

## **AGENDA (WORK) SESSION**

**August 11, 2009**

**3:00 P.M.**

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

Dan Johnson proceeded to go over agenda items, noting that we had no final readings for tonight. The first two Ordinances on First Reading are zoning matters that Barry Bennett has already covered. Ordinance (c) deals with the closing and abandonment of Aetna Mountain Rd. and Adm. Leach explained that the attorneys are working on this, and the recommendation is to withdraw and go a different route. **Jeff Perlaki** was present stating that he owned property on top of the mountain.

**Ordinance (d)** is a closure and abandonment of the 400 Block of Cherry Street and E. 4<sup>th</sup> St.

**Resolution (a)** authorizes special police officer appointments for Public Works. **Resolutions (b) and (c)** pertain to Parks and Recreation and were discussed last week. **Resolutions (d) and (e)** are Public Works' items. **Resolution (f)** pertaining to replacement of the roof at Memorial Auditorium has already been explained. **Resolutions (g) and (h)** go together and have to do with the chairlift at Heritage House. **Resolution (i)** was discussed last week.

Chairman Benson had a question regarding the chairlift at Heritage House with an additional cost of \$10,854.00, stating that people had to go to one level and then go 4 ft. and then there was another lift, and he wanted to know why it was designed this way? It was noted that the additional cost is only \$1,354.00, and David Johnson explained that this was purchased several years ago in order to meet ADA requirements.

**Resolutions (j), (k), and (l)** have to do with public hearings on annexation, which could be addressed by Attorney McMahan, who stated that there was an interesting afternoon at the Planning Commission yesterday, which was very orderly, and people spoke against annexation; that we thought it best to move these items forward on the agenda as soon as practical. He went over the different sessions—two on Tuesdays and two on Thursdays, beginning September 1<sup>st</sup> and noted the areas that would be discussed. Next week's agenda will contain **Resolutions (d) thru (j)**, which will address the second week of meetings. Councilman McGary asked where the meetings would be held and was told in the Council chambers; that there might be a large crowd, and it could be better controlled. He also wanted to know what could be anticipated. Attorney McMahan explained that there would be a presentation from Staff—that the purpose of the meetings is to allow the public to connect and for there to be “give and take”.

Adm. Leach noted that the Plan of Services was reviewed at yesterday's Planning Commission meeting

Councilwoman Berz asked the timeline for annexation? Attorney McMahan responded that there was an unofficial timeline—the other half will be in September—that we will have two really busy months.

Chairman Benson stated that this would be well-advertised and expensive, with Attorney McMahan noting that it could cost \$6,000 per area. Chairman Benson stated that we would follow the rules of order for the public meetings.

### **AGENDA ITEMS FOR AUGUST 18, 2009**

**Ordinance 6(a) First Reading** is a return of the amendment to Zoning Ordinance in regards to nightclubs.

**Resolution (a)** is a grant from the City of Knoxville to be used to fund a position and overtime for Crimes Against Children Division, with questions by Councilwoman Robinson as to why this has to go through Knoxville?

**Resolution (b)** is for dues to TML in the amount of \$24,252.00, with Councilman McGary questioning what services we receive? Mr. Johnson responded that it varies—city lobbyists, legal services, etc., to be determined by population. Councilwoman Scott indicated that she would like to see something in writing before she voted.

**Resolution (c)** is in regards to the Custom Baking Co. project payment in lieu of Ad Valorem Tax Agreement. It was explained that the parent company went bankrupt, and it was sold to McKee Baking Co., and the county maintains the pilot agreement. Councilman Murphy confirmed that the pilot was not completed, with Attorney McMahan explaining that the City got what they were entitled to in Court. Councilwoman Scott had several concerns regarding the timeline in regards to McKee Bakery, reading from the Lease that went along with the Pilot Agreement. Attorney McMahan explained that they had five more years, which allows them to buy more equipment—that this is paper ownership and the IDB is non-taxable. Councilwoman Scott questioned why the City was involved, with Attorney McMahan noting that it was a City Pilot. Councilwoman Scott still had questions, wanting to know what the City got out of this—that she felt like the company went bankrupt and McKee was just walking away with it, which was not in good faith.

**Resolutions (d) through (j)** are Annexation Public Hearings and have already been discussed. Attorney McMahan did ask that Councilmembers check the dates to see if they will work before advertising.

Mr. Johnson went over two purchases—one, a Centrifuge Rebuild Services Contract for Public Works from Flottweg Separation Technology, Inc. in the amount of \$40,000. and the other a purchase of Accela Software for Public Works from Accela, Inc. in the amount of \$47,181.00. There were also two appointments mentioned for the Board of Sign Appeals—Robert Crates and Robert Merritt.

Councilman Rico mentioned that the Internal Affairs Citizens Review Committee needed council designees, with Councilwoman Berz requesting a list to see if she needed to appoint someone. Chief Maffett will handle this.

The meeting adjourned at 3:30 p.m.