

## **AGENDA SESSION**

**August 25, 2009**

**3:00 p.m.**

The Agenda Session was called to order by Chairman Benson with Councilmen Berz, Gilbert, McGary, Scott, Ladd, Murphy, Rico and Robinson present. City Attorney Michael McMahan and Council Clerk Carol O'Neal were also present.

Others present included Dan Johnson, Daisy Madison, Steve Leach, Lee Norris, Danny Thornton, Jerry Stewart, Jim Templeton, Chief Williams, Chief Parker and Richard Beeland.

On motion of Councilman Rico, seconded by Councilwoman Berz the minutes of the August 18, 2009 Agenda Session were approved as published.

### **AGENDA: AUGUST 25, 2009**

Dan Johnson directed the Council's attention to tonight's agenda stating that **Ordinance 5(a) relative to Regulation of Nightclubs** would be heard on second and final reading. He stated **Ordinance 6(a) on first reading Relative to Bicycles** is in conformance with State law.

Mr. Johnson stated **Resolution 7(a), Change Order with Yerbey Concrete Construction, Inc.**, would be discussed in Public Works Committee and **7(b), Payment Authorization to Vijay and Joseph Chaudhari**, was discussed last week.

City Attorney McMahan stated **Resolution 7(c), Amendment of the City's 401(a) Retirement Plan**, has been requested to be deferred.

**Mr. Johnson stated Resolution 7(d), Temporary Use for Robert Doak**, would be discussed in Public Works; **Resolution 7(e) for the Spraypark** was discussed last week and **Resolution 7(f) Authorizing Transfer of Excess General Funds**, would be discussed in Budget and Finance.

### **AGENDA: SEPTEMBER 1, 2009**

Mr. Johnson stated **Ordinance 6(a), Regulating "Natural Lawns" or Nature Areas**, would be discussed in Legal and Legislative Committee. He stated **Resolution 7(a), Execution of the First Amendment to the Section 108 Loan Guarantee Assistance Contract**, has been in the works for months and has been finally solidified.

Mr. Johnson stated **7(b), Execution of Independent Contractor Agreement with Brightbridge, Inc.**, is with Joe Guthrie, formerly the Southeast Tennessee Development District (SETDD). Councilwoman Scott asked if this matter would be coming up in Committee, to which Mr. Johnson responded that it would be discussed next week.

Mr. Johnson continued by stating **Resolution 7(c) is for a matching grant for funds from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance**, not to exceed \$550,000.00 over a three-year period.

Mr. Johnson stated **7(d) Declares Surplus property located at 4501 St. Elmo Boulevard and acceptance of proposal to purchase for \$10,000**. Councilwoman Robinson spoke of the audit that was done on surplus property procedures and asked if the Council would deal with those findings before declaring any further properties surplus.

Chairman Benson stated there are several recommendations the Council has not implemented and does not know what all is covered.

Councilwoman Scott asked if we are in the habit of getting appraisals for properties we surplus and inquired as to the proposed value of this property. Danny Thornton responded "yes"; that if it was in excellent condition, which it is not, it would have a value of \$100,000. He stated it is the old fire hall that was deeded to the St. Elmo Improvement League who did not maintain it. He stated plumbing will have to be changed, a new roof and other structural issues corrected due to neglect; that it will provide for a meeting place for the community.

Councilwoman Scott asked if this person buying the property agrees to the condition to provide for meeting space for "X" number of years. Mr. Thornton responded "yes". Councilwoman Scott inquired as to how many years, to which Mr. Thornton replied it is all written out. Councilwoman Scott stated that she would "like to have a copy of that before we vote".

Councilman Rico stated the property will be a museum and the guy is really doing us a favor!

Councilman Murphy stated the way it is now if we do not try to surplus and sell, it might well be torn down and lose its historic value if it is in that type of condition; that it is good to see someone plans to preserve it.

Mr. Johnson stated **Resolution (e) is a Lease Agreement for 702 East 11<sup>th</sup> Street for use as a warehouse for United Way**. Mr. Thornton stated the lease is for United Way to have furniture, appliances and in-kind services for distribution to those less fortunate.

Councilwoman Robinson inquired as to who owns the warehouse. Mr. Thornton responded "we do".

Councilwoman Scott stated when reading the document it looks as if the City would be providing fire insurance on the building. She asked why, if we have this structure and land, they will provide liability insurance and if we giving it over to them for a year why are they not picking up the portion of fire insurance. She stated the lease states "...if there is a fire it will be reduced by the amount of their lease..." noting it is hard to reduce one dollar!

Mr. Thornton stated the properties at that address had very minimal coverage; that it is all inclusive and factored in the square footage and is broken down by each parcel and a value is assigned to it.

Councilwoman Scott stated we are getting a good benefit from them and they are getting a benefit from us.

Chairman Benson stated the items would go to 30 different agencies. Mr. Thornton stated all major furniture and appliances will be located there.

Adm. Madison clarified that the contents of the warehouse will not be insured.

Mr. Johnson stated **Resolution (f) Declaring Surplus property located at 7151 Discovery Drive** would be discussed in Public Works Committee.

### **PURCHASES**

Mr. Johnson stated two purchases would be presented to the Council tonight: **Oracle of Chicago** for Information Services for a Maintenance Contract in an amount of \$31,517.99 and **Continental Wireless** for the Police Department for Peltor Com Tac II Headsets and Accessories in an amount totaling \$30,259.00.

Councilman Murphy inquired as to the number of headsets \$30,000 gets us and the general lifetime of the headsets.

Chief Mike Williams responded they were purchasing 50 headsets and clarified they are being purchased with grant funds for the Bomb Squad. He stated the headsets are for communication and hearing amplification during special operations. He guessed that the lifetime expectancy of the headsets is three-to-five years.

The meeting was adjourned.