AGENDA SESSION
JULY 3, 2012
3:00 P.M.

Chairman Ladd called the meeting of the Agenda Session to order with Councilmen Rico, Robinson, McGary, Scott, Berz, Gilbert, and Benson present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Richard Beeland, Larry Zehnder, Greta Hayes, John Bridger, Bill Payne, Steve Leach, Daisy Madison, Simone White, Joachim Volz, Jerry Stewart, John Van Winkle, Capt. Snyder, Ron Swafford, Vickie Haley, Lee Norris, Chief Maffett, Mike Patrick, Chief Parker, and Missy Crutchfield.

Mr. Johnson began with the agenda and Ordinance V(a), which is a repeal of Weights and Measures, which has been talked about, and there were no objections. Ordinance (b) amends the Budget Ordinance to appropriate an additional $2,496.80 to the Southeast Tennessee Development District.

Ordinance VI(a) is the Capital Budget, which had been discussed for two hours.

Ordinance (b) amends the City Code so as to create the Chattanooga Parking Authority, delegating certain duties to CARTA. Councilwoman Scott stated she thought this was coming before the Council in a Legal and Legislative Committee. Chairman Ladd noted that Councilman Murphy was in transit but that we would have this discussion in committee and that she would chair it until Councilman Murphy arrives. Ordinances (c) and (d) are Public Works’ items.

Resolution (a) adopts a Five-Year Capital Improvements Plan and is not in “concrete”. Resolutions (b) and (c) have been previously discussed. Resolution (d) authorizes CHA as manager of Dogwood Manor to pay ServPro for emergency clean-up of a kitchen fire due to water damage of certain apartments in the amount of $12,000 on behalf of the City.

AGENDA ITEMS FOR JULY 10, 2012

Ordinance 6(a) amends the City Code to exclude certain property from Walnut Hill Town Homes Lots 3 and 4 from the Fire District boundary. Mr. Johnson asked if Public Works would cover this? Adm. Leach stated that it would be discussed next week. Chief Parker explained that this was border properties that were out of zone near the Walnut Street Bridge, and they had asked for exemption. Adm. Leach again stated that this would be presented next week.

Ordinance (b) amends the Charter (Home Rule Amendment) so as to make applicable state law provisions to recall popularly elected officials of the City. Attorney McMahan stated that the Council had discussed amending the Charter with regards to recall (Mayor Littlefield), and this would be a part of the November election.
Attorney McMahan continued, explaining that this would comply to State Law as identified by Judge Hollingsworth in regards to 15% signing the petition; that State Law and the Attorney General indicates that to recall a member of the Council it would take 15% of the total electorate—that it would take 14,000 to 15,000 signatures to recall a Council member; that his own thought would be 15% of the number of people who live in the district to recall.

Councilwoman Scott stated that she would like a full discussion of this in Legal and Legislative Committee; that there are other ideas in alternate places; that different States have different parameters and also different cities have different parameters; that we do have the ability to make a choice, and this should be done the right way; that we needed to look at all our options.

Councilman McGary asked if it were necessary to take this up now? Attorney McMahan explained that it was a referendum item for the general election; that we have to pass something this month in order for it to be on the November ballot; if not, 2014 would be the next time. Councilman McGary asked if this could affect the ongoing recall effort? Attorney McMahan explained that grounds have to be set forth, and there are a number of issues in this case—mainly the number of signatures required.

Councilwoman Robinson also asked for a full discussion of this, stating that the percentage seems small in each of the nine districts and asked if this meant 15% of registered voters? She questioned how the signatures were collected—that it seemed random people were asked to sign, and this takes a lot of time to verify. She stated getting real “legal” if the petition had to be the same as the registry of voters? She questioned how we would know who really signs the petition? She mentioned getting her new voter card requiring a recognized photo ID. She noted that when we go to vote, we have to jump through hoops, and it seems that a tiny majority can overturn an elected official. She stated that the Council needed to talk about this a lot.

Councilman Rico stated that if we were going to discuss this “later”—then let’s discuss this “later”!

Chairman Ladd stated that Councilman Murphy could have this discussed in Legal and Legislative Committee.

**Ordinance (c)** is a zoning issue.

**Resolution 7(a)** authorizes a contract with Haren Construction Company for the Altamont Pump Station Renovation in the amount of $678,000, with a contingency amount of $70,000 *(Temporary Restraining Order)*. Councilwoman Scott asked for an explanation of the *Temporary Restraining Order*. Mr. Johnson responded that Public Works would cover this, as well as **Resolution (b)**. **Resolutions (e) and (f)** are also Public Works’ items.
Resolution (g) authorizes the Administrator of Education, Arts, and Culture to enter into an agreement with Pointe General for Phase 1 of the renovation of the Soldiers and Sailors Memorial Auditorium Community Theatre, in the amount of $946,242 plus a contingency fund of $50,000, for a total amount not to exceed $996,242.00.

Councilwoman Scott stated that she had a question concerning this. She mentioned the Tivoli stage and also the stage at the Memorial Auditorium—that we have both of these and urged to think about the location, questioning that many places in the community and whether a theatre was really the best thing to go here. She questioned if we needed that many theatres when the ones we have are not “booked”.

Ms. Crutchfield responded that actually we are pretty “booked”; that UTC is the closest to the Community Theatre in size, with 400 seats, and we will have 800 seats. She stated that this venue was identified without a huge amount of dollars and also fulfills other needs. She stated that “yes” there is a need and that our other venues are doing well.

Councilman Benson stated that he thought a variety of venues was god; that when he was with the school system, they had to rent auditoriums, and we needed to be able to attract shows coming to town.

Chairman Ladd mentioned that in the 2020 Plan for Allied Arts, it identified a great need for a medium size theater—that the need was stressed.

Councilman McGary asked the timeline for the renovation. Ms. Crutchfield indicated it would start next week and finished by February 28th.

Councilwoman Scott asked why there were so many spaces open on the calendar if we are all “booked”? She also wanted to know why our revenue is not looking better?

Ms. Crutchfield responded that we were recruiting new events and were working towards increasing performances with 10-12 movie nights in black and white; that we were being creative and innovative.

Councilman Gilbert stated that Ms. Crutchfield was correct; that promoters are looking for venues of this size—that all are looking for these type areas.

Resolution (h) authorizes an agreement with CARTA regarding revenue reimbursement during period for transition of parking enforcement. Chairman Ladd stated that this would be taken up later in Legal and Legislative committee.

Councilman McGary asked if Ordinance 6(b) on tonight’s agenda is connected to this Resolution, also, and the answer was “yes”.

Resolution (i) authorizes the Director of General Services to accept a bid from Eastman Construction for the interior build-out of the 11th Street Police Station in the amount of $174,189. This is the last phase.

The only purchase was for Public Works and a blanket contract for traffic barricades with A& H Safety Supply Co. for an estimated $16,000 annually. Councilwoman Scott asked if this was actually a purchase or a contract to “bring and take back”? Mr. Johnson explained that it was a blanket contract on an as-needed basis—that it was more or less service.

On motion of Councilman McGary, seconded by Councilman Gilbert, the minutes of the previous meeting were approved.

The meeting was adjourned at 3:25 P.M.