

Municipal Building
Chattanooga, Tennessee
March 3, 1998

The recessed meeting of the Chattanooga City Council was called to order by Chairman Swafford, with Councilmen Eaves, Hakeem, Hurley, Pierce, Rutherford, and Taylor being present. Councilmen Crockett and Lively were out of town on business. City Attorney Randy Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

INVOCATION

Invocation was given by Randy Nelson.

REZONING

#1998-021 (Jerry Hagan)

The applicant was present and asked what the process would be if he wanted more than 26 units, questioning if he would need to withdraw and resubmit. Chairman Swafford stated that he would probably have to go through the process again. Mr. Hagan decided to go with second and third readings tonight.

On motion of Councilman Eaves, 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 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 RESIDENTIAL ZONE, SUBJECT TO CERTAIN
CONDITIONS

passed second reading. On motion of Councilman Eaves, seconded by Councilman Hakeem, the ordinance passed third and final reading and was signed in open meeting.

REZONING

#1998-019 (John Wise)

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

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
SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed second reading. On motion of Councilman Taylor, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

AMENDMENT TO BUDGET ORDINANCE

Councilman Hakeem stated that this was discussed in Budget Committee and comes with the Committee's recommendation.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,
AN ORDINANCE TO AMEND ORDINANCE NO. 10589,
ENTITLED "AN ORDINANCE TO PROVIDE REVENUE FOR
THE FISCAL YEAR BEGINNING JULY 1, 1997, AND
ENDING JUNE 30, 1998, AND APPROPRIATING SAME
TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL
GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL
TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES
AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID,
WHEN THEY SHALL BECOME DELINQUENT; AND PROVIDE
FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND
PRIVILEGES.", SO AS TO PROVIDE FOR CERTAIN CHANGES
IN ESTIMATED REVENUES; TO PROVIDE FOR CERTAIN CHANGES
IN ESTIMATED REVENUE AND APPROPRIATION SET OUT IN
SECTION 5; TO PROVIDE FOR CERTAIN CHANGES IN BUDGETS
FOR SPECIAL FUNDS SET OUT IN SECTION 7; AND TO PROVIDE
FOR CERTAIN CHANGES IN PERSONNEL SET OUT IN SECTION
8(c)

passed first reading.

AMEND CITY CODE
STANDARD GAS CODE

Councilman Eaves asked if this meant we would be on the National Gas Code. Adm. Marcellis responded that we were dealing with four Codes today -- Gas Code, Building Code, Mechanical Code, and Plumbing Code. Councilman Eaves again asked if this would get us on the National Code. Adm. Marcellis explained that the 1994 Codes were approved now and every third year a new one comes up. He stated that this was talked about in Public Works Committee.

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTIONS 19-1 AND 19-2, SO AS TO ADOPT THE 1997 EDITION
OF THE STANDARD GAS CODE AND CERTAIN APPENDICES AS
REVISED AND AMENDED AS THE OFFICIAL GAS CODE OF THE
CITY OF CHATTANOOGA, TO AMEND SECTION 19-3 CONCERNING
AMENDMENTS TO SAID CODE, TO AMEND SECTIONS 19-6(B)
THROUGH 19-10 BY DELETING SAME IN THEIR ENTIRETY, TO
AMEND SECTIONS 19-26 THROUGH 19-32 BY DELETING SAME
IN THEIR ENTIRETY, AND TO AMEND SECTION 19-121(B), BY
DELETING IT IN ITS ENTIRETY

passed first reading.

AMEND CITY CODE
STANDARD BUILDING CODE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTIONS 10-1 AND 10-2, SO AS TO ADOPT THE 1997 EDITION
OF THE STANDARD BUILDING CODE AND CERTAIN APPENDICES AS
REVISED AND AMENDED AS THE OFFICIAL BUILDING CODE OF THE
CITY OF CHATTANOOGA, TO AMEND SECTION 10-3 CONCERNING
AMENDMENTS TO SAID CODE AND TO ADD A NEW SECTION 10-7
ADOPTING THE 1991 N.C. ACCESSIBILITY CODE WITH 1997
REVISIONS AS THE OFFICIAL HANDICAP AND ACCESSIBILITY
CODE OF THE CITY OF CHATTANOOGA
passed first reading.

AMEND CITY CODE
STANDARD MECHANICAL CODE

On motion of Councilwoman Rutherford, seconded by Councilwoman
Hurley,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTIONS 22.5-1 THROUGH 22.5-3, SO AS TO ADOPT THE
1997 EDITION OF THE STANDARD MECHANICAL CODE AND
CERTAIN APPENDICES AS REVISED AND AMENDED AS THE
OFFICIAL MECHANICAL CODE OF THE CITY OF CHATTANOOGA,
AND TO AMEND SECTION 22.5-3 CONCERNING AMENDMENTS
TO SAID CODE
passed first reading.

AMEND CITY CODE
STANDARD PLUMBING CODE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTIONS 27-1 THROUGH 27-3, SO AS TO ADOPT THE 1997
EDITION OF THE STANDARD PLUMBING CODE AND CERTAIN
APPENDICES AS REVISED AND AMENDED AS THE OFFICIAL
PLUMBING CODE OF THE CITY OF CHATTANOOGA, AND TO
AMEND SECTION 27-3 CONCERNING AMENDMENTS TO SAID
CODE
passed first reading.

AMEND CITY CODE
RETIREMENT AGE FOR FIREFIGHTERS

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 16, SO AS TO ADD A NEW SECTION 16-13, RELATIVE
TO RETIREMENT AGE FOR FIREFIGHTERS
passed first reading.

AGREEMENT EXTENSION
A. ODELL LEINART

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,
A RESOLUTION AUTHORIZING AN EXTENSION TO THE
AGREEMENT WITH A. ODELL LEINART FOR CONSULTING
SERVICES RELATIVE TO MAINTAINING THE PAVEMENT
MANAGEMENT SYSTEM FOR A CONSIDERATION OF TWO
THOUSAND, SIX HUNDRED EIGHTY-FIVE DOLLARS
(\$2,685.00) PER MONTH FOR A TWELVE (12) MONTH
PERIOD BEGINNING MARCH 1, 1998, AND EXTENDING
THROUGH FEBRUARY 28, 1999
was adopted.

TEMPORARY R-O-W USAGE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
A RESOLUTION AUTHORIZING ROGER SAYNER TO USE
TEMPORARILY A 900'+ RIGHT-OF-WAY ALONG
THE DITCH LINE ON THE NORTH SIDE OF RACCOON
MOUNTAIN ROAD FOR LAYING A WATER LINE, MORE
PARTICULARLY DESCRIBED HEREIN, SUBJECT TO
CERTAIN CONDITIONS
was adopted.

CONTRACT

On motion of Councilwoman Hurley, seconded by Councilwoman
Rutherford,
A RESOLUTION AUTHORIZING THE AWARD OF A SOLE SOURCE
CONTRACT TO SOUTHEASTERN TANK, INC. TO FURNISH AND
INSTALL A LEACHATE STORAGE TANK (CONTRACT NO. BL-3-98)
AT BIRCHWOOD LANDFILL FOR ONE HUNDRED EIGHTY-SEVEN
THOUSAND, FOUR HUNDRED FIFTEEN DOLLARS (\$187,415.00)
was adopted.

OVERTIME

Overtime for the week ending February 27, 1998, totaled \$95,556.71.

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchases were approved for use by the General Services Dept.:

GT DISTRIBUTORS, INC. (Lower and better bid)
Requisition No. R0026276

35 Setina Prisoner Partitions for Fleet Maintenance II

\$278.36

EAST RIDGE PRINTING CO. (Better Bid)
Requisition No. R0005822

250,000 Sheets of Stationery

(Varied Prices)

PERSONNEL

The following personnel matters were reported for the Public Works Dept.:

ROBERT H. BROWN -- Dismissal of Laborer II, effective 2/11/98.

HENRY C. HAMMONDS, III -- Dismissal of Laborer II, effective 2/11/98.

OLIVER B. HARRIS, JR. -- Family Medical Leave for Laborer I, effective 2/11/98 to 5/6/98.

EDDIE L. BURNETTE -- Death of Laborer II, 2/22/98.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, the following purchases were approved for use by the Public Works Dept.:

MARSHAL MIZE FORD (Lower and better bid)
Requisition No. R0031571

One (1) Cargo Van for Interceptor Sewer System

\$17,325.00

NOLAND COMPANY (Lowest and best bid)
Requisition No. R0033559

Twelve (12) Months Requirement Contract for Oil Dri

\$2.69/per 50 lb. bag

PERSONNEL

The following personnel matter was reported for the Fire Dept.:

ALVIN D. THOMPSON, JR. -- Demotion from Lieutenant to Firefighter,
Pay Grade 10/5, \$32,777.00, effective 3/2/98.

HOTEL PERMITS

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following Hotel Permits were approved:

FRICKS MOTEL -- 3535 Cummings Highway

WINGATE INN -- 7308 Shallowford Road

PERSONNEL

The following personnel matters were reported for the Police Dept.:

STEVE MOODY -- Termination of Officer, effective 2/18/98.

CHARLES L. RANDOLPH -- Retirement of Detective, effective 3/1/98.

FREDDIE L. HOUSTON -- Death of Captain, 2/19/98.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Police Dept.:

G. T. DISTRIBUTORS, INC. (Lowest and best bidder)
Requisition No. R0027860

Emergency Equipment Packages for Marked Patrol Cars (45 packages)

\$1,488.05 each (without Signal
Master)

\$1,655.41 each (with Signal
Master)

PERSONNEL

The following personnel matter was reported for the Department of Personnel:

MARY DONEY -- Retirement of Secretary, effective 2/27/98.

HEARING

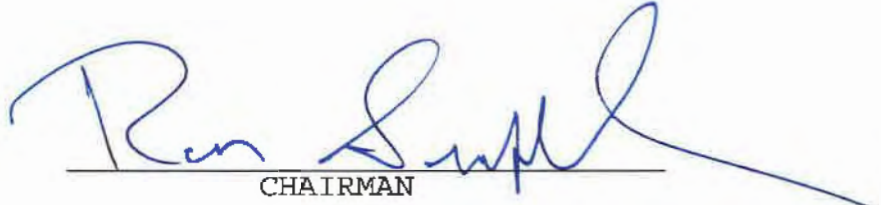
Chairman Swafford reminded the Council of the Personnel Hearing for **Randy Brady set for 6:00 P.M. on Monday, March 9th. Councilman Lively will chair the meeting with Councilwomen Hurley and Rutherford participating.**

WELCOME BACK

Councilman Taylor noted that it was good to have Mr. J. B. Collins, who resides in his District, back with us tonight, stating that he had really been missed around here.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, March 10, 1998, at 6:00 P.M.


CHAIRMAN


CLERK OF COUNCIL

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