

AGENDA SESSION
JUNE 5, 2012
3:00 P.M.

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

Others present included Dennis Malone, Mark Keil, Jim Templeton, Sandra Gober, Bill Payne, Lee Norris, Jerry Stewart, Joachim Volz, Alice Cannella, Gary Hilbert, Mike Patrick, Tony Boyd, Chief Dodd, Johnny Feagans, Chief Kennedy, Ron Swafford, Danny Thornton, Ulystein Oates, Fredia Kitchen, Simone White, David Johnson, Dan Johnson, Daisy Madison, Donna Kelley, Missy Crutchfield, and Dickie Hutsell. Larry Zehnder, Boyd Patterson, and Nina Ventra joined the meeting later.

Mr. Johnson proceeded with agenda items, noting that **Ordinance 5(a)** has an MOU in place, and the total has changed from \$100,000.00 to \$106,999.63. **Ordinance 5(b)** appropriates an additional \$45,000 to RiverCity to be used for the purpose of replacing wayfinding signs in the Central Business District. **Ordinance 5(c)** is an abandonment of a sewer easement in the 2400 Blk. of McCallie and Duncan Ave. for Health South Corp.

Ordinance 6(a) amends the City Code relative to the Beer Board of Chattanooga and reciprocal suspension or revocation of permits. This brings us in compliance with State Law and was discussed in the Legal and Legislative Committee.

Resolution (a) is an on-the-job injury settlement and was discussed last week. **Resolution (b)** authorizes the installation of HVAC units and necessary ductwork for the 11th Street Police Station by Jake Marshall Services in the amount of \$97,610.00. **Resolution (c)** is the renewal of a Grant from the Southeast Tennessee Area Agency on Aging and Disability for the Eastgate Senior Activity Center programming in the amount of \$44,952.00. **Resolutions (d) and (e)** are Public Works' items. **Resolution (f)** authorizes an agreement with Morris & McDaniel, Inc. for the development and administration of exams for promotional testing for police positions for an amount not to exceed \$133,828 and is a process we are involved with. **Resolution (g)** authorizes the Chief of Police to enter into a contract for Vision Air Upgrade for new RMS, mobile, FBR, and Dell Marketing equipment upgrade for a total project cost in the amount of \$363,585.67. **Resolutions (h) thru (n)** are Public Works' items.

Resolution (o) authorizes application of a Project Safe Neighborhoods Grant from the Department of Justice to provide funds for a dedicated gang intelligence officer to work with the City and County law enforcement and prosecutors in the amount of \$300,000.00. Councilwoman Scott asked who this person would report to? Boyd Patterson responded that it

would be a Law Enforcement Officer and would probably report to the Police Dept. or the Sheriff's office. She wanted to know, why, if we were sponsoring this, why this person might report to the Sheriff's office? Mr. Patterson explained that they has worked in total collaboration—that there is no single agency, and this position would benefit all—that it is a new position for all law enforcement officers; that because he (Mr. Patterson) is a city employee, he had to apply for this and get the Council's permission. She wanted to know if we were sponsoring this by ourselves or also the County? Mr. Patterson responded that it was County and City.

Councilman Gilbert felt that we should look within our own agency for an expert—within our Police Dept. Mr. Patterson explained that there were a number of different agencies; that this person could come from the Chattanooga Police Dept.; that it could be a jail employee; that so many of the agencies recognize the importance of intelligence, and this is shared between agencies; that we do not have a dedicated gang intelligence officer. Councilman Gilbert stated that he still would like to see one of our own to get this position and to promote one of our own, if possible. Mr. Patterson again mentioned two agencies—Chattanooga Police Dept. or the Hamilton County Sheriff's Office. Councilman Gilbert stated that he felt the Chattanooga Police Dept. was more advanced than the Sheriff's Office, and we needed to look at our own first.

Councilman McGary stated that there was also another thing—that he was curious about something that Chief Johnson had referred to in speaking about the amount of the grant. Mr. Patterson stated that the money would mainly go for staffing—that there could be laptops and software—that they were contemplating computers. Councilman McGary wanted to know the percentage that would go to salary? Mr. Patterson responded that they would advertise for the position; that as he understood it, it would be equivalent to something between \$60,000 and \$80,000; that this would be determined by the market—that we wanted to get a qualified person.

Councilman Murphy stated that he thought our questions were getting ahead of ourselves; that we were just applying for a grant; that this position could answer to the Sheriff's office; that he agreed with others that our Chattanooga Police Dept. is one of the premier departments in southeast Tennessee; however our officers are not authorized to go into East Ridge and other places in the county. He stated that Mr. Patterson had his blessing to “go get the money”.

Councilwoman Scott asked if this would be a permanent position or a job that would go away? Mr. Patterson responded that that was an excellent question; that we would have this grant to fund the best officer and database that we can build; that we will have two years to build this out; that at the end of the two years, if it is favorable, everything will be in place and at that point he would try to find funding from some other source; that this would be down the road, but it was something he felt needs to be permanent; that we will build it out in two years.

Councilwoman Scott stated since we don't know for sure that the funding will go forward that she thought the position should be advertised that it was not guaranteed to go past two years unless further funding is warranted.

Resolution (p) involved several land transfers. Chairman Ladd noted that she had a lot of lights on that wanted to speak to this issue.

Councilman Gilbert stated that he had called the office earlier in the day; that he felt all three parties needed to agree, and there should be a clause that states that all three parties have agreed to this.

Mr. Thornton responded that the closing would typically be a three-part closing, and we would get approval from the City Council, the Board of Education, and HUD; that the closing of Dogwood Manor, Poss Homes, and the East Brainerd Elementary School site would all be on the table simultaneously.

Chairman Ladd asked if all had agreed, and the answer was "yes"—that this had been ongoing for a long time; that CHA and the Board of Education had been negotiating, and all parties were in agreement.

Chairman Rico noted that CHA was swapping Poss Homes for Dogwood Manor.

Councilman Benson stated that he was in agreement with swapping Dogwood Manor but since 6:00 a.m. today he had met with resistance in his community concerning any rationale for the ten acres involved with the East Brainerd Elementary School site—that seven acres would go to the City and three would accommodate supplemental housing—something like Fairmont. He stated that developers had been calling him; that with the school closed down this was a valuable ten acres that would be reduced to seven for mixed-use. He mentioned zoning laws for ten acres of mixed-use; that we would lose market value if we come in with supplemental housing on three acres and just leave seven acres. He stated that he knew we needed to get rid of Dogwood Manor, but he could not vote on this with his present understanding. He asked Mr. Thornton if he had said anything wrong—that Mr. Thornton had said he would get with him, but he had not been able to do this.

Mr. Thornton responded that the smaller part was worth less and was proposed to go the CHA.

Councilman Benson responded that it was put in the newspaper like it was a "done deal"; that Commissioner Henry was very upset; that he had learned about this "indirectly" from another County Commissioner, whom Councilwoman Scott had spoken to about this; that he, himself, just knew about this a week ago.

Mr. Thornton indicated that they had been working on this since the end of March.

Councilman Benson felt that since this was happening in his district, he should have been in on this from the front end and that Commissioner Henry had some real problems with this.

Mr. Thornton indicated that he had spent the day in phone calls from County Commissioners and Councilmen; that CHA realized this one piece had to be commercial. Councilman Benson responded that there needed to be an overall plan for the ten acres; something like Watersite; that this property was in his community and in the Land Use Plan.

Councilwoman Scott stated that she wanted to make something clear; that the information she had was in her packet and was available to all of the Council; that if a County Commissioner asked her for a copy, she would not “sit” on it and say “no”; that Councilman Benson had gotten this information at the same time and place that she did.

Councilman Rico questioned why the County Commissioners would have anything to say about this—that it was the School Board’s decision.

Councilman Benson responded that the County Commissioners represented their people, just like he did.

Councilman McGary asked Mr. Thornton if he were correct in thinking that this was still an outstanding piece? Mr. Thornton responded that they were talking about three other parcels that were surplus property that could be used for housing; that these three could be considered in lieu of the three acres attached to the East Brainerd School property. Councilman McGary wanted to know how this affected the Council’s decision tonight? Mr. Thornton responded that it just involved the East Brainerd School site. Councilman McGary stated that a representative of CHA would join us tonight.

Councilman Murphy felt that the transaction could happen now; that something else could be worked out in a subsequent transaction; that Councilman Benson had raised an excellent point about the value of the property; that he had a lot of faith in Danny Thornton and understood the difficulty in dealing with HUD; that HUD does not move quickly and neither does City Government move quickly; that he wished Mr. Thornton good luck in future endeavors.

Chairman Ladd stated that the Council would vote on this issue this evening. She wanted to know if there was still some other opportunities as to what would happen with the East Brainerd property or if it were already a “done deal”? Mr. Thornton confirmed that nothing was a “done deal” on the East Brainerd property. Chairman Ladd noted that she had heard from a developer today, and he did not feel this would be a good fit for housing.

Councilman Gilbert still felt that all three parties needed to agree; that the School Board had not voted on what they would do with the school if that is pending; that we could still go

through with the Poss Homes and Dogwood Manor exchange. He asked if all three parties being in agreement would be a good thing, and Mr. Thornton responded “yes”. Councilman Gilbert felt that it would be beneficial to put this in the Resolution—that all three have agreed, and he asked Attorney McMahan about this.

Attorney McMahan stated that he would go back to what Councilman Murphy had said. He asked Mr. Thornton that if we agree to an exchange between Poss Homes and Dogwood Manor if the other would be a stand-alone deal?

Mr. Thornton responded that it works better the way it is set up now; that the Board of Education gets 20 acres, which they have wanted for many years; that the City will not retain the East Brainerd School site—that it will be used for economic development; that he was not sure that Poss Homes would be of any value to the City.

Councilman Murphy agreed that Poss Homes would not be a huge asset, but it was not a liability like Dogwood Manor was.

Resolution (q) amends Resolution 26016 so as re-allocate the remaining balance of \$32,235.26 that was allocated to Hope for Inner City to increase amounts available to other approved entities for grant eligible expenditures. Mr. Johnson explained that there was a deadline of June 30th to allocate and commit these monies or HUD cuts them off.

Councilman McGary asked how we arrived at the \$32,235.26 amount? Sandra Gober explained that this was part of the \$712,000 for urban development that came about in 2009; that it was allocated to eight organizations and Hope for Inner City was one—that they received \$77,000 to assist individuals with homeless issues; that each organization has three years to spend their dollars and Hope for Inner City had struggled with getting their funds expended, and they had met with them and monitored this; that as Mr. Johnson explained, these dollars have to be expended, and when they met with Hope for Inner City there was no way for them to spend this money within this time period, and they were asking to recapture these dollars and allocate them to other organizations to have access to the dollars. Councilman McGary asked if they had had conversations with other agencies, and they could expend this money, and the answer was “yes”.

AGENDA ITEMS FOR JUNE 12, 2012

Mr. Johnson noted that **Ordinances (a) through (e)** are zoning matters.

Resolution (a) authorizes the Chief of Police to award a contract to Chazler, Inc. for the second floor build-out located at the Police Service Center in the amount of \$72,100. Councilwoman Scott stated that she would like to hear more about this. A representative of the Police Dept. explained that this was the last section of the 911 Center and the last area not built-out; that it was for the technical division and computers and would be in-house people.

Resolution (b) is a Consent and Confirmation to a Modification Agreement between First Tennessee Bank and the Chattanooga Metropolitan Airport Authority to reduce the interest rate on a 2009 bond issue from 5.41% to 3.54% per annum. Attorney McMahan stated that the Airport Authority would be present next week for this. Councilwoman Scott questioned how this was legally possible if they were an Enterprise System? Attorney McMahan responded that they had satisfied their debt themselves; that this was costing the City no money, but in order to get a better rate they had asked the City to guarantee the debt, and the City had agreed.

Resolution (c) will be covered in the Public Works' Committee meeting.

Mr. Johnson went over the purchases on tonight's agenda, noting that he had responded to a question concerning "bed caps" to Councilwoman Scott and everyone had gotten his response. He also noted there were several appointments—two for RPA and eight for CARTA—that they are all re-appointments and would be covered tonight.

The meeting adjourned at 3:35 P.M.