

AGENDA SESSION
OCTOBER 26, 2010
3:00 P.M.

Chairman Rico called the agenda session to order with Councilpersons Scott, Berz, Ladd, Gilbert, Robinson, and Benson present. Councilman Murphy joined the meeting later. City Attorneys Michael McMahan, Patrick Bobo, and Crystal Freiberg were also present, as was Randy Burns, Management Analyst, and Shirley Crownover, Assistant Clerk to the Council.

Others present included Dan Johnson, Jan Turner, Richard Beeland, Gary Hilbert, Paul Page, Chief Parker, Mark Keil, Dennis Malone, Bill Payne, Judge Paty, Judge Bean, Karen Walsh, Missy Crutchfield, Jim Templeton, Chief Williams, Capt. Synder, Mayor Littlefield, Daisy Madison, John Van Winkle, Yuen Lee, and Lee Norris. Danny Thornton and Steve Leach joined the meeting later.

Dan Johnson proceeded to go over agenda items, beginning with **Ordinance (a)** amending the Capital Improvements Budget so as to provide for certain changes in revenues and appropriations in Section 1 for the purchase of 34.8 acres of VAAP property, improvements to Summit Landfill Gas Generation Facility and increase in appropriation to the C-HC Bicentennial Public Library and to provide for certain changes in Section 2 and to provide for certain changes in revenues and appropriations in Section 3.

Ordinance 6(a) thru **6(d)** were closures and abandonments and will be discussed in Public Works committee.

Resolution (a) authorizes advertisement for the annexation of certain territory contiguous to the present corporate limits of city located along West Hills Drive near Cummings Highway. Mr. Johnson stated that this was "friendly" annexation.

Resolution (b) is a temporary use and will be discussed in Public Works Committee.

Resolution © involves agreements with PM Environmental, S&ME and Terracon and was discussed last week. **Mr. Page asked that this be deferred for one week.**

Resolutions (d), (e), and (f) are Enhancement Grants and will be discussed in more detail in Public Works Committee.

Resolution (g) is an appointment of Joel Rawlston as a special police officer for McKamey Animal Care and Adoption Center, Inc. to do special duty.

Resolution(h) regards upgrades for the Regional ITS System and will be discussed In Public Works Committee.

AGENDA ITEMS FOR NOVEMBER 2, 2010

Resolution (a) authorizes a MOU with the City of Soddy Daisy, Tennessee, for participation in the Tennessee Valley Regional Communication System.

Resolution (b) involves surplus property for Enterprise South and will be discussed in Public Works Committee.

Resolution © authorizes acceptance of a donation of property from JH Holdings and will be discussed later in the meeting by Mayor Littlefield.

Mr. Johnson proceeded to go over this week's purchases, beginning with the first for the Police Dept. and the purchase of Stalker II Moving Radar from Applied Concept, Inc. in the amount of \$21,600.00. Councilwoman Scott asked if this is like what we already do. Capt. Snyder explained that it was equipment going to a different unit—Crime Suppression.

The next purchase was for the Fire Dept. and the purchase of Fire Station Alerting System from Motorola, Inc. in the amount of \$497,420.00. Chief Parker explained that this is an Alerting System to dispatch engines throughout the city; that our old system (1996) is outdated and at its maximum capacity, and this needs to be upgraded. He noted that he had sent an e-mail to Councilmembers explaining this purchase.

Councilman Murphy stated that he was familiar with the problem of the equipment, confirming that this was for dispatch. Chief Parker stated that once someone calls 911 that this alerts the Fire Dept. and lets them know they have a call. Councilman Murphy again confirmed that this is replacing a system that is not working right. Chief Parker responded that it had failed before, and it was hard to get parts. Councilman Murphy asked if this was the City's responsibility or 911's? Chief Parker responded that it was the city's responsibility and no one else was willing to do this. Councilman Murphy stated that this made sense to him. Chief Parker added that they had talked to Hamilton County EMS, and they had some interest. Councilman Murphy indicated that he knew this had caused a lot of frustration.

Councilman Benson asked the source of money and was told by Chief Parker that it is the Enterprise South account. Councilman Benson confirmed that this cost would be pro-rated if anyone else joins in.

Councilwoman Berz asked if this only related to city addresses? Chief Parker responded "no"—that it was for the 911 Center. She again asked if it only served the City and was told "yes". Chief Parker added that it could serve county-wide, with Councilwoman Berz confirming that right now only the city was interested.

The third purchase was for IS and a contract for Software Licenses from DLT Solutions in the amount of \$33,467.57. Councilwoman Scott asked what this did? Mark Keil responded that this pertains to Oracle and data bases and engines that we have that have to have user licenses. Councilwoman Scott wanted to know how much we pay out to Oracle in a year? In other words, what have we spent to date? Mr. Keil questioned if she was speaking of the Oracle Company? He explained that it would be different for each department. Councilwoman Scott responded that she was talking about the “whole ball of wax”. Mr. Keil stated that he would have to get her the total.

The last purchase was for the Public Works Dept. and was an emergency purchase to repair an entrance from Adams Masonry, Inc. in the amount of \$13,750.00. Councilwoman Scott stated that she would like to have a summary on this. Mr. Page stated that it was insurance reimbursement, with Councilman Benson stating that the entrance had to be rebuilt from the bottom up. Adm. Leach had pictures to show and both he and Councilman Benson confirmed that this landmark needs to be replaced. Attorney McMahan added that we are the conduit for the money. Councilwoman Scott asked if this was city property? She was told that it is in the right-of-way. She still wanted to know who owns it. Councilwoman Berz explained that in the past, the city had given permission for community organizations to build gateways. Councilwoman Scott wanted to know if other neighborhoods can do this.

DONATION OF PROPERTY FROM JH HOLDINGS

Mayor Littlefield was present for this portion with a power point presentation. He stated that several of the councilmembers were familiar with this; that we have an opportunity where we would be the recipient of 7 acres, and it is just through the railroad underpass; that the property has been carefully mowed, and we will use the property in back—that it is seven acres of property that was formerly an old coal gasification site; that this was way back, and it was contaminated. He noted that this is adjacent to other property that we own; that we have a Plan for the Farmers’ Market, showing the Community Kitchen and the Homeless Health Care Center. He noted that we gave the Community Kitchen one-fourth of a million dollars in order that they could move ahead; that we had been collecting property along this street for a long time, noting that the SETHRA project had moved into the Farmers’ Market property. He showed where the Homeless Health Care Facility is located, noting that aerials are old. He noted that the Police Service Center is to be downtown, and the property in the back is where the old coal gasification plant was located. He noted that this property had been vacated recently, and the company has spent money cleaning up the property—that the front of the property is essentially clean and encompasses three acres; the other four acres can be capped and paved for a parking lot, and we can have an impoundment lot there, which will be close to the police operation. He again showed SETHRA, noting that they have a training simulator to train bus drivers—that it is very elaborate and state-of-the-art. He noted that the big red barn

is the Furniture Bank, which has been very successful and is an endeavor between the Salvation Army and United Way to collect furniture, which can be put to good use.

Mayor Littlefield then showed the property in question, where the back of the property will be used as an impoundment lot and will include a row of greenery. He stated that the front could be used for many purposes. He explained that we have a lot of vehicles on Amnicola, which need to be some place else and have the opportunity to acquire a piece of property with some additional monitoring—that it would cost \$10,000 yearly; that the newspaper had interviewed the State, and they had said that this cost could be discontinued—that this was not something prohibitive to the community and would add to the property we already have. He stated that Jim Fitzpatrick was the agent and was present today—that he and Mr. Fitzpatrick had once shared the same job. Steve Maloney, working with the remediation efforts was also present.

Also present was Attorney Joe Conner, who stated that George Murphy is the president of JH Holdings and was supposed to be at the meeting today but was grounded in Chicago; that he had sent a message that he was hopeful that the city would view this as an opportunity; that the question had been asked “Why would they give this property to the City?” He explained that it was sold in the early 1970’s when there were no environmental concerns; that a Phase I was done and contamination was discovered; that JH Holdings wanted to give this property to the City because they felt they could make some use of it.

Mayor Littlefield stated that we had two environmental experts—that the City had purchased Renaissance Park and Montague Park and the Farmers’ Market were all contaminated property, and a number of other locations had been put to productive use. He added that we had a very active and successful Brownfields Program.

Councilman Benson added that no site was worse than the Electric Power Board, with Mayor Littlefield noting that this was still being remediated.

Councilwoman Berz confirmed that this property was being given to the City and the most it would cost us would be \$10,000 a year.

Councilwoman Scott asked about the lengths of the contract with Griggs and Maloney, and if they were locked-in and the time duration? Attorney McMahan mentioned groundwater monitoring, stating that we don’t know how long TDEC will require this.

Mr. Maloney mentioned 2-4 years for groundwater monitoring, which could be reduced to annual samplings.

Councilwoman Scott asked about the legal liability—that it looked like in the document there was a protection from what was tested in the past. Attorney McMahan responded that this is what you get with every brownfield—that here we know what was manufactured and what

contaminants to look for. Councilwoman Scott confirmed that we would be responsible, financially, for anything new that was found. Attorney McMahan noted that remediation has taken place with Councilwoman Scott confirming that TDEC will not let it go. Attorney McMahan added that this property was offered in 1999 and was not accepted because it was too much of a risk, but we feel that it is very manageable at this time. Councilwoman Scott wanted to know how this would be different from renting the property without taking on the liability? Mayor Littlefield responded that we can't rent this for \$10,000 a year. Councilwoman Scott noted that we only needed a part of it; however Mayor Littlefield stated that we wanted it all; that we need to think of Chattanooga in terms of being two times the present population, and this is our service center; that assembling land there is in our best interest, and this property is marketable and someone will buy it, and it is zoned M-1 and a scrap yard could be placed here, an automobile dealership, etc. He stated that we would really like for 11th Street to develop into a much more attractive street; that this is to our advantage as a development community.

Councilman Murphy noted that the back portion would be a paved parking lot and asked if this is part of remediation and if we were required to pave it? Mayor Littlefield asked if this was TDEC's Plan and was told "yes". The environmental expert stated that paving was not required; that for a secondary use, they would take a look; that pavement basically allows for this type of use and does serve as a cap, but not a required cap.

Councilwoman Robinson asked if when the time comes to pave, will we look into a permeable surface? The environmental expert responded that TDEC is not concerned about infiltration; that they would want to make sure the sub-grade will hold the load. Councilwoman Robinson asked if we would not have to provide run-off for stormwater? Mayor Littlefield responded that he would like to use a porous pavement there. She asked if there would be any kind of landscaping since this is downtown—would there be any provision for trees or greenery? Mayor Littlefield stated that we would try to get the railroad to participate with us.

Councilman Murphy stated that he was out there today, and this is very, very flat, and he asked where the slope went? Mayor Littlefield responded that this is lower and we won't direct run-off. Councilman Murphy noted that if there were a detention facility on the rear area, that during excavation, we might dig up "stuff". He wanted to know how deep this would have to be? The environmental expert responded that it would vary on sites. Mayor Littlefield added that we would move big rocks and gravel and pave.

Chairman Rico stated that we had a lot of committees to cover today and this was a "no brainer", and we needed to move on. He suggested that since the Judges were present, that we move into the Legal and Legislative Committee. Councilman Murphy noted that we have all three branches of government in this room today—Judicial, Executive, and Legislative.

This meeting adjourned at 3:40 P.M.