

AGENDA (WORK) SESSION

August 18, 2009

3:00 P.M.

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

Mr. Dan Johnson proceeded to go over agenda items, noting that Barry Bennett talked about **Ordinance—Final Reading (a)** last week. **Ordinance (b)** is a zoning matter and **Ordinance (c)** was discussed in Public Works Committee last week.

Ordinance (a)—First Reading, relative to regulation of nightclubs will be discussed later in Legal and Legislative Committee meeting.

Resolution (a), accepting a Grant from Knoxville in the amount of \$247,951.68 to be used to fund a position in the Police Dept. was discussed last week. Councilwoman Scott asked if the City would be obligated to maintain this position and the answer was “no”.

Resolution (b) authorizes TML dues and has been discussed.

Resolution (c) in regards to the Custom Baking Company was discussed last week in detail.

Resolutions (d) thru (m) reset the date for Public Hearings on annexation. Councilwoman Scott noted that during the RPA meetings there was a problem with street boundaries. Attorney McMahan noted that this had been corrected.

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Resolution 7(a) relative to the City Sidewalk Requirements Contract with Yerbey Concrete Construction, Inc. had some problems to be resolved and will be ready next week.

Resolution 7(b) regards some property the City was to sell for \$20,000 four and one-half years ago; this was turned down, and it was sold for \$159,000; there was a Reversion Clause in the event stipulations could not be met—they could not, and this is reverting back to the City. Councilwoman Robinson wanted to know what the asking price would be when this is re-advertised. (The response was as much as we can get).

Resolution 7(c) has to do with Internal Revenue changes in regulations and concerns Hartford; these IRS changes require technical changes—this is deferred compensation.

Resolution (d) concerns a temporary right-of-way use for the Civil War Trail and will be discussed in Public Works next week.

Resolution (e) concerns the water spraypark at Warner Park. A briefing was given on this at Parks and Recreation committee last week. Councilwoman Berz mentioned the gentleman that spoke last week, whose bid was \$8,000 higher, stating that she noticed a contingency amount of 7% in this recommended proposal. It was explained that the contingency was for the project itself and not the contractor. Councilwoman Berz questioned if we took the contingency amount into consideration when determining the “lowest and most responsible bid” and what “responsible” meant? Adm. Zehnder noted that whatever contractor was chosen, we would still have to have the contingency. Questions arose as to getting reviews from both companies, with Adm. Zehnder explaining that this was the Purchasing Agent’s responsibility, and he could not answer for them. Councilman Murphy wanted to know if when bids are this close, if the City could allow them another “whack”—the answer being “no”. Chairman Benson raised the question of the difference between “change order” and “contingency”, with Councilwoman Ladd noting that “change orders” should be checks and balances before you dip into contingencies. It was noted that the Architect recommends the contingency.

The only purchase tonight was for a Contract for Port Security Camera System from ERM C for \$50,000 and \$400,000. This is covered by a Homeland Security Grant. Councilwoman Scott had questions about ongoing monitoring, with Mark Keil explaining that this is part of a larger project and there will be on-going maintenance to be shared. It was noted that this is not just cameras but included “sniffers”.

A list of one person in attendance is included with this minute material.

The meeting adjourned at 3:30 p.m.