

PUBLIC WORKS COMMITTEE

July 8, 2008

3:00 P.M.

Councilman Rico, Chairman, called the meeting of the Public Works Committee to order with Councilpersons Berz, Benson, Page, Shockley, and Bennett present. City Attorney Randy Nelson; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Adm. Leach, Bill Payne, Lee Norris, Mayor Littlefield, Gary Hilbert, Greg Haynes, Jerry Stewart, Gene Hyde, Barry Bennett, Danny Thornton, and Dickie Hutsell. Daisy Madison, Richard Beeland, and Larry Zehnder joined the meeting later.

Chairman Rico thanked everyone for coming before turning the meeting over to Adm. Leach. He was attired in a cowboy hat and Councilman Page, jokingly, said that maybe we needed to discuss the dress code first!

AGENDA ITEMS FOR JULY 8, 2008

Adm. Leach mentioned two changes on the agenda—**Ordinance 6(b)**, second version, was changed to “*Recommended for approval*”. **Resolution (c)** was removed from the agenda for two weeks.

Ordinance 5(a) was a closure and abandonment for Betts Engineering Associates, Inc. for a portion of the 700 Block of River Gorge Drive. This is in Cummings Cove and was passed on first reading last week.

Ordinance 6(a) is a closure and abandonment for Thomas Long of an unopened portion of Old Cleveland Pike, located within a tract of land at 7810 Old Cleveland Pike. This is a strip along the west side of I-75 near Enterprise South and Ooltewah. It is an old county road that has not been maintained, and the applicant wishes to combine the property to redevelop it. It is a dead end to his property and Planning and Public Works are recommending this. **On motion of Councilwoman Bennett, seconded by Councilwoman Berz, this will be recommended to the full Council for approval.**

Councilwoman Berz wanted to know subject to what conditions?

Adm. Leach explained that it was subject to retention of all utility easements and routing rights in the full width and at the Utility’s decision.

Ordinance 6(b) was a closure and abandonment for Ann Barnes of two unopened alleys located west of and parallel to the 100 Block of North Crest Road. This also is recommended for approval by Planning and Public Works. This combines property on the east side of the Ridge on North Crest Road and is subject to retention of all utility easements and routing rights in the full width and at the Utility's discretion and subdivision of the property to incorporate Parcel No. 146K-E-021 into property fronting on North Crest Road or Latimore Street. These are two very small alleyways.

Mr. Haynes reminded Adm. Leach of the second condition. **On motion of Councilwoman Bennett, seconded by Councilwoman Berz, this will be recommended to the full Council for approval.**

AGENDA ITEMS FOR JULY 15, 2008

The two abandonments and closures that were on the agenda for first reading on July 8th will come up again for second reading.

AGREEMENT W/PARTNERSHIP FOR FAMILIES, ETC.—LARRY ZEHNDER

Mr. Zehnder was not present at this point and Adm. Leach went over **Resolution (b)** on tonight's agenda that authorizes an agreement with Partnership for Families, Children and Adults, Inc. for use of the East Lake Recreation Center secondary building located at 3701 Dodds Ave. for the purpose of operating a community service center targeting housing, employment, education, youth development, and physical and mental health support systems and other basic human needs. Adm. Leach explained that this will allow them to continue a partnership for several years.

Attorney Nelson added that they would be doing some outside maintenance on the building, and it would take about a year.

Adm. Leach stated that it was an ongoing relationship, and the building needs upgrading, and they are coming to the City for assistance. **On motion of Councilwoman Berz, seconded by Councilwoman Bennett, this will be recommended to the full Council for approval.**

CAPITAL BUDGET APPROPRIATION/SOUTHSIDE PARKING GARAGE

Ms. Madison went over **Ordinance 6(a)** on next week's agenda that amends the Capital Improvements Budget for 2007/2008 to provide for the appropriation from the Southside Parking Garage Fund for the renovation of the Southside Parking Garage.

Ms. Madison explained that this Study is authorized and is a structural concern with the elevator; that we submitted bids, and it was formally authorized; that the lowest bid did not meet specifications. She reiterated that it would be paid for with revenue from the Parking Garage.

Councilman Page indicated that he did not quite catch what she meant.

Ms. Madison added that this just amends last year's Capital Budget.

POLICY FOR FUNDRAISING & SOLICITATIONS

Councilman Benson stated that in our assessment for Fundraising, we were not complete, but it would be addressed tonight. He made mention of Item 2 (handout is made a part of the minute material) that reads "*Solicitation for business, commercial, or personal reasons by City employees not directly related to City operations is prohibited. All donated funds become public funds upon acceptance and shall be used and expended for public purposes*". He questioned both of these sentences being necessary.

Ms. Madison agreed that they could be redundant and suggested keeping only the last sentence and striking the one that starts out "Solicitation".

Councilwoman Bennett asked if we wanted to do a fundraiser for playgrounds if it would have to go through the same process? Ms. Madison responded "yes" and at this point went over Item 7 that reads "*No cash funds may be received by any Department conducting fundraising or solicitation activities except for individual ticket purchases and in the case of individual ticket purchases, said cash funds shall be handled in accordance with Finance Department guidelines.*"

Councilman Benson asked if there were any limitations on the number of fundraisers a department could have during the year? Ms. Madison responded that this does not address that aspect.

Councilwoman Bennett wanted to return to a look at Item 2 and also asked about the sale of Girl Scout cookies?

Ms. Madison stated that as it relates to Girl Scout cookies, we allow employees to sell cookies on premises. She added that we had taken out the second sentence of Item 2.

ADVERTISEMENT OF TOPICS TO BE DISCUSSED BY CITY COUNCIL

Councilwoman Bennett stated that we wanted to make sure after our MTAS presentation that we are properly advertising the topics that we will be talking about; that we need to receive information a week in advance, and she asked the Councilmembers to take a quick look at next week's agenda to see if we had covered everything. She reiterated that we need to receive information at least a week early. She questioned if we were covering ourselves?

Councilman Shockley asked if she was talking about committee meetings? Councilwoman Bennett indicated that she was talking about both committee meetings and the Council meeting. Councilman Shockley noted that the "Passage" piece had been added to next week's agenda. Councilwoman Bennett stated that that gives us adequate time. She mentioned that this was discussed with the office staff today, as to when we needed the information; that agendas need to be provided a week in advance.

Councilman Benson stated that we had a real problem with add-ons and that people will have to be disciplined.

Councilwoman Bennett stated that the mention of the "Passage" next week needed to be given to the Council Clerk. Councilwoman Berz indicated that she had already done this.

Councilman Benson noted that committee reports are given at the Council meeting as to what will be on the next agenda; that if there are any add-ons, they should be mentioned then and there.

Councilwoman Berz agreed that during committee reports, the Chairman of each committee should say what would be on their next week's agenda.

Councilman Rico stated that in his case, he would just have to say anything that deals with Public Works—that sometimes Public Works had emergencies that can't wait.

Councilman Benson stated that this new procedure needs to be discussed in open meeting.

Adm. Leach stated that he did not see them being able to avoid add-ons—that things come up quickly and that they needed to be allowed to be flexible.

Councilwoman Bennett stated that we were just trying to work through this and make sure there is a place for Administration to bring things up before going to the Council meeting; that we are working to be as transparent as possible.

Attorney Nelson noted that this item is to be discussed next week in the Legal and Legislative committee process, with Councilman Benson noting that his agenda is already prepared for next week and jokingly saying “it is too late for add-ons”. He agreed that he would get this item on his next week’s agenda.

Councilman Page stated that he thought we had come a long way—that things were on the table before they came to the Council; that we talk about the items a week before and then the week of the meeting, which gives the public two opportunities to hear about something; that at this meeting we had seen items that would be on next week’s agenda, which gives a whole week of notice; that Public Works had done well in going over next week’s agenda, which is everything unless there is an emergency; that things can be brought to committee and it can be tagged a week before. When some did not quite understand what he was saying, he noted that he was thinking out loud to himself.

Councilwoman Berz noted that we were not asking for “substance” in advance but “topics”.

Councilwoman Bennett agreed that we would just advertise the topic—that the Council just needed enough time to pull information together. She stated that this was a “work in progress”; that Councilman Benson would have this in his committee next week for more discussion.

The meeting adjourned at 3:30 P.M.