AGENDA SESSION
AUGUST 30, 2011
3:00 P.M.

Chairman Ladd called the Agenda session to order with Councilpersons, Berz, Rico, Benson, Robinson, and Gilbert present. Councilmen Murphy, Scott and McGary joined the meeting later. City Attorney Michael McMahan; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.


Mr. Johnson proceeded to go over agenda items, beginning with V(a) which is an abandonment for the City of Red Bank of a sewer easement for the construction of the new Red Bank Middle School. This was discussed in Public Works last week, and we own the sewer line.

Resolution (a) authorizes Judge Sherry Paty to enter into a contract with Sildete M. Lopez d/b/a Latin America Consulting Co. for Spanish translation services at a rate of $35.00 per defendant for which translation is provided.

Resolutions (b) through (f) are Public Works’s matters and were covered last week.

Chairman Ladd asked for more discussion on Resolution (d) that authorizes The Ice Cream Show to temporarily use the right-of-way located at 105 Walnut Street for the installation of a sign along a portion of the right-of-way. She stated that we had someone from the neighborhood present who wanted to speak.

Mrs. Sharp of 129 Walnut Street addressed the Council, thanking them for the opportunity to speak. She stated that she did not know this was happening; that the Ice Cream Show was located under her, and she had some issues with this; that she had sent an e-mail to Councilmembers. She stated that she was a big fan of mixed use development and liked The Ice Cream Show, but any sign needs to be appropriate for the context, and she did not think an aluminum sign was appropriate; that this is a progressive neighborhood, near the Bridge, the Glass Bridge, and the Sculpture Garden, and she would hate to see the area “junked” up with a sign that is not appropriate. She stated that normally she did not speak about property value but would be in debt for her dwelling until she was in her 90’s. She reiterated that the aluminum sign was not appropriate and was also a public issue. She stated that the Council had some discretion and could look out for the public interest, again stating that this sign is not appropriate in this area. She went on to say that others in the complex are also concerned; that they did not have a homeowners’ association or she definitely could have had other people here.
Ms. Sharp urged the Council to look at the big picture—that this particular business has a fair amount of signage; that she thought everybody in this area knows that they are there, and the sign is not necessary to let people know that they are there. She went on to say that this is a key piece of the Waterfront and questioned why anyone would want to be a part of allowing something that would degrade this location.

Councilman Benson stated that Ms. Sharp is right on target; that this required greater scrutiny in a mixed use zone; that he was up there a week ago, and we need to use a lot of taste; that something like this should go through the Planning Commission first, but he understood they were not required to do so; that this warranted further evaluation.

Councilwoman Scott stated that Ms. Sharp’s arguments are well founded; that she had received information regarding this; that in the past we have asked for individuals to get together and problem solve; that she would be in favor of delaying this and letting the shop owner connect with the residents in the area to see if there is room for compromise. She asked Ms. Sharp if there were enough people that she thought this approach would be of help?

Ms. Sharp responded “yes”—that they needed more discussion; that the developers are saying if the City is okay with this, then they are okay, but they are looking at this through a different kind of glasses; that she would just have to tell people that “she lived at The Ice Cream Show complex”—that that statement would be appropriate; that as far as compromise, they needed to get rid of the clutter; that not everything was bad, but this is an issue, and she was very much opposed to this—that it was not appropriate; that they needed to find the “middle” and have a discussion; that she would be open to tabling this for common ground.

Councilman Murphy thanked Ms. Sharp for coming, stating that he was for appropriate aesthetics of Urban Design; that this Council is not trained to know this but are going a step in that direction in an effort to know what our downtown should look like; that he brought this up when this matter surfaced; that part of him wondered if we should not get input from experts rather than voting on this; that the Urban Design Review Committee is some time off but letting them decide might be the approach to take.

Councilman Rico stated that he had walked this area, and it did seem inappropriate for this area and questioned why they needed a sign this high; that everyone knew what the business is; that this takes away from the area and is inappropriate with these condos.

Chairman Ladd also thanked Ms. Sharp for coming in, stating that the Council would take this up this evening, adding that we would get this “licked”.

Resolution (g) authorizes one-time showing agreements with commercial real estate brokers who have clients that own or operate HUD properties regarding the sale of Dogwood Manor, wherein the commission will be negotiated up to an amount not to exceed $80,000.00.

Resolution (h) authorizes the acquisition of vacant property located at 449 Valleybrook Road for a new fire hall for a purchase price of $65,900.00. Chairman Ladd stated that this would be deferred so that they could meet with the neighborhood.

Resolution (i) was a Public Works’ item that was discussed last week.

Resolution (j) authorizes the Director of the Office of Sustainability to make a partial payment of $20,000 to ICLEI Local Governments for Sustainability for the STAR Beta Community Fee for the 2011-2012 Fiscal Year, for the total STAR fee in the amount of $25,000, with the balance of $5,000 due by year end.

**AGENDA ITEMS FOR SEPTEMBER 6, 2011**

Ordinance 6(a) extends the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City known as Area 9B, being certain parcels adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City in Hamilton County, Tennessee, by changing the effective date of said annexation to December 31, 2012.

Councilman Benson went back to Resolution (j) on tonight’s agenda. He stated that we approved acceptance of this Grant, and it is not written in a way we could spend money; that this just allows us to use the money for the purpose of the Grant.

Resolution (a) on next week’s agenda authorizes the issuance and sale of an amount not to exceed $30 million principal amount of the City of Chattanooga, General Obligation Bonds, Series 2011A. Councilwoman Scott stated that she would like to get clarification on the amount, mentioning the amount of $20 million and also $30 million. She wanted to know what the change meant?

Ms. Madison responded that it is $20 million in the body of the Resolution, which could be a mistake. She explained that after the Budget is passed, they do a Resolution expressing the Intent—that we don’t always issue in that year—that usually it takes two years, and this year is no different; that $20 million is on this year’s Capital; that this is not an Intent Resolution but authorizing us to issue this for two Fiscal Years, which would be $27 million—that we made it not to exceed $30 million to make certain everything was covered.
Councilwoman Scott still said that $20 million issue is listed here. Attorney McMahan explained that there were two separate Resolutions—one last year and one for the current year and both say $20 million. Councilwoman Scott wanted to know if this heading of $30 million is good and was told “yes”.

Ms. Madison went on to explain that there are two different Budget processes; that we expressed the intent up to $20 million dollars in both years and now both Budgets are approved, and this authorizes the issuance—that it is $30 million instead of $40 million—that both added together are $27 million.

Councilwoman Scott stated that she would have to read this again to ascertain the difference between $20 million and $27 million.

Ms. Madison stated that this is with the approval of the Council; that it is an extension of a request reported to the State of Tennessee to re-finance two Bond issues to save money on debt service; that the market had turned against us, and it was not a wise process to take; that the market had turned in our favor, and we were re-submitting a letter of approval again—that this was for information only.

Councilman Murphy stated that he was still getting angry phone calls about the Swaption and what it cost the City. He wanted to know how long we will be paying for this ($13 million dollars) and would the debt be carried on and on? Ms. Madison responded “up to 2030”—the time we terminate the Swaption; that interest rates are lower, and we can have more debt at the same amount of debt service. Councilman Murphy wanted to know if Swaptions are legal for a municipality to do? The answer was “yes”. Mr. Johnson added “not wise, but legal”.

**Resolution (b)** authorizes the Fire Department to apply for a firefighters’ grant issued by the U.S. Department of Homeland Security under the Federal Emergency Management Agency (FEMA), for a request for funding equipment, training and/or facilities to increase firefighter safety with the City providing a cost share of non-federal funds of 20% of the total project cost. Chief Parker noted that they had not finalized the numbers yet but would have them by next week—that it is a 20% match; that he would have the amounts next week.

**Resolution (c)** authorizes payment to Bethel Bible School for a permanent drainage easement and temporary construction easements, Big Ridge Elementary School SRTS—Cassandra Smith Road, for property located at 3001 Hamill Road, in an amount not to exceed $8,845. This is a Public Works’ item and will be discussed next week.

**Resolution (d)** is also a Public Works’ item to enter into an agreement with EPB for a sales order to relocate existing facilities within an EPB easement for the Chapman Road Drainage Project, in an amount not to exceed $12,325.67. This will be discussed next week.
Resolution (e) authorizes the Mayor to enter into an Interlocal Agreement with Hamilton County; City of Chattanooga; Industrial Development Board; Health, Educational, and Housing Facility Board for the City of Chattanooga and Volkswagen Group of American Chattanooga Operations relating to the construction, equipment, and operation of a training academy facility. Mr. Johnson stated that this had been going on for months and months. Chairman Ladd stated that Councilman Murphy would take this up in his Legal and Legislative Committee.

Councilwoman Berz wanted to make some comments relating to Public Works paying Bethel Bible School for an easement; that some of these things like this are all to a mutual benefit—that if we are asking people to share—why are we paying for the use of the property? She added that we want sidewalks to benefit all and asking them to share, which should be their donation. She added that Attorney McMahan had an opinion that this could count as their share and questioned why we were paying for the right to do this if it is for the mutual benefit. She stated that she would like to hear more about this next week.

Mr. Johnson went over the purchases for tonight’s Council meeting. (A list is provided with this minute material).

Councilwoman Berz had a question about the Triad Electric bid for Citywide Major Electrical Services, wanting to know if we get separate services for departments? Mr. Page explained that the little guy can’t tap into everything, and we have to use the big guys. She asked if major applied to something at Moccasin Bend? Mr. Page responded that not everything big was at Moccasin Bend—that this is where we have major issues with big trucks that do everything. She asked if it were related to sewage or water supply. Again Mr. Page responded “not just there”—anywhere we need larger service and the big guys. She wanted to know where the Electric Power Board comes in? Mr. Page responded that they do not enter into these contracts. She wanted to know if the City sets its own poles? Mr. Page responded “some” but not for the public in general. She asked if this occurred at Moccasin Bend and the Sewage Treatment Sub-Stations.

The last purchase was for a landfill compactor from Nortrax, Inc. Mr. Johnson noted that the Council had received a report from Attorney McMahan concerning this.

Mr. Johnson reported one appointment—the Memorial Auditorium and Tivoli Board—Marv Martin for a three year term, ending in 2014.

On motion of Councilman Rico, seconded by Councilwoman Scott, the minutes of the previous meeting were approved as published and signed in open meeting.

The meeting was adjourned at 3:35 P.M.