

AGENDA SESSION
MAY 29, 2012
3:00 P.M.

Chairman Ladd called the meeting of the Agenda Session to order with Councilmen Rico, Benson, Scott, Robinson, Murphy, McGary, Gilbert and Berz present. City Attorney Phil Noblett; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Gary Hilbert, Dennis Malone, Bill Payne, Bryan Shults, Mike Patrick, David Johnson, Chief Parker, Johnny Feagans, Steve Leach, Danny Thornton, Lee Norris, Jim Templeton, Tony Boyd, Frank Hamilton, Alice Cannella, Larry Zehnder, Vickie Haley, Daisy Madison, John Van Winkle, Nina Ventra and Dickie Hutsell.

Mr. Johnson proceeded to go over agenda items. **Ordinance 5(a)** amends the City Code relative to permits for valet parking in metered spaces for downtown businesses. Adm. Leach explained that they had reviewed valet parking and John Van Winkle is here; that Patrick Bobo with the City Attorney's office has done some research; that one of the issues was using off street parking to park valet cars—that one of the issues is private lots versus parking meters. Mr. Van Winkle explained that the intent was private lots, and they had put this in the Ordinance. **Ordinance 5(h)** provides for an interim budget for three months. **Ordinance 5(i)** was discussed in Public Works last week. **Ordinance 5(j)** appropriates an additional \$10,000 from the General Fund to Bessie Smith Cultural Center for expenses incurred in organization and implementation of the 2012 Bessie Smith Strut. Mr. Johnson stated that this was up to \$10,000 and depends on how the Budget defines it. Both Councilman Benson and Councilwoman Robinson stated that their Ordinance did not read this way—"up to". Attorney Noblett stated that the caption could be changed.

Ordinance 6(a) amends the Capital Improvements Budget to accept \$100,000 from Hamilton County and provide funding for the Visionair RMS/Mobile Software Database Application Upgrade. **Ordinance 6(b)** that replaces wayfinding signs in the Central Business District was discussed last week by RiverCity. **Resolution 6(c)** was discussed in Public Works last week.

Resolution (a) amends a Resolution that authorizes payment to Arthur J. Gallagher for renewal of property, equipment, and fleet insurance for 2012 so as to include a contingency amount and adds buildings to the policy.

Resolution (b) authorizes the renewal of the Personal Services Contract with Don Sneed to perform vehicle appraisals and accident investigations for the City in an estimated annual amount of \$15,000. Mr. Johnson noted that the City Attorney had knowledge of this. Councilwoman Scott asked if the Council could get a spread sheet in the next month that shows essentially the number of accidents and judgments? Attorney Noblett responded that they get a Quarterly Report from Loren Sheldon for the amounts of damage to vehicles and what we pay out for that; that he could get the information for Councilwoman Scott.

Resolution (c) expresses the intent of the City to issue bonds in the aggregate amount not to exceed \$30 million for the purpose of paying all or a portion of the costs of several projects. Councilwoman Scott stated that it was hard for her to see what all this is; that we have not seen the Capital Proposal yet and were “shooting in the blind”; that we were approving bonds without a lot of detail. Mr. Johnson explained that this was just expressing the intent of the City for the Bond Issue to be covered—that we have always done it this way. Councilwoman Scott stated that she knew we had always done it this way, and she did not like it last year nor the year before; that we needed more detail. Mr. Johnson explained that it depends on bids—that the amount is usually higher at this point than it actually is. Chairman Ladd clarified that as these items become requests, we vote on them at that time and will then be provided more detail. Councilman Benson stated that we got the details last year, and he did not see anything new. Mr. Johnson agreed that some of the projects are from last year. Councilman Benson stated that some of them have been going on for five years in the Capital Budget.

Resolution (d) authorizes the Gang Task Force to extend the contract with John Hayes, PH.D. through the end of Fiscal Year 2012 in the amount of \$5,000. Councilwoman Berz wanted to know the total amount of the contract and was told \$10,000, making \$15,000 total. She wanted to know how many grant writers we have and was told “two”. She asked about some sort of productivity or do we just keep paying grant writers? She wanted to know if these were one-time jobs and when the Grant is procured if the Grant Writer goes away? Mr. Johnson explained that the City is constantly looking for a source of funds. Councilwoman Berz stated that was great, but wanted to know if we have Grant Writers for Parks and Recreation and Grant Writers for other departments—if we were “loaded” with Grant Writers? Mr. Johnson explained that writing grants was not their only jobs—that we made an attempt to consolidate at one time and that did not work very well—that we just contract when we need a grant writer; that the Fire Department writes their own grants. Councilman Rico noted that John Hayes had a good track record.

Resolution (e) is for the Special Exceptions Permit for Paisa, Inc. at 6175 Airways Boulevard. Mr. Johnson asked if we were dealing with anything new? Attorney Noblett noted that he had had contact with Attorney Kliner, who had provided him with past employments and purchasing records; that there was a slight change in regards to the fire apparatus in place with the provisions. Councilwoman Berz stated that she wanted to know all about this. Attorney Noblett responded that from the information they had gathered, the business had been in continuous operation; that it was not thought that the grandfather clause would apply; that the applicant would like the Special Exceptions Permit and time to put in sprinklers and also a landscape buffer. Councilwoman Berz wanted to know about special arrangements. Attorney Noblett indicated that the sprinklers would be installed by October 1st of this year; that they would have been given until 2013 under the grandfather clause. Councilwoman Berz asked if it mattered whether they were “legally” open all along? Attorney Noblett responded that they

had been in existence before—that the question was whether the use had expired, and they had provided payroll information substantiating that they had been in business all along. Councilwoman Berz again asked if we don't question whether they were "legal" or not? Attorney Noblett referred to authority under our Code—that there was no revocation of their beer license. Mr. Hutsell interjected that they had proved they were legal, based on their documentation last week regarding revenue, purchasing and employee records; that it looked like they were grandfathered in. Attorney Noblett added that they are agreeable to the provisions, and if not followed, the Special Permit could be revoked.

Resolution (f) authorizes the Administrator of the Department of Education, Arts & Culture to apply for a Justice Byrne Criminal Justice Innovation Program Competitive Grant to provide neighborhood revitalization programming for an amount not to exceed \$1 million dollars. Councilman Murphy stated that we would go into more detail concerning this during his committee.

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Ordinance 6(a) amends the City Code relative to the Beer Board of Chattanooga and reciprocal suspension or revocation of permits. Mr. Johnson explained that this is according to the provisions of the new State law. Chairman Ladd added that this was developed and carried by Councilwoman Scott and Matt Lea.

Resolution 7(a) authorizes on-the-job injury settlement between Hewitt Coleman and Walter Dana Young in the amount of \$10,001.00. Councilman Murphy asked if that was the actual amount and was told "yes" by Attorney Noblett, adding that he did not know why it was this odd amount.

Resolution 7(b) authorizes a bid for installation of HVAC units and necessary ductwork for the 11th Street Police Station to Jake Marshall Services in the amount of \$97,610.00. **Resolution (c)** authorizes a Grant from the Southeast Tennessee Area Agency on Aging and Disability for the Eastgate Senior Activity Center programming in the amount of \$44,952.00. **Resolutions (d) and (e)** are Public Works' items that will be discussed next week. **Resolution (f)** authorizes the Personnel Administrator to enter into an agreement with Morris & McDaniel, Inc. for the development and administration of exams for promotional testing for police positions for an amount not to exceed \$133,828.00. This happens every year or two. **Resolution (g)** authorizes the Chief of Police to enter into a contract for Vision Air Upgrade to support the Police Department for a total project cost in the amount of \$363,585.67. This includes all agencies in the area. **Resolutions (h) through (n)** are Public Works' issues, and details will be provided next week.

At this point, Councilwoman Robinson expressed a concern with TDOT on Highway 27, going towards town in relation to the exit at Cherokee and Manning, which she stated was very dangerous; that she knew this was a State road, but it needed to be called to someone's attention because it is very dangerous.

Resolution (o) authorizes the Mayor to apply for a Project Safe Neighborhoods Grant from the Department of Justice to provide funds for a dedicated gang intelligence officer to work with the City and County law enforcement and prosecutors in the amount of \$300,000.00. Councilman McGary asked the timeframe? He was told that it was a two-year Grant—that it was not just salary but also outreach—that there were several components to this. Councilman McGary wanted to know what the remainder of the Grant would be used for and Ms. Ventra stated—we don't know yet. He asked what the salary would be and was told “we don't know yet”. Councilman Murphy stated that we would discuss this more in the Legal and Legislative Committee.

Resolution (p) has to do with exchanges and transfer of property in relation to Dogwood Manor. Mr. Johnson stated that Mr. Thornton was here to explain. Mr. Thornton stated that there was a slight error in the caption—that it should include the “Poss Home” site—that he had three sets of maps; that the first exchange is when Dogwood Manor is exchanged with the Poss Home site; that the Poss Home site is high value, once this is completed with CHA, it will be out of the picture. He explained the second phase is the East Brainerd Elementary School site located at 7453 East Brainerd Rd. in exchange with the Poss Home site, and the City will market the E. Brainerd School site.

Councilman McGary asked if this was the lowest and best bid, or should he say the highest bid? Mr. Thornton responded that the bid provided enough revenue back to neutralize the debt of Dogwood Manor; that a third option was \$1.4 million dollars. Councilman McGary asked if this would take effect immediately? Mr. Thornton explained that it would have to run through HUD—that the closing could be late July. Councilman Benson stated that it was speculative what the E. Brainerd School site would be used for; that it was rumored there could be a commercial mall there; that it was valuable property—more valuable than Dogwood Manor—that we might get the short end of the stick; that it had even been rumored that we might move Poss Homes there. Mr. Thornton explained that the Poss Homes site will be a site to allow expansion of Howard High School; that the East Brainerd School site could be mixed-use; that our goal is to get the property back on the tax rolls. Councilman Benson questioned if we owned the school site, rather than the County Schools? He questioned how we could swap Hamilton County property for our property? Councilman Rico explained that the School System wants land to build a stadium for Howard High School—that they want the Poss Home site, and we will give it to them through trades. Mr. Johnson stated that this brings us close to even. Councilman Benson stated that a well know developer stated that the East Brainerd School site could go commercial—that it is valuable property. Chairman Ladd quipped that she thought they wanted to put an I-Hop there.

Mr. Thornton stated that there was a right-of-way on the back side, which was part of the monetary adjustment; that a small part would go to CHA for a small housing mix—something like Fairmont with maybe 18 units. Councilwoman Berz clarified that this would be the back part for housing—that the rest could be commercial-office mix.

Councilman Benson stated that this was in his district, and he needed a week to digest this; that he needed to discuss this with Mr. Thornton. Mr. Thornton stated that he would be happy to come over and discuss this.

Mr. Johnson went over the purchases on tonight's agenda.

The meeting adjourned at 3:40 P.M.