

SAFETY COMMITTEE

October 6, 2009

4:30 P.M.

Councilwoman Ladd, Chairman, called the meeting of the Safety Committee to order, with Councilmen Rico, Benson, Scott, Robinson, Murphy, McGary and Gilbert present. City Attorneys Michael McMahan and Crystal Freiberg and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Chief Williams, Richard Beeland, David Johnson, Missy Crutchfield and Daisy Madison.

AGREEMENT W/U.S. NUCLEAR REGULATORY COMMISSION

Chairman Ladd directed everyone's attention to **Resolution (e)** on next week's agenda that authorizes the Chief of Police to enter into a five year agreement with the U.S. Nuclear Regulatory Commission ("NRC") for them to use the Chattanooga Police Department facilities to provide training courses for NRC personnel and contractors, for an amount payable to the City of Chattanooga of \$40,450.00 annually.

Chief Williams introduced Frank Pavlechko and Doug Simpkins with NRC and Dr. Richey.

Doug Simpkins made the presentation, stating that the NRC was tasked with public safety and inspecting Nuclear Plants; that Frank Pavlechko was the lead person and that they trained all over the nation in Chattanooga; that the Chattanooga Police Dept. Range was a suitable location to train inspectors and was their sole source; that it was close to their building and had a tower to handle explosives; that the Police Dept. had hosted courses for them, and they wanted to carry their fair share and were presenting this contract for a formal agreement.

Councilwoman Scott asked if the \$40,450 was per year? Mr. Simpkins responded that it was a one year contract with four extensions; that it cost a \$20,000 fee for each course offered; that they might increase this. Councilwoman Scott confirmed that they trained their people at our facility. Mr. Simpkins responded that Les Stover from the Chattanooga Police Dept. and Officer Woosley also helped. Councilwoman Scott referred to the cost we would be getting for each program. Attorney Freiberg noted that the cost was on the first line—that two classes would happen and other classes may or may not happen; that there is the potential for more money if there are more classes. Councilwoman Scott wanted to know how much is nuclear? The answer was "none". She asked about indemnification for damages. Attorney Freiberg explained that the Federal Government says "no" to this; that they can't indemnify us; that anyone going to class signs a waiver—that this is the best we can do.

Mr. Simpkins explained that the City indemnification is different from the Federal government; that they would not sue the City; that if the people would not sign the waivers, they would not set foot in class.

Councilman Murphy pointed out that all Federal employees are under Workers' Compensation.

Chief Williams noted that we let eight (8) agencies train with no contract; that this is putting us in a better position.

Councilman Murphy added that we wanted to foster this good relationship. Chief Williams agreed that it was a feather in our cap that they asked to come here for their training.

Councilwoman Scott stated that we needed to clean up the issue of getting contracts. She asked if this would impact our ability to train our own people?

Attorney Freiberg explained that these training classes had to be scheduled around our classes and training. Chief Williams added that they wanted to pay—that we had been doing this for free. Attorney Freiberg explained that they had the option to renew the contract.

Mr. Simpkins agreed that there was a mutually agreeable date for the courses; that they had a wonderful relationship with the Police Dept. and urged the Council not to hold their wanting to pay against other agencies. Councilwoman Scott felt that we needed indemnification with the other agencies. Chairman Ladd noted that this was in Councilwoman Scott's district.

Mr. Simpkins took this opportunity to note that Crystal Freiberg had been phenomenal and had worked tirelessly on this.

The meeting adjourned at 4:45 p.m.