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

Others present included Dan Johnson, Larry Zender, Lee Norris, Steve Leach, Marie Chinery, Dennis Malone, Gayle Keown, Vickie Haley, Richard Beeland, Chief Parker, Greg Haynes, Danny Thornton, Artie Pritchard, Karen Walsh, Johnny Feagans, Bill Payne, Jim Templeton, and Jerry Stewart. Mayor Littlefield joined the meeting later.

On motion of Councilman Rico, seconded by Councilman McGary, the minutes of the previous meeting were approved as published.

Mr. Johnson proceeded with agenda items, noting that Ordinance 5(a) was discussed quite a bit last week.

Ordinance 6(a), changing the City Charter relative to citizen initiatives will be discussed in the Legal and Legislative Committee. Ordinance (b) will be discussed in Legal and Legislative, also.

Resolution (a) accepts the bid of Mac Source Communications to complete the phone system for the City for an amount not to exceed $1,367,378.78, and the purchase for two additional years of maintenance and support upgrades for $171,948.00 per year. Mr. Johnson stated that this had been revised since this morning, but unfortunately it looks like we still do not have a blanket contract. Attorney McMahan agreed that this is not a blanket contract, stating that he did not know where this leaves us.

Councilman Benson stated that he was confused and did not understand—that they were saying this is not a blanket contract and why do we have to have a blanket contract and what exactly is this? He asked if this could not be discussed at this time?

Chairman Ladd stated that we could discuss this; that as Chairman, she was disappointed because this was the third time this had been before us, and it sounds like we don’t have things appropriately put together and that there is dissonance in the ranks; that this needs to be “wrangled” out among Administration, and the Council given something to vote up or down. She again stated that she was disappointed—that this had taken three weeks, and she felt that she needed to speak out as to how she felt; that this was a confusing piece of legislation, and she noticed that the Mayor was present.
Mayor Littlefield indicated that this was a technical arena that few understood surrounding terminology of blanket contract and implementation—that the problem was part legal and part terminology and how we will pay for it. He noted that the people from the Purchasing Dept., the Legal Dept. and IS had met and were very close to a contract today, but he could not legally say where we stood. He noted that there were some of the finer distinctions that he did not grasp but that they were trying to get this back on tract—-that it was not complete last year—that this was part legal, part purchasing, and part IS, and they were close to agreement, and he suggested putting this off a week or more.

Councilman Rico agreed that we could come back to this—that he thought they could all get in one room and get it done today. He urged to not prolong this.

Councilwoman Scott stated that she wanted this done properly and correctly, as this was a significant amount of money, and she would be in agreement to wait until it is ready and all the parties are in agreement—that she was willing to wait and would not want to vote on this in haste when the contract is not finalized.

Mayor Littlefield asked about the opportunity the bidder has and the window of opportunity to purchase equipment? Attorney McMahan mentioned the dates of September 21st and September 30th. Mayor Littlefield then noted that we could put this off two weeks.

Councilwoman Robinson suggested that this be discussed and put on the agenda again next week, with Councilman Benson agreeing that they needed to get to work and let us act on it next week. Mayor Littlefield noted that Mr. Johnson had had a meeting in the Mayor’s Office, along with legal, and they thought everyone was together and then questions arose over the weekend.

Chairman Ladd stated that the Council could vote for deferral at tonight’s meeting—that patience was wearing thin.

**Resolution (b)** authorizes advertisement for the annexation of an area referred to as Cambridge Square. Mr. Johnson noted that this was voluntary annexation.

Councilwoman Scott asked if the information she requested last week was ready and assumed that the answer was “no”. She stated that she asked for information about the cost of annexation, particularly the part where it says that the Plan of Service includes sewers, and she wanted to know the cost of this. She also wanted to know if there was a TIF in the offering? She stated that she would like this confirmed by someone who understands this annexation.

Councilman Benson stated that there was a great advantage with annexing this—that no TIF was in the offering.
Adm. Leach agreed that it was also his understanding that no TIF was involved and proceeded to show a map. Councilwoman Scott indicated that she had already seen this map, with Adm. Leach explaining that he was showing it to the Council. She stated that she thought the Council had seen the same one she did. He proceeded to go over the map, noting that all sewers were included. Councilwoman Scott responded that the Plan of Services says that we will provide the sewers, with Adm. Leach stating that he was not sure about the Plan of Services. Mr. Burns noted that it was the standard draft of Plan of Services. Adm. Leach noted that the WWTA calls for the developer to build sewers; however Councilwoman Scott still maintained that the Plan of Services says that we will provide sewers. Mr. Burns stated that it was just standard language—within three years. Councilwoman Scott still continued that the Plan of Services says we will provide sewers, and it was important to know what sewers will cost and to have a clear understanding; that if she could not get this information, she would not vote on this.

Councilwoman Berz stated that she thought the purpose of this was for the endeavor to be built to city specifications; that this could be “cleaned” up to say that they will take care of this—that the way it is written is incorrect, and we need to move on.

Adm. Leach stated that he did not draft the Plan of Services—that the developer provides sewers, with Councilwoman Berz stating that apparently this was just “tacked” on.

Mr. Johnson noted that this Resolution just authorizes the Clerk of the Council to advertise for a public hearing—that we are not voting on annexation.

Attorney McMahan noted that the WWTA would require no sewers from the City unless they cede to us—that the WWTA would continue to provide services—that if they do cede, we would be responsible; that it is the developers’ responsibility to provide sewers and sewers are already available—that there would be no charge to the City for sewers.

Councilman Benson added that we can’t look at the cost in isolation—that this is a great investment in District 4—that this is commercial, and we would be able to charge for commercial taxes—that there would be some service money, but the return would be much more.

Councilwoman Scott stated that we could not decide annexation in isolation; that one cannot truly weigh a decision if one does not have the information, and the information is needed up front; that the costs need to be ironed out before it comes to the Council for a vote, and these issues need to be ironed out; that this is not in the growth boundary, and we don’t have all the information; that she had previously voted on something, and it was nothing of the “sort” today, and she would not go down that road “blind” again. She stated that we needed to know the whole story up front in order to make an informed decision, and she did not think this was too much to ask and was just as important here.
Resolution (c) thru (p) are Public Works’ issues that were discussed last week.

AGENDA FOR SEPTEMBER 11, 2012

Ordinance 6(a) amends the City Code in regards to dishonored checks. Attorney McMahan was asked to address this. He explained that this was basically a change to bring our City Code into compliance with State Law; that we can charge $20.00 for a dishonored check; if the check is for more than $2,000, we can charge a percentage of the amount of the check, and it has to be deposited within three days.

Councilwoman Scott stated that she agreed with this with one exception. She wanted to know why all dishonored checks go to the Mayor’s Office? Attorney McMahan responded that they all go through the Treasurer’s Office and Ms. Gayle Keown. Councilwoman Scott wanted to know why the Ordinance says this? Mr. Johnson explained that the Treasurer’s Office comes under the Mayor’s Office. Attorney McMahan explained that it was all Finance and Administration—that we could fix the problem she is talking about. Councilwoman Scott questioned why it did not say Office of Finance and Administration rather than the Office of the Mayor. She asked Ms. Keown to come up and tell the Council the process on this.

Ms. Keown explained that all of the revenue comes through the Finance and Administration office and comes through the City Treasurer’s Office and as they made the deposit, they can get returned checks—that this makes it consistent with TCA. Councilwoman Scott wanted to know who makes the decision? Ms. Keown explained that they had a procedure in place in their department, with Councilwoman Scott confirming that it was not a discretionary thing.

Ordinances (b) thru (e) are zoning matters.

Resolutions (a), (b), and (c) are Special Police Officer appointments for the Public Work’s Dept.

Resolution (d) is a Parks and Recreation issue and authorizes a grant agreement with Hamilton County and TDOT for additional support for the Downtown Riverwalk.

Resolutions (e) and (f) are Public Works’ items that will be discussed in committee next week.

Mr. Johnson proceeded to go over the four purchases on tonight’s agenda. One was for the purchase of appliances for the new Employee Wellness Center from Lowe’s in the amount of $14,906.37. Councilwoman Scott inquired as to the type of appliances and was told by Mr. Johnson that it was appliances for the kitchen at the new center. Ms. Pritchard added that it was a dishwasher, ice machine and washing machine.

Mr. Johnson also went over the appointments that will be on tonight’s agenda. This meeting adjourned at 3:30 P.M.