

**AGENDA SESSION**  
**January 22, 2013**  
**3:00 p.m.**

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

Others present included Dan Johnson, Daisy Madison, Vickie Haley, Lee Norris, Larry Zehnder, Jana Lowery, Doug Eckert, Jim Templeton, Bill Payne, John Bridger, Chief Dodd, Chief Parker, Ron Swafford, Richard Beeland, Steve Leach, Alice Canella and John Van Winkle.

Dan Johnson stated there are no Ordinances on final reading and indicated the Ordinance on first reading is in reference to the zoning in Hixson Pike. With reference to Resolutions, he stated **(a) Contract with River Street Architecture, LLC** for design of Fire Station No. 11 was discussed last week, as well as **(b) regarding the Interlocal Agreement** for the firing range. He stated **(c) – (i) were discussed in last week's Public Works Committee** meeting and **(j) authorizes an agreement with Franklin Architects** for design of the Chattanooga-Hamilton County Firearms Training Facility.

**NEXT WEEK'S AGENDA: JANUARY 29, 2013**

Mr. Johnson stated **Ordinances (a) amend Code regarding garbage and refuse** and **(b) closure and abandonment** will be discussed in next week's Public Works Committee meeting.

Councilwoman Scott inquired as to whether there has been any decision allowing dropping the proposal to limit the number of trash cans to one. Lee Norris responded that the matter is in revision right now.

Councilwoman Scott asked if it has been reduced to one or not. Mr. Norris responded "no". Admin. Leach added that it has been increased to two.

Mr. Johnson stated **Resolutions (a) – (d) will be discussed in Public Works Committee next week** and **(e) has to do with applying for a 2012 Fire Prevention and Safety Grant** for prevention and safety.

Chief Parker explained that the grant will be used for instruction and sprinkler demonstration; that it is a side-by-side demonstration of the differences in the sprinkler and non-sprinkler.

Mr. Johnson stated **Resolution (f) involves the City Attorney's office retaining separate law firms.** Assistant City Attorney Noblett explained that a new lawsuit was filed last week with 14 different police officers that are being sued; that some of the officers will be able to be represented by the City Attorney's office and others who may need independent counsel which is the reason Mr. McMahan was trying to get the authority to do this as there may be some conflicts between those officers and the city's representation that will require other people to represent them.

Mr. Johnson stated **(g) involves a renewal of an agreement** with McKamey and Chattanooga Goodwill; that **(h) involves the abandonment of property.**

**Dan Thornton** explained that this is an amendment to a resolution adopted in September; that the language referenced if we decided to expand the road -- which will be donated to them at no charge as they are putting in \$70,000 worth of infrastructure -- if we need the property back the infrastructure would be replaced by the city as we always do with the sidewalks being put back in. He stated somehow the language was changed and the City Attorney advised the amendment was needed.

Councilman Murphy stated he loves our friends at HealthSouth but we are giving them the property and if they plant a large number of hedges and if in some future date we need to expand the road, we will "be on the hook" to pay to replace their hedges.

Mr. Thornton stated it is a landscape plan approved by the Land Development Office and our Landscape Architect; that "yes", there is nothing there now so when this is included, if there is a future expansion -- a big IF -- then, as always as in other places such as Shallowford and Gunbarrel where we widened the road, we put the sidewalk back and replace the landscaping.

Councilman Murphy added we are giving them the property, too; that he understands why we are giving it to them and agrees, but it seems a bit much to give this to them and if we ever need to expand -- even though they did not pay anything for it -- we will pay to redo anything they happen to put on it. Mr. Thornton responded "yes".

Councilman Benson stated it seems in cases like this if we are giving them the acreage as surplus and authorizing conveyance to them, we should get a hold harmless agreement.

Mr. Johnson stated we are also requiring them to put in \$70,000 worth of infrastructure which would be replaced if something happens; that he does not know why we would need a hold harmless agreement in that situation.

Assistant City Attorney Noblett stated it was his thought the issue was the cost of the improvements; that if they do that and the city later takes that property we would still have to pay them something for the value of those improvements to the property. He stated if it is \$75,000 they are putting in as improvements, we would have to pay them if we took that later on.

Mr. Johnson stated or we would replace it ourselves which is what they are agreeing to – replacing it ourselves.

### **PURCHASES**

**Canon Solutions America, Inc.** – Name change on a contract for copiers.

#### **Public Works:**

- Reject all bids for Sodium Hypochlorite Storage Tanks
- Amtee Surveying, Inc., Blanket contract for CCTV and Sonar Sewer Inspection Services estimated at \$350,000.00.

#### **Fire Department:**

- First Line Technology, Purchase of an AmbuBus Bus Stretcher Conversion Kit for \$46,379.00
- Safe Industries, Purchase of MSA Fire Suppression Equipment for \$20,176.00

#### **Police Department:**

- Gulf States Distributors, Purchase of 35 Taser X26 and Accessories for \$42,120.00

### **BOARD APPOINTMENTS**

Mr. Johnson reported the following Board appointments/re-appointments for the Human Services Board of Directors:

- Appointment of Eddie Grant for a three year term expiring in 2016;
- Re-appointment of Steven Giles, Deborah Hale, Johnny Horne, Steve Johnson, Floyd Moon and Carla Sewell for three year terms expiring in 2016.

## **MINUTE APPROVAL**

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

The meeting was adjourned.

**(A full digital audio of the Committee meeting of this date is filed in  
the Clerk of Council's Office)**