

Municipal Building
Chattanooga, Tennessee
February 24, 1998

The meeting of the Chattanooga Council was called to order by Chairman Swafford with Councilman 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

Invocation was given by Randy Burns.

AMEND CITY CODE

On motion of Councilwoman Hurley, seconded by Councilman Lively, AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-351 AND 31-355(b), RELATIVE TO STORM WATER FEES AND CORRECTION OF ERRORS passed second reading; **Councilwoman Rutherford voted "no"**. On motion of Councilman Pierce, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting; **Councilwoman Rutherford voted "no"**.

REZONING

1998-021: Jerry Hagan

Barry Bennett of Planning explained that the applicant and persons in opposition were going to try to come to a "meeting of the minds" on this.

Councilman Pierce made the motion to move this item to the end of the agenda to allow time for the applicant and persons in opposition to talk; Councilwoman Hurley seconded the motion; the motion passed.

Later in the meeting the applicant and person in opposition indicated they had not come to an agreement regarding the matter.

Mr. Bennett stated the applicant is requesting RZ-1 which allows for a development similar to one the applicant has, which is the only other RZ-1 in the City.

REZONING (Cont'd.)

Mr. Bennett stated the Staff recommended against the zoning because of the density; that RZ-1 does allow for high density for probably up to 50 units; that the Planning Commission recommended approval based on the condition there will be a sight-obscuring wooden fence along an adjoining parcel and a maximum of 26 units. He stated part of the conditions center around the traffic issue; that some of the houses in this type development are usually starter homes or are for single family or retired persons; that persons living in this type development would not have two-or-three teen-agers. He stated the traffic generated from this development would be much less than a single family subdivision.

Chairman Swafford asked Mr. Hagan if he disagreed with the 26 units as specified as one of the conditions in the ordinance.

Mr. Hagan expressed his belief that he could live with the 26 units; that he would like to have more; that he did not have it drawn up for any more than that. He stated the only thing that comes to mind is if there was a way he might use some of the lots; that some people buying RZ-1 don't want large lots and it might be possible to get a flag lot somewhere along the adjoining property. He expressed his wish to go up to 30 lots; that he does not have a major problem with 26 (lots); that he would not go over 30 lots on this twenty acres.

Councilman Eaves stated Planning put in the 26 lots in the conditions; that Mr. Hagan would need to accept that as part of this request; that 26 is the rule under which the Planning Commission approved this request -- only 26 lots. He asked Mr. Bennett how many houses Mr. Hagan could get on the property if it were zoned R-1. Mr. Bennett responded, "probably about the same number".

Chairman Swafford asked the person in opposition to come forward to speak if he has anything different to add that was not stated two weeks ago when this matter was initially heard.

Lloyd Hoover spoke in opposition to the request and stated Mr. Eaves had suggested that he talk with Mr. Bennett as well as the Traffic Department. He stated the basic difference between R-1 and RZ-1 is the 7500 feet per lot; that the Applebrook project which Mr. Hagan is currently building is half done and is the only currently existing RZ-1 in Chattanooga. He stated in speaking with the building inspectors there are no additional requirements as they inspect RZ-1 under the same conditions as R-1; that the additional requirements for the RZ-1 to make it a better home would have to be included with this ordinance.

REZONING (Cont'd.)

Mr. Hoover stated with the project being limited to 26 there is no addition to this ordinance regarding landscaping; that his concern still has to do with the road and the blind spot from 75 feet for oncoming cars. He stated the Traffic Department does not have any intention of widening the road at this point.

At this point, Chairman Swafford asked Mr. Hoover if he had anything new to add; that this information is the same that was given previously.

Mr. Hoover stated there is nothing new other than that he and others in the area talked with the Traffic Department and they have no intention to widening the road; that he talked with Mr. Hagan to see if he would widen the road and Mr. Hagan indicated he did not feel that he should. He stated there is a blind spot that exists and it is dangerous.

Councilwoman Rutherford stated if she understands correctly, if the Council rezones this as RZ-1 there will be the same number of dwellings as R-1 but probably less traffic. Chairman Swafford indicated, "that is correct".

Councilwoman Rutherford stated the neighborhood is really better off traffic-wise if it is rezoned RZ-1.

Councilman Eaves stated based on past experience we are talking about the same number of houses with this type of development; that we know in advance there will be less traffic than there would be if zoned R-1.

On motion of Councilman Eaves, seconded by Councilman Lively,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS
OF LAND LOCATED AT 7365 AND 7375 OLD CLEVELAND PIKE,
BEING ON THE NORTHEAST LINE OF OLD CLEVELAND PIKE
NORTHWEST OF SILVERDALE ROAD, FROM R-1 RESIDENTIAL ZONE
TO RZ-1 ZERO LOT LINE ZONE, SUBJECT TO CERTAIN
CONDITIONS
passed first reading.

REZONING

1998-019: John Wise

City Attorney Nelson stated apparently there was a breakdown in communication regarding this ordinance; that it passed first reading for an O-1 zone and it should have been for an R-4 zone; that the matter is back to first reading tonight.

REZONING (Cont'd.)

Councilwoman Hurley stated this is in Councilman Taylor's district. She stated she had a conversation with John Bridger (of Planning); that apparently the applicant has worked with the Urban Design Studio and needed a mixed use zone and O-1 would not work. She stated this zone is recommended by the Urban Design people and other staff of Planning.

Councilman Taylor stated the matter was discussed last week.

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 13 BELL AVENUE, AND 601-613
HAMILTON AVENUE, BEING ON THE NORTHEAST LINE OF BELL
AVENUE AT NORTH MARKET STREET, AND THE NORTHWEST LINE
OF HAMILTON AVENUE AT BELL AVENUE, FROM R-2 RESIDENTIAL
ZONE TO R-4 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

AMEND AGREEMENT

Councilman Hakeem stated Resolutions (a), (f), (h), and (i) were discussed in the Budget and Finance Committee and come with recommendations for approval.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AMENDED COOPERATION AGREEMENT WITH HAMILTON COUNTY,
TENNESSEE, AND THE DEVELOPMENT CORPORATION OF ORCHARD
KNOB, INC. PROVIDING FOR PAYMENTS IN LIEU OF TAXES FOR
CERTAIN PROPERTY OWNED BY THE DEVELOPMENT CORPORATION
OF ORCHARD KNOB, INC. TO SUBSTITUTE FOR A PRIOR SUCH
AGREEMENT DATED JANUARY 31, 1995, TO WHICH HAMILTON
COUNTY WAS NOT A PARTY
was adopted.

CONTRACT: MIKE LITTLE AND
ASSOCIATES

Councilman Hakeem asked for a brief overview of this program. Admin. Traugher explained that the Safewalk Project was a concept that started with Rep. Brown to develop safe walking trails for children and adults moving from different points. He stated the City secured \$50,000 from the State and we matched it with a \$75,000 grant; that hopefully there will be an allocation from Community Development.

CONTRACT: MIKE LITTLE AND ASSOCIATES (Cont'd.)

Admin. Traugher stated this will be the first of many trails that will be looked at throughout the City; that Alton Park was chosen due to careful review of the situations there and they are looking at other areas they hope to move on quickly.

Councilman Hakeem stated his statement might not have anything to do with this; that in regard to the road that is being planned to come in from Georgia, would this program collide with that. Admin. Traugher stated that has been one of the issues; that there are three parts to this project. He stated the first part will begin from McCallie Homes to Calvin Donaldson; the second part will be from Calvin Donaldson to Winn-Dixie; the third will involve Emma Wheeler Homes.

Councilman Taylor remarked that it is good to see this action taking place in District 7.

On motion of Councilman Lively, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH MIKE LITTLE AND ASSOCIATES, RELATIVE TO THE SOUTH CHATTANOOGA SAFEWALK PROJECT, FOR AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND, FIVE HUNDRED DOLLARS (\$21,500.00)

was adopted.

AGREEMENT: ARCADIS GERAGHTY & MILLER, INC.

On motion of Councilwoman Hurley, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ARCADIS GERAGHTY & MILLER INC. FOR THE DESIGN, CONSTRUCTION, AND ASSOCIATED SERVICES FOR THE NORTH RIVER INDUSTRIAL PARK PUMP STATION AND FORCE MAIN FOR AN AMOUNT NOT TO EXCEED TWENTY-SEVEN THOUSAND, TWO HUNDRED FIFTY DOLLARS (\$27,250.00)

was adopted.

CONTRACT: VULCAN MATERIALS COMPANY

On motion of Councilman Lively, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. P-1-98, BITUMINOUS PAVEMENT RESURFACING, TO VULCAN MATERIALS COMPANY, IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000.00)

was adopted.

RAIL CORRIDOR

Councilman Crockett stated this was taken up in Committee earlier this afternoon; that it authorizes the Mayor to work with the Atlanta Regional Commission regarding the rail corridor. He stated the Commission covers a ten county area, including 65 cities and the city of Atlanta; that Atlanta will consider a similar Resolution on Wednesday at 2 p.m. He stated Chattanooga's Chamber of Commerce will also consider a Resolution on Wednesday and the Whitfield County Chamber will pass a similar Resolution next Friday.

On motion of Councilman Crockett, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE MAYOR TO PURSUE SPECIAL FUNDING TO STUDY A RAIL CORRIDOR BETWEEN ATLANTA AND CHATTANOOGA, AND FURTHER AUTHORIZING THE MAYOR TO WORK WITH THE ATLANTA REGIONAL COMMISSION RELATIVE TO SAID STUDY AND FUNDING
was adopted.

INVESTMENT ADVISORY AGREEMENT:
PUBLIC FINANCIAL MANAGEMENT, INC.

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY FINANCE OFFICER TO ENTER INTO AN INVESTMENT ADVISORY AGREEMENT WITH PUBLIC FINANCIAL MANAGEMENT, INC. TO PROVIDE INVESTMENT ADVISORY SERVICES TO THE CITY IN ACCORDANCE WITH THE AGREEMENT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

CHATTANOOGA-HAMILTON COUNTY AIR
POLLUTION CONTROL BOARD/BUREAU

On motion of Councilman Lively, seconded by Councilwoman Rutherford,
A RESOLUTION DESIGNATING AND AUTHORIZING THE CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BOARD AND/OR BUREAU TO ACT FOR THE CITY AND TO TAKE SUCH ACTIONS AS ARE APPROPRIATE IN BEHALF OF THE CITY IN PARTICIPATING IN THE PUBLIC HEARING AND IN MAKING COMMENTS UPON THE APPLICATION(S) OF TRI-STATE STEEL DRUM, INC. FOR HAZARDOUS WASTE PERMIT(S) OR MODIFICATIONS FOR A FACILITY OR FACILITIES LOCATED NEAR THE CHATTANOOGA CITY LIMITS IN THE GENERAL AREA OF JULIAN ROAD NEAR NEIGHBORHOOD ROAD AND TO TAKE SUCH OTHER ACTIONS AS ARE APPROPRIATE TO SAME
was adopted.

ISSUANCE AND SALE OF BONDS

On motion of Councilman Hakeem, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED FIFTY MILLION DOLLARS (\$50,000,000) PRINCIPAL AMOUNT OF THE CITY OF CHATTANOOGA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 1998 was adopted.

ISSUANCE AND SALE OF BONDS

On motion of Councilman Pierce, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED SEVENTY MILLION DOLLARS (\$70,000,000) PRINCIPAL AMOUNT OF THE CITY OF CHATTANOOGA, GENERAL OBLIGATION BONDS, 1998 was adopted.

MORATORIUM

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION DECLARING A MORATORIUM ON CERTAIN REZONINGS AND BUILDING PERMITS UNTIL SEPTEMBER 1, 1998, SOAS TO PERMIT THE ADMINISTRATIVE STAFF AND THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION TIME TO PERFORM A STUDY ABOUT THE NEED FOR ADDITIONAL REGULATION OF CELLULAR TOWERS AND SIMILAR FACILITIES was adopted.

OVERTIME

Overtime for the week ending February 20, 1998 totaled \$8,770.16.

PERSONNEL

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

RUBY A. FARMER -- Return from Family Medical Leave, Clerk II, City-wide Services, effective February 11, 1998.

JAMES R. FOSTER -- Retirement, Concrete Worker, City-wide Services, effective January 19, 1998.

PERSONNEL (Cont'd.)

DARRYL B. SULLIVAN -- Promotion, Electrician, Waste Resources, Pay Grade 10/Step 1, \$21,747.00 annually, effective February 18, 1998.

LARRY G. MILLS -- Employment, Laborer III, Waste Resources, Pay Grade 5/Step 1, \$16,151.00 annually, effective February 18, 1998.

CHARLES RAY SPENCER -- Death, Laborer III, Waste Resources, effective February 14, 1998.

PURCHASES

On motion of Councilman Lively, seconded by Councilwoman Rutherford, the following purchases were approved for use by the Public Works Department:

A PATRIOTIC HOUSE (Lower and better bid)
Requisition No. R0030748

Purchase of Twelve Month Requirements Contract to supply American Flags for Traffic Operations

\$42.66/flag

VULCAN ALUMINUM (Only bid received)
Requisition No. R0030749

Purchase of Twelve Month Requirements Contract to Provide Sign Blank Renovation for Traffic Operations

\$.74/sq. ft.

PERSONNEL

The following personnel matters were reported for the Fire Department:

JOHN S. TOLLETT -- Retirement, Lieutenant, effective February 20, 1998.

Chief Coppinger indicated Lt. Tollett is retiring after 25 years of service to the Department. He stated Lt. Tollett has had cancer for the last five years and was able to fulfill service to the City for retirement.

PURCHASE

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

LYNNS UNIFORMS (Lower and better bid)
Requisition No. R0027487

Purchase of Twelve Months Requirements Contract for Firefighter's Station Uniforms, Shirts and Trousers

(Price information available and filed with minute material)

PERSONNEL

The following personnel matters were reported for the Finance Department (Information Services):

MARK KEIL -- Promotion, Information Systems Director, Pay Grade 22/Step 9, \$71,493.00 annually, effective February 27, 1998.

KAREN L. TURNER -- Return from leave, Programmer I, effective February 23, 1998.

SPECIAL COUNCIL SESSION

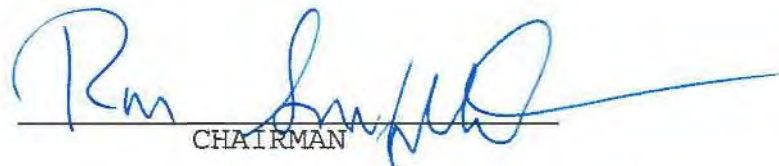
Admin. Boney reminded Council members of the special session scheduled for Tuesday, March 3 at 11:30 a.m. regarding the bond situation.

COMMITTEES

Councilman Hakeem scheduled a meeting of the **Budget and Finance Committee** to discuss an amendment to the budget ordinance for **Tuesday, March 3 at 4 p.m.** He stated the Budget Committee is scheduled in addition to the special Council session at 11:30 a.m. on Tuesday, March 3.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, March 3, 1998
at 6 p.m.



CHAIRMAN



asst CLERK OF COUNCIL

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