

AGENDA SESSION
October 25, 2011
3:00 p.m.

Chairman Ladd called the meeting of the Agenda Session to order with Councilmen Benson, Gilbert, Murphy, Robinson and Scott present; Councilman McGary joined the meeting later. City Attorney Michael McMahan and Council Clerk Carol O'Neal were also present.

Others present included Mayor Littlefield, Dan Johnson, Daisy Madison, Ron Swafford, Chief Maffett, Chief Parker, Steve Leach, Lee Norris, Jerry Stewart, Beverly Johnson, Danny Thornton and Richard Beeland.

Dan Johnson stated **Ordinance 5(a)** on final reading involves The Palms on Concord and there are no ordinances on first reading. He stated **Resolutions (a) – (c)** were discussed in Public Works Committee last week and involves the TDOT Enhancement grants.

Resolution (d) is for a TDEC grant for the “Educational Trail for Friar Branch Stream Restoration Project”; **(e)** is a request to accept funds from Wise Construction for streetscaping; and **(f)** is for a special unarmed police commission for the Fire Department.

Mr. Johnson stated **Resolutions (g) – (k)** are all street name changes that were discussed in last week’s Public Works Committee meeting; **(j)** amends the five year plan to comply with the TIGER application and does not affect the current five year plan; and **(m)** is for an extension of the contract consultant services for Neighborhood Services to complete the Neighborhood Stabilization Program (NSP) with APD Urban Planning and Management.

Councilwoman Scott asked for a brief explanation for what we did not anticipate with the contract as to the increased amount and what prompted it.

Admin. Beverly Johnson explained NSP is a three year program that started last year; that they contracted with APD for two year’s worth of services and the cost of the services were paid out of the administrative portion of NSP. She stated they began working on the program last fall and all the projects are underway, noting some started later than others and by the time they finish they will have 50 some odd units of housing completed. She stated they have several projects either midway or close to completion and need the services of APD to help close out the NSP project; that she anticipates this will take them through June 30 to not only complete either rehab or new construction but complete compliance requirements for HUD to completely close out the projects. She stated the additional \$50,000 through the end of June will take care of all that.

Councilwoman Scott expressed thanks for the explanation.

Mr. Johnson continued by stating **Resolution (n)** authorizes the Parks and Recreation Department to apply for and accept a grant to complete Phase 3 of the Riverwalk from Alstom to South Broad Street. He stated the county is taking the lead on this grant application and the city is a participant in it.

Mayor Littlefield stated he wanted to make sure this matter was on tonight's agenda as there are other transportation enhancement grant applications on for tonight. He stated this is something we applied for before and this is the last phase to connect the Riverwalk to the foot of Lookout Mountain, noting there are trails up the Mountain. He stated there has been a discussion about which grant would come first noting the federal government will determine that for us; that this one falls ahead of the others as it has been applied for before and we did not get it; that it is the completion of the project that has been long in coming.

Councilwoman Scott stated Council members did not receive backup with this and asked if this is a matching grant, are we applying 100% for the grant or 80/20. Mayor Littlefield responded that it is "like the others".

Councilwoman Scott stated we have some that have been 80/20 and some that were not. Admin. Leach stated it is his thought it is 80/20. Mayor Littlefield stated his belief that essentially that is it.

Admin. Leach stated they are all under the same category and it is an 80/20 split; that the county will take a portion of that. Mayor Littlefield stated it would be 10/10 with the county with Admin. Leach noting it is 80/10/10.

Councilwoman Scott stated we have talked and talked and talked about the extension of the Riverwalk and (she) thought money had been allocated to do that.

Mayor Littlefield explained that money was allocated for it to go down to Alstom; that this is from Alstom to the foot of Lookout Mountain. He stated we committed to Alstom that we would do that and this will take it the rest of the way to the foot of Lookout Mountain.

City Attorney McMahan stated Greta Hayes sent an e-mail notifying the Mayor this was not on the agenda; that the grant will be \$2.3 million with \$577,600 shared equally with the county at \$288,000 each.

Mayor Littlefield stated when this was first addressed there were 13 proposals and he was visited by a frantic group from the county anxious to make sure we had this; that he assured them it would be included on the agenda and with the Council's blessing they will submit the application and see how the federal government sorts it out.

Councilman Benson asked if we applied for this last year and did not get it, wanting to know what would make this be any more optimistic.

Mayor Littlefield responded frequently we do get it on the second round; that they exhaust the money and frequently we get it on the second or third round.

Councilman Benson stated we really need this completed and asked what happens if we do not get it.

Mayor Littlefield stated we will keep applying; that this would probably be in the first position as it has been submitted before.

AGENDA: NOVEMBER 1, 2011

Mr. Johnson stated **Resolution (a)** involves a settlement and agreement for the City Finance Officer to enter into an agreement with Comcast to settle franchise fees due; that internal audit found they had omitted some customers.

Councilwoman Scott stated she needs more background on this and asked what happened step-by-step to get us to this point.

Mr. Johnson stated the franchise agreement called for the possibility of going into an auditing agreement; that in this case the Internal Auditor audited the franchise agreement and receipts and discovered there were some costs to customers not included in payment to the city of Chattanooga that was paid to other municipalities or counties. He stated this is the amount of fees involved and this money will be deducted from future payments to those municipalities.

Councilwoman Scott clarified the franchise fees were paid not to the city of Chattanooga but to another entity.

City Attorney McMahan stated recently annexed properties are involved and Comcast was not aware; that they did not change their software in order to make payment to the city and kept paying the county; that there were recently annexed properties that were picked up by Comcast.

Councilwoman Scott asked if we are waiving interest on monies paid elsewhere but not to us. City Attorney McMahan responded "correct"; that there is not any chance we would get the court to award us interest on a situation when we failed to notify properties annexed.

Councilwoman Scott stated that explanation is what she was looking for!

City Attorney McMahan stated the issue is now addressed; that Mrs. Madison has notified people that might be annexed next year and is getting ahead of the curve; that Chief Parker has been active in notifying Comcast, the Gas Company, and 911; that they have been very proactive in notifying everyone involved in the event annexation takes place.

Chief Parker stated there were some addressing issues; that some were in error for one or two businesses that have never been in the county since 1970. He stated when this started in 2008 or 2009 it was put in in error, noting the mistake was made by Comcast at that time.

Mr. Johnson stated **Resolution (b)** declares property located 501 West 12th Street for Highway 27 road widening and has been sold to the State.

(Councilman McGary joined the meeting at this point.)

PURCHASES

Mr. Johnson reported purchases for the following:

POLICE DEPARTMENT:

- Zodiac Mark IV Emergency Response Boat, Kentuckiana Yacht Sales, \$20,206.00
- X26 Tasers, Taser International, \$19,949.50

Councilman Benson inquired as to what we will do with the old boat and whether we can get anything for it.

Chief Maffett responded that it is worn out and we cannot do anything with it; that it is junk!

PUBLIC WORKS:

- AutoCAD Software License, DLT Solutions, \$13,826.34
- Blanket Contract for Wood Grinder Parts, Peninsula Equipment, \$50,000 (annual estimation)

INFORMATION SERVICES:

- Purchase Order for Oracle Renewal Software Update, DLT Solutions, \$35,197.32
- Blanket Agreement for Oracle Software Reporting Tools, Insight Software, \$20,000.00 (annual approximation)

BOARD REAPPOINTMENTS

HOSPITAL AUTHORITY BOARD:

- Reappointment of *RONALD LOVING* and *JAMES WORTHINGTON, JR.* to four year terms.

MINUTE APPROVAL

On motion of Councilwoman Robinson, seconded by Councilman Benson, the minutes of the previous meeting were approved as published.

RESOLUTION INQUIRY

Councilwoman Scott inquired as to the resolution approving change order no. 1 for integrated structural services for ISS; that it was previously on the agenda for next week.

Jerry Stewart stated he was not aware of that being on the agenda.

Councilwoman Scott stated that it was on the November 1 agenda involving the irrigation system for Montague Park. Admin. Leach stated that is a Parks and Recreation item.

Councilwoman Scott went on to explain that it is for proposed irrigation for an amount . . . Mr. Stewart stated there is a consulting firm known as ISS; that the request is not for the interceptor sewer system (also ISS).

Councilwoman Scott asked where and when the resolution will appear on the agenda.

City Attorney McMahan explained that Mr. Zehnder will be out of town for the next couple weeks and is probably the reason it has been taken off the agenda.

The meeting was adjourned.