

Municipal Building  
Chattanooga, Tennessee  
January 13, 1998

The meeting of the Chattanooga Council was called to order by Chairman Swafford with Councilmen Crockett, Eaves, Hakeem, Hurley, Lively, Pierce, Rutherford and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

INVOCATION

Councilwoman Hurley gave the invocation for the evening.

MINUTE APPROVAL

On motion of Councilman Lively, seconded by Councilman Taylor, the minutes of the previous meeting were approved as published and signed in open meeting.

LIFT CONDITIONS OF REZONING

1997-260: Kenny Suh

Councilwoman Rutherford made the motion to move this request forward on the agenda; Councilwoman Hurley seconded the motion; the motion passed.

Pursuant to notice of public hearing the request of Kenny Suh to lift conditions from Ordinance No. 10547 on a tract of land located at 5300 Brainerd Road came on to be heard.

The applicant was not present; there was no opposition.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,  
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO LIFT CONDITIONS  
FROM ORDINANCE NO. 10547 ON A TRACT OF LAND LOCATED AT  
5300 BRAINERD ROAD, BEING ON THE SOUTHWEST LINE OF  
BRAINERD ROAD AT MCBRIEN ROAD AND BROOKS AVENUE  
**was denied.**

REZONING

1997-209: James D. Lee

Pursuant to notice of public hearing the request of James D. Lee to rezone tracts of land located at 1041 and 1047 Givens Road came on to be heard.

The applicant was present; there was no opposition.

Barry Bennett explained that the site area is over six acres and the request initially was for RT-1; that the surrounding zoning abutting this property is entirely R-1 with some R-2. He stated the land use is predominantly standard single family residential with some manufactured home development within the area. He stated the Staff recommended against the zoning and the Planning Commission recommended approval of R-T/Z, which is the zone initially developed for uses of this type. He stated the Planning Commission's recommendation included a density cap for the development limiting the number of units to a maximum of thirty-three (33).

Robert Andrews was present to represent James Lee and stated he (Andrews) has been in the development and building business for many years. He distributed a copy of the site plan for the development to Council members showing the layout of the zoning request. He stated in talking with Mr. Wrinkle, who is present in opposition to the request, they are willing to go to an RZ-1 zone on the upper tier of the property which would be single family patio-type apartments, with the remaining portion to be zoned R-T/Z; that they are doing this on behalf of Mr. Wrinkle. He stated this site is comprised of 5.65 acres and the present zoning is R-1; that after talking with Mr. Wrinkle they would like to have confirmation of the two zonings. He stated by going with the RZ-1 it will further cut the density to about thirty (30) lots rather than the thirty-three (33). He stated Mr. Lee is willing to accept the conditions.

Councilman Taylor asked for clarification of the RZ-1 zone along the top tier. Mr. Andrews stated the RZ-1 is what they would like to have since it is for single family zoning.

Chairman Swafford stated on the original application the request was for RT-1; that they are now asking for a change to RZ-1. Mr. Andrews responded "yes;" that it would allow for much more density; that they want RZ-1 on the front tier of 175 feet and R-T/Z on the remaining portion.

Councilwoman Rutherford asked if the RZ-1 involves lots 1 -12 on the front tier. Mr. Andrews responded "yes," that it also includes lot 13.

REZONING (Cont'd.)

Mr. Bennett stated he discussed this matter with the applicant earlier; that the reason for RZ-1 on the top area rather than R-T/Z has to do with the lot width requirements.

Mr. Andrews stated under R-T/Z the lot width has a minimum of 24 feet; that with RZ-1 it is 35 feet. He stated the development will be single family garden-type patio homes for single family use.

Councilman Eaves clarified that the entrance and exits will be on Givens Road; that all extra traffic will have to be on Givens Road. Mr. Andrews responded "right;" that he would like to point out if these were apartments or condominiums it would generate 5-1/2 trips per day. He stated with this development there is very little increase in traffic that would be generated for this development other than what a regular R-1 zone would generate.

Lawrence Wrinkle stated he does not have any problem with what Mr. Andrews has presented to the Council as long as they are single family dwellings along the north line of the property. He stated Mr. Lee has told him he would provide off-street parking during construction as Givens Road is only 17.4 feet wide with ditches on each side; that this would not allow residents the opportunity to go-and-come as they see fit with all the construction equipment on the narrow street. He stated he has been assured this will not happen and with this assurance he approves the request.

Councilman Eaves stated what Mr. Wrinkle said is absolutely true; that Givens Road is 17 feet wide ditch-to-ditch and there are no shoulders. He stated it is more than Mr. Wrinkle who has objections to this; that about everyone on the street including those who are off the street object and made reference to a signed petition. He stated he would like to have some time to consult with Admin. Marcellis as to whether we will be getting any shoulder on the road; that Givens Road goes into East Brainerd Road. At this point he made the motion to table the matter 60 days to give Mr. Lee time to consult with people in the neighborhood as well as time for him (Eaves) to consult with Admin. Marcellis; Councilman Crockett seconded the motion.

Councilman Pierce inquired about the request for delay of this rezoning for such a long time; that he thinks it is something that needs consulting with Admin. Marcellis, however, it should not take that long; that we would all like to have better roads in our districts.

Councilman Hakeem stated he would like to hear from the applicant as to what impact there will be in delaying this 60 days. Messrs. Andrews and Lee stated they have no objection.

REZONING (Cont'd.)

On motion of Councilman Eaves, seconded by Councilman Crockett, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1041 AND 1047 GIVENS ROAD, BEING ON THE NORTHWEST LINE OF GIVENS ROAD SOUTHWEST OF EAST BRAINERD ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE was tabled sixty (60) days.

REZONING

1997-264: Fidelity Trust Company

Pursuant to notice of public hearing the request of Fidelity Trust Company to rezone tracts of land located 1809 and 1813 Gunbarrel Road came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 1809 AND 1813 GUNBARREL ROAD, BEING ON THE NORTHWEST LINE OF GUNBARREL ROAD NORTHEAST OF CRANE ROAD, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1997-270: Inman, LLC

Pursuant to notice of public hearing the request of Inman, LLC to rezone a tract of land located at 1101 West 40th Street came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Taylor, seconded by Councilman Crockett, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1101 WEST 40TH STREET, BEING OFF THE NORTHWEST LINE OF WEST 40TH STREET NORTHEAST OF TENNESSEE AVENUE, FROM R-3 RESIDENTIAL ZONE AND M-1 MANUFACTURING ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1997-272: Brad Standefer

Pursuant to notice of public hearing the request of Brad Standefer to rezone a tract of land located at 3999 Azalean Drive came on to be heard.

The applicant was not present; there was no opposition.

Councilwoman Hurley inquired as to the location of this request. Mr. Bennett stated this runs into North Access Road just southeast of the intersection; that it parallels Memphis Drive.

On motion of Councilwoman Hurley, seconded by Councilman Lively, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 3999 AZALEAN DRIVE, BEING ON THE NORTHWEST LINE OF AZALEAN DRIVE SOUTHWEST OF ACCESS ROAD, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE was denied.

REZONING

1997- 273: George W. Walls, Jr.

Pursuant to notice of public hearing the request of George W. Walls, Jr. to rezone a tract of land located at 138 Market Street came on to be heard.

The applicant was present; there was no opposition.

Mr. Bennett stated the conditions for this case were worked out last week between the applicant and the Design Center; that the conditions were sent to the City Attorney's office to be included in the ordinance.

Chairman Swafford asked the applicant if he understood the conditions. The applicant responded affirmatively.

On motion of Councilman Taylor, seconded by Councilman Pierce, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 138 MARKET STREET, BEING ON THE NORTHWEST LINE OF MARKET STREET AT EAST 2ND STREET, FROM R-4 SPECIAL ZONE AND M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1997-274: Homer McBryar

Pursuant to notice of public hearing the request of Homer McBryar to rezone a tract of land located in the 4500 block of Oak Hill Road came on to be heard.

The applicant was present; there was no opposition.

Mr. Bennett stated this location is north of Highway 58 for rezoning to C-2 with the proposed use being office development. He stated the Staff and Planning Commission recommended denial of the C-2 and approval of the O-1 subject to landscaping provisions. He stated the surrounding zoning includes M-3 to the west, C-2 to the south and C-2 on Oak Hill Road to the east with R-3 across Oak Hill Road. He stated the applicant does not feel O-1 would be acceptable to him at this time and wants to request a low intensity commercial use for a beauty parlor or barber shop. He stated he would like to amend the request from C-2 to C-5 for neighborhood commercial and added adult establishments would be prohibited in a C-5 zone; that in lieu of the O-1 the Staff and Planning Commission support the change to C-5 with the same landscaping conditions added; that the property is abutted on three sides by industrial or high intensity commercial development.

Homer McBryar stated he is the owner of the property and would like to amend the request to C-5 if possible.

Councilman Crockett stated he does not have a problem with that and made reference to the traffic generated by C-5 development, wanting to make sure it would not generate more. Mr. Bennett stated C-5 is not a high traffic generator.

Councilman Crockett inquired about the use for the property and asked if Mr. McBryar has any plans to put in a convenience store or or similar use which would generate a lot of traffic. Mr. McBryar stated he does not plan on doing that; that he would be glad to have it included in the ordinance that he would not do that; that he donated half of the property to the church across the street and would not do anything to jeopardize the church.

Councilman Crockett asked that the conditions in the ordinance be amended to reflect that a convenience store would be excluded for use in this C-5 request.

City Attorney Nelson amended the caption of the ordinance to reflect a change to "C-5 Neighborhood Commercial Zone," as well as an amendment to the conditions by adding Condition 3 to reflect, "The property shall not be used for a convenience store."

REZONING (Cont'd.)

On motion of Councilman Crockett, seconded by Councilman Eaves, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED IN THE 4500 BLOCK OF OAK HILL ROAD, BEING ON THE SOUTHWEST LINE OF OAK HILL ROAD NORTHWEST OF HIGHWAY 58, FROM R-3 RESIDENTIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1997-276: Jack C. Hale

Pursuant to notice of public hearing the request of Jack C. Hale to rezone a tract of land located at 7740 Lee Highway came on to be heard.

The applicant was present; there was no opposition.

Mr. Bennett stated this site involves 2-1/2 acres and the request is for M-1 for a garage towing service; that the surrounding zoning includes C-1 to the south, M-1 to the west, and to the east is the I-75 right-of-way; that the land use in the area is predominantly commercial development. He stated the Staff recommended against the zoning change due to the East Brainerd Area Plan; that the area is a gateway into the City on the east side. He stated the Planning Board recommended approval of the zoning subject to the condition that it be for a garage towing service only which does not include a junk yard; that they were concerned about outdoor storage of cars, parts, etc.

Councilman Eaves asked if this is going to be a towing service and whether automobiles would be parked there.

Mr. Hale stated he built the building in 1979; that the only reason for the change is that the State came and cleared the fence; that he has been in business at this location for 18 years; that the State decided the zone should be changed and bushes planted on the fence.

Councilman Eaves inquired as to whether Mr. Hale would object to putting some type of blind there. Mr. Hale stated the vegetation grew up to 20 feet high and no one could see over it.

Councilman Eaves asked if Mr. Hale has any objection to the vegetation growing back up. Mr. Hale responded "no;" that he tried to get them (State) not to cut it down.

REZONING (Cont'd.)

On motion of Councilman Eaves, seconded by Councilman Crockett, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7740 LEE HIGHWAY, BEING ON THE SOUTHEAST LINE OF LEE HIGHWAY NORTHEAST OF BONNY OAKS DRIVE FROM C-1 HIGHWAY COMMERCIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1997-277: Ralph Zigner

Pursuant to notice of public hearing the request of Ralph Zigner to rezone a tract of land located at 607 Cherokee Boulevard came on to be heard.

The applicant was present; there was no opposition.

Mr. Bennett stated both the Staff and Planning Commission recommended C-2 in lieu of the request for M-1. He stated the applicant does not have a problem with C-2; that the landscaping conditions are attached.

Ralph Zigner stated the garage is in a legal bind right now; that the person living in the garage is going bankrupt and he (Zigner) cannot "kick him out". He stated he plans to pull all the cars on the property inside the garage as soon as he can get possession of his property; that there is a dead bolt on the door and he cannot get into the building. He stated the zoning inspectors came down Cherokee Boulevard and identified all the commercial and residential property in the area; that this property has been a business for over 100 years and was never zoned. He reiterated that he plans to bring everything back into the building as soon as he can get back in, which he hopes will be within a month.

Councilman Taylor stated the appearance as it stands now is unsightly; that the applicant does not know when he will be able to get back into the building.

Mr. Zigner stated he is caught in a bind; that the property has been used as a car wrecker service, a Greyhound depot and many other businesses and all of a sudden it has come up that it has not zoned for business use.

Mr. Taylor stated the C-2 will allow for the business use and again inquired about the cars going into the garage as soon as Mr. Zigner's legal situation is settled.



REZONING (Cont'd.)

City Attorney Nelson stated Mr. Zigner is probably enjoined by the Bankruptcy Court from doing anything to the building; that he will have to get an injunction imposed before he can straighten it up.

Mr. Zigner stated because of the seizure law his lawyer is trying to get the person out of the garage; that he hopes this will be over in another month.

Councilman Taylor asked Mr. Zigner if he approves the conditions attached to the ordinance. Mr. Zigner stated he plans to plant trees around the site.

On motion of Councilman Taylor, seconded by Councilwoman Hurley,  
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 607 CHEROKEE BOULEVARD, BEING ON THE  
NORTHEAST LINE OF CHEROKEE BOULEVARD AT BLACK STREET,  
FROM R-2 RESIDENTIAL ZONE AND C-2 CONVENIENCE  
COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE,  
SUBJECT TO CERTAIN CONDITIONS  
passed first reading.

REZONING

1997-282: JoAnn W. Sivley

Pursuant to notice of public hearing the request of JoAnn W. Sivley to rezone tracts of land located in the 800 and 900 blocks of Signal Mountain Road, and the 100 block of Russell Avenue came on to be heard.

The applicant was not present; there was no opposition.

Chairman Swafford asked that Mr. Bennett communicate with the applicant so she can be present next week.

REZONING (Cont'd.)

On motion of Councilman Lively, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED IN THE 800 AND 900 BLOCKS OF SIGNAL MOUNTAIN ROAD, AND THE 100 BLOCK OF RUSSELL AVENUE, BEING ON THE NORTHEAST LINE OF SIGNAL MOUNTAIN ROAD AT RUSSELL AVENUE, AND THE NORTHWEST AND SOUTHEAST LINES OF RUSSELL AVENUE NORTHEAST OF SIGNAL MOUNTAIN ROAD, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE AND R-5 RESIDENTIAL ZONE TO O-1 OFFICE ZONE FOR PARCELS 117J-C-040, 041, THE NORTHWEST FIFTY (50) FEET OF PARCEL 117J-C-039 AND THE SOUTHEAST FIFTY (50) FEET OF PARCEL 117J-C-042, SUBJECT TO CERTAIN CONDITIONS passed first reading.

CLOSE AND ABANDON

1997-191: Lowell E. Sterchi

The applicant was present; there was no opposition.

Mr. Bennett stated both the Staff and Planning Commission recommend approval of this.

On motion of Councilman Hakeem, seconded by Councilman Pierce, AN ORDINANCE CLOSING AND ABANDONING LATTA STREET LOCATED SOUTHEAST FROM ROANOKE STREET, NORTHEAST OF CRUTCHFIELD STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS passed first reading.

CLOSE AND ABANDON

1997-196: Howard Henderson

The applicant was not present; opposition was in attendance.

Councilman Eaves stated the Public Works staff asked that this be deferred two weeks; that the City has a stake in this.

Mansour Taslimi stated his property adjoins this; that if this is approved he would like to receive half of the road to have safety for the children attending his preschool facility.

CLOSE AND ABANDON (Cont'd.)

City Attorney Nelson stated if the road is abandoned it goes back by operation of law to the tract it came off of; that the Council does not specify where property goes as it is done by operation of law from where it came from.

Councilman Eaves stated Admin. Marcellis asked that the matter be deferred two weeks as the City has an easement through there and the Electric Power Board wants to look into it more before proceeding.

Chairman Swafford asked Mr. Taslimi to return in two weeks. He informed him that the matter will be discussed in Public Works Committee at 4 p.m. two weeks from today if he would like to be present.

On motion of Councilman Eaves, seconded by Councilman Crockett,  
AN ORDINANCE CLOSING AND ABANDONING HOLMES ROAD LOCATED  
SOUTHEAST FROM LEE HIGHWAY, NORTHEAST OF ROBERSON ROAD,  
MORE PARTICULARLY DESCRIBED HEREIN SUBJECT TO A  
CONDITION AS SET FORTH HEREIN  
was tabled two (2) weeks at the request of the Public Works  
Department.

AMEND CITY CODE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,  
AN ORDINANCE AMENDING THE CHATTANOOGA CITY CODE, PART  
II, SECTION 10-5, SO AS TO EXCLUDE TWO (2) TRACTS FROM  
THE FIRE DISTRICT BOUNDARIES  
passed first reading.

AMEND CITY CODE

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,  
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
SECTION 10-8, RELATIVE TO TIE-DOWN, SKIRTING, LANDING  
AND PORCH REQUIREMENTS OF MANUFACTURED HOMES  
passed first reading.

CONTRACT: JONES ENVIRONMENTAL  
CONSTRUCTION, INC.

Chairman Swafford indicated all public works matters were discussed in Committee and come with recommendations for approval.

CONTRACT: JONES ENVIRONMENTAL  
CONSTRUCTION, INC. (Cont'd.)

On motion of Councilman Lively, seconded by Councilman Pierce,  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO.  
53B-1, SPRING CREEK AND FORT OGLETHORPE PUMP STATIONS,  
TO JONES ENVIRONMENTAL CONSTRUCTION, INC. FOR THEIR LOW  
BID IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-FIVE  
THOUSAND DOLLARS (\$775,000.00), SUBJECT TO CERTAIN  
CONDITIONS  
was adopted.

CONTRACT: RUBY-COLLINS, INC.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO.  
53B-2, SPRING CREEK FORCE MAIN, TO RUBY-COLLINS, INC.  
FOR THEIR LOW BID IN THE AMOUNT OF ONE MILLION, FIVE  
HUNDRED FORTY-SEVEN THOUSAND, THREE HUNDRED  
TWENTY-THREE AND 60/100 DOLLARS (\$1,547,323.60),  
SUBJECT TO CERTAIN CONDITIONS  
was adopted.

CONTRACT: MAYSE CONSTRUCTION  
COMPANY

On motion of Councilman Eaves, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO.  
53B-4, NORTHWEST GEORGIA SEWER COLLECTION SYSTEM,  
SPRING CREEK AND WAVERLY DRIVE INTERCEPTORS, TO MAYSE  
CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF  
ONE MILLION, FOUR HUNDRED SIXTY-TWO THOUSAND,  
FORTY-FIVE AND 50/100 DOLLARS (\$1,462,045.50), SUBJECT  
TO CERTAIN CONDITIONS  
was adopted.

RATIFICATION/CONFIRMATION OF  
"CAFETERIA PLAN"

Admin. Traughber stated this Plan comes at no cost to the City; that  
they went out for requests for proposal and did an evaluation based  
on time and administration of the Plan. He stated the company  
chosen was U.S. Able Life, a subsidiary of Blue Cross-Blue Shield.  
He reiterated that there is no cost to the City and will generate a  
savings of \$55,000.

On motion of Councilman Lively, seconded by Councilman Pierce,  
A RESOLUTION RATIFYING AND CONFIRMING THE ADOPTION BY  
THE CITY OF CHATTANOOGA OF A CAFETERIA PLAN EFFECTIVE  
JANUARY 1, 1998  
was adopted.

OPTION AGREEMENT: CITY OF  
CHATTANOOGA AND ELECTRIC POWER  
BOARD

Councilwoman Hurley stated this Resolution is in reference to property at the corner of Frazier Avenue; that a substation is located behind a building and this is a way to get the property back on the market. Admin. Traugher stated the Council approved this sometime ago.

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN OPTION AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND THE ELECTRIC POWER BOARD OF CHATTANOOGA was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM FLOYD W. JACKSON, C/O PAMELA SMITH-LIGON, RELATIVE TO WILCOX BOULEVARD AT ROANOKE AVENUE INTERSECTION IMPROVEMENT, TRACT NO. 9, FOR A CONSIDERATION OF THREE HUNDRED SEVENTY-FIVE DOLLARS (\$375.00) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Pierce, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM DEWAYNE KEITH HOLLOWAY, RELATIVE TO WILCOX BOULEVARD AT ROANOKE AVENUE INTERSECTION IMPROVEMENT, TRACT NO. 12, FOR A CONSIDERATION OF TWO HUNDRED TEN DOLLARS (\$210.00) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM MICHAEL EDGE, RELATIVE TO WILCOX BOULEVARD AT ROANOKE AVENUE INTERSECTION IMPROVEMENT, TRACT NOS. 13 AND 14, FOR A CONSIDERATION OF ONE HUNDRED FIFTY DOLLARS (\$150.00) was adopted.

PURCHASE OF TRACT OF LAND: 802  
EAST M.L. KING BOULEVARD

Admin. Traughber stated this is part of the Community Development allocations the Council approved sometime ago; that the agreement was for the City to acquire the property and hold it for two years, at which time it would be turned over to ICDC, CNE or Habitat for future development.

On motion of Councilman Pierce, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE PURCHASE OF A TRACT OF  
LAND LOCATED AT 802 EAST M. L. KING BOULEVARD FOR AN  
AMOUNT NOT TO EXCEED TWENTY-TWO THOUSAND DOLLARS  
(\$22,000.00)  
was adopted.

OVERTIME

Overtime for the week ending January 9, 1998 totaled \$27,034.12.

DISABILITY INSURANCE

Admin. Traughber stated the Pension Board did approve the Plan; that there were three issues that needed to be resolved. He stated the purchase regarding this matter will be held another week as they are not ready for final approval.

PURCHASE

On motion of Councilman Crockett, seconded by Councilman Lively, the following purchase was approved for use by the General Services Department:

MARCH ADAMS & ASSOCIATES, INC. (Per TCA 6-56-301)  
Requisition No. R0006539

Purchase of Building Systems Survey

\$14,500.00

DUST HELPERS, INC. (Only bid received)  
Requisition No. R0004915

Purchase of Twelve Month Requirements City-wide Contract for Shop Towels, Dust Mops and Floor Mat Rentals

(Price information available and filed with minute material)

PURCHASES (Cont'd.)

MOTION INDUSTRIES (Overall low bid with 70% of 84 items bid)  
Requisition No. R0003265

Purchase of Six Months Requirements Contract for Hydraulic Hoses  
(Price information available and filed with minute material)

PERSONNEL

The following personnel matters were reported for the Police Department:

MARY LOUISE WILLIAMS -- Return from Family Medical Leave, Dispatcher, effective January 7, 1998.

TAMMY DAVENPORT -- Family Medical Leave, Police Officer, effective January 15 - May 7, 1998.

MAXWELL C. LEE -- Resignation, Dispatcher, effective January 22, 1998.

PATRICIA HIGGINS -- Resignation, School Patrol Officer, effective January 2, 1998.

PURCHASE

On motion of Councilman Pierce, seconded by Councilman Crockett, the following purchase was approved for use by the Police Department:

EAST RIDGE UNIFORMS (Lower and better bid)  
Requisition No. R0004302

Purchase of Twelve Months Requirements Contract for Civilian Uniforms for Police Department

(Price information available and filed with minute material)

PERSONNEL

The following personnel matters were reported for the Public Works Department:

LAWRENCE J. BOYDSTON, JR. -- Retirement, Equipment Operator II, City-wide Services, effective December 31, 1997.

PERSONNEL (Cont'd.)

TIMOTHY E. PERKINS -- Employment, Sanitation Worker II, City-wide Services, Pay Grade 5/Step 1, \$16,151.00 annually, effective January 9, 1998.

LEROY FITCH -- Suspension (3 days without pay), Laborer III, City-wide Services, effective January 7 - 9, 1998.

MICHAEL L. DAVIS -- Suspension (3 days without pay), Truck Driver III, City-wide Services, effective December 29 - 30, 1997 and January 2, 1998.

ROBERT L. COREY -- Promotion, Equipment Operator, City-wide Services, Pay Grade 6/Step 3, \$18,275.00 annually, effective November 5, 1997.

PURCHASE

On motion of Councilman Lively, seconded by Councilman Hakeem, the following purchase was approved for use by the Public Works Department:

3M TRAFFIC CONTROL MATERIALS DIVISION (Per TCA 5-56-301)  
Requisition No. R0030703

Purchase of Pavement Tape

\$16,752.12

NASHVILLE TRIP: LEGISLATIVE DELEGATION

Chairman Swafford announced that the City Council along with Mayor Kinsey and the City's Administrators will travel by bus to Nashville on Wednesday, January 21 for a meeting with the local delegation. He stated the bus will leave City Hall at 2:30 p.m.; that representatives from the Times and Free Press have been invited, as well.

COMMITTEES

Councilwoman Hurley scheduled a meeting of the **Parks and Recreation Committee for Tuesday, January 20 at 4 p.m.** to discuss an ISTEIA Grant (joint application) for expansion of the Tennessee Riverpark.



COMMISSIONER COTTON

Councilman Taylor recognized the presence of County Commissioner William Cotton and his (Cotton's) brother, Charles.

HANNAH MARTIN

Councilman Hakeem recognized the presence of former City School Board Member, Hannah Martin.

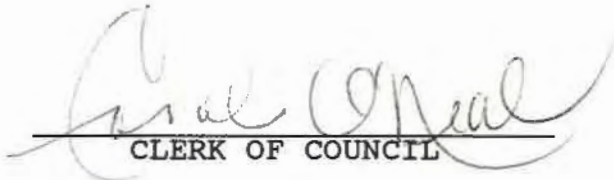
MARSCHEL LUSK

Chairman Swafford recognized the presence of Marschel Lusk, who represents District 5 on the Beer Board.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, January 20, 1998 at 6 p.m.

  
CHAIRMAN

  
CLERK OF COUNCIL

(A LIST OF NAMES OF PERSONS IN ATTENDANCE IS FILED  
WITH MINUTE MATERIAL OF THIS DATE)