that the range is mostly on activities and not facilities, and this is the reason for this latitude; that once a fee is set, all have to pay; that the Audit Dept. can check on fees to see that all are paid. He noted that this was cumbersome, but they reacted to the type of program on an as-needed basis—by providing this range, it gave them some flexibility.

Councilwoman Scott asked “how about if we get an opinion from our Auditor to see if they can re-construct this”. She added if there was no problem with the Auditor concerning documentation, she would be fine and have no problem.

Mr. Johnson stated that as long as the fee is stated in a brochure, the Auditor would not have a problem.

Councilwoman Scott stated that she would still like the Auditor’s opinion and a guarantee that there is a trail.

**Resolution (a)** is a Parks and Recreation item.

**Resolution (b)** is also a Parks and Recreation item and will be discussed next week.

**Resolutions © and (i)** go together and both deal with the Shelter Plus Care Grant. Mr. Johnson noted that Beverly Johnson was here to explain this.

Ms. Johnson agreed that Resolutions © and (i) are both Shelter Plus Care with federal funding from HUD; that the Chattanooga Housing Authority previously handled this and no longer wants to do this because they are constricted by staff; that rather than go back to HUD to manage the program, the Department of Neighborhood Services and Community Development had agreed to accept the CHA vouchers; that they could take on added vouchers, and this leaves the money in Chattanooga to serve the homeless and disabled. Resolution © allows them to accept the vouchers. She explained that Resolution (i) is our program, and we contract with Social Service Agencies to deliver the services to the clientele.

Councilwoman Scott asked if we did this last year? Ms. Johnson responded “yes”—that it was ongoing, but not the CHA part; that these are renewal contracts. Councilwoman Scott pointed out to the Council that we have received funding requests from three of these Social Service Agencies.

**Resolutions (d) through (h)** are Public Works’ items.

**Resolutions (j) and (k)** are Parks and Recreation items and will be discussed next week.

Mr. Johnson went over the following purchases: (I) Purchase of a Commercial Grade Zero Turn Mover for Parks & Recreation from Sequoyah Lawn Equip. Co. for \$10,050.00; Purchase of a Remanufactured Caterpillar Engine for Public Works from Stowers Machinery Corp. for \$11,895.00; Blanket Contract to purchase Maintenance Support Service for Information Services with CSS International Inc. estimated to be \$200,000 annually; Blanket Contract for Janitorial Services for the Education, Arts and Culture Dept. from CMS estimated to be \$10,000 annually; and donation of surplus items for Neighborhood Services & Community Development.

The meeting adjourned at 3:30 P.M.