

Municipal Building  
Chattanooga, Tennessee  
May 5, 1998

The meeting of the Chattanooga Council was called to order by Chairman Crockett with Councilmen Eaves, Hurley, Hakeem, Lively, Pierce, Rutherford, Swafford 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 Councilwoman Mai Bell Hurley.

MINUTE APPROVAL

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

REZONING

Councilwoman Hurley made the motion to move Ordinances 6(a) and (b) up on the agenda prior to the special recognition of the Council's foreign guests; Councilwoman Rutherford seconded the motion; the motion passed.

On motion of Councilman Swafford, seconded by Councilwoman Rutherford,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE CERTAIN PROPERTIES IDENTIFIED AS BEING WITHIN THE NORTH SHORE COMMERCIAL MIXED-USE AREA OF NORTH CHATTANOOGA, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM ANY CURRENT ZONES INCLUDING R-1, RT-1, R-2 R-3, R-4, C-2, C-3, C-5, AND M-1 TO C-7, NORTH SHORE COMMERCIAL MIXED-USE ZONE passed first reading.

AMEND ZONING ORDINANCE: PERMITS  
AND STANDARDS FOR COMMERCIAL  
TOWERS

Chairman Crockett stated this matter was discussed in committee earlier today.

Councilman Swafford stated he is not opposed to the ordinance although the majority of the towers are in his district. He stated he will abstain on the first reading as he has a concern regarding placement of towers in certain commercial zones.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,  
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, KNOWN AS THE  
CHATTANOOGA ZONING ORDINANCE, AS AMENDED, BY ADDING  
THERETO REGULATIONS REGARDING ISSUANCE OF SPECIAL  
EXCEPTIONS PERMITS AND STANDARDS FOR COMMERCIAL TOWERS  
passed first reading; **Councilman Swafford abstained.**

CLOSE AND ABANDON

1998-054: Erlanger Hospital Credit Union

On motion of Councilman Lively, seconded by Councilwoman Hurley,  
AN ORDINANCE CLOSING AND ABANDONING A TEN (10) FOOT  
ALLEY LOCATED IN THE CITICO CITY ADDITION SUBDIVISION,  
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT  
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE  
passed first reading.

CLOSE AND ABANDON

1998-058: J. D. Wilkinson, Jr., City Engineer

On motion of Councilman Taylor, seconded by Councilman Eaves,  
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A  
STREET RIGHT-OF-WAY ALONG THE WEST SIDE OF HOUSTON  
STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN  
ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY  
REFERENCE  
passed first reading.

SPECIAL RECOGNITION OF VIETNAM  
DELEGATION

Chairman Crockett recognized the delegation from Vietnam headed by Dr. Nuy VanHugh.

Dr. VanHugh expressed the delegation's honor at being present for the Council meeting and stated they have been in Chattanooga five days. He stated they have visited the Aquarium, Riverwalk, Ross' Landing as well as many other sites; that they would like to learn from the U.S. experience. He wished for the Council and the people of Chattanooga much success and good health.

AMENDED CONTRACT: MIKE LITTLE AND  
ASSOCIATES

Councilman Pierce inquired as to who is paying for this. Admin. Traugher stated the total budget including planning is \$275,000; that this contract is a reimbursement for architectural services, which was an oversight when the Resolution was submitted initially; that this is a cost estimate at this point.

Councilman Pierce asked if this was a project initially begun by the State. Admin. Traugher stated this is the result of funds Rep. Brown received, which was some \$50,000 - \$75,000; that we agreed to match the funds and we have gone beyond that. He stated we committed \$275,000 for the South Chattanooga Safewalk and plan to do two others.

Councilman Pierce stated he is leery about this; that it has escalated to what it is today. Admin. Traugher stated they have demonstrated the ability to do this; that the National Land Trust entity plans to be here in June to look at our efforts; that there is a potential for national funding for the Safewalk.

Councilman Pierce asked Admin. Traugher if he sees a reason for expanding the project rather than using this as a pilot. Admin. Traugher stated they chose two sites due to two different types of neighborhoods: The Alton Park project will go into an off-street area; that phase one will go from McCallie Homes, to Calvin Donaldson and finally to the Winn Dixie area behind West 40th Street. He stated the East Chattanooga Safewalk will go from Harriett Tubman to the store on Dodds and Glenwood. He stated they looked at four different neighborhoods where children were walking; that they looked at the Highland Park and Ridgedale areas. He stated there are other sites that will be brought in line further down the road.

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

On motion of Councilman Taylor, seconded by Councilman Hakeem,  
A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL  
SERVICES TO ENTER INTO AN AMENDED CONTRACT FOR  
PROFESSIONAL SERVICES WITH MIKE LITTLE AND ASSOCIATES,  
RELATIVE TO THE SOUTH CHATTANOOGA DEMONSTRATION  
SAFEWALK PROJECT, FOR A REVISED AMOUNT NOT TO EXCEED  
TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)  
was adopted.

PERSONAL SERVICES AGREEMENT:  
LAWRENCE W. BOYDSTON

Councilman Taylor reported Resolutions 7(b) - (i) were discussed in  
Public Works Committee and come with the Committee's recommendation  
for approval.

On motion of Councilman Lively, seconded by Councilman Taylor,  
A RESOLUTION AUTHORIZING THE EXECUTION OF A PERSONAL  
SERVICES AGREEMENT WITH LAWRENCE W. BOYDSTON, RELATIVE  
TO OPERATION OF HEAVY EQUIPMENT ON VARIOUS CITY  
CONSTRUCTION PROJECTS, FOR AN AMOUNT NOT TO EXCEED  
FOURTEEN THOUSAND, FIVE HUNDRED DOLLARS (\$14,500.00)  
DURING 1998  
was adopted.

AGREEMENT AMENDMENT: CONSOLIDATED  
TECHNOLOGIES, INC.

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,  
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC  
WORKS TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT  
WITH CONSOLIDATED TECHNOLOGIES, INC. FOR PROFESSIONAL  
SERVICES RELATIVE TO CONSTRUCTION OF THE AREA 2, PHASE  
I AND PHASE II LINER AT BIRCHWOOD LANDFILL, FOR AN  
ADDITIONAL AMOUNT NOT TO EXCEED ONE HUNDRED SEVEN  
THOUSAND, FOUR HUNDRED DOLLARS (\$107,400.00)  
was adopted.

AGREEMENT AMENDMENT: PIEDMONT  
OLSEN HENSLEY, (NOW ARCADIS,  
GERAGHTY & MILLER)

On motion of Councilman Lively, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 6 TO THE AGREEMENT WITH PIEDMONT OLSEN HENSLEY (NOW ARCADIS, GERAGHTY & MILLER), FOR PROVIDING ADDITIONAL ENGINEERING SERVICES RELATIVE TO CONTRACT NO. 73B-1, BIG RIDGE COLLECTION SYSTEM III, FOR AN ADDITIONAL AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND, SEVEN HUNDRED TWENTY DOLLARS (\$21,720.00)

was adopted.

AGREEMENT AMENDMENT: PIEDMONT  
OLSEN Hensley (NOW ARCADIS,  
GERAGHTY & MILLER)

On motion of Councilman Lively, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 7 TO THE AGREEMENT WITH PIEDMONT OLSEN HENSLEY (NOW ARCADIS, GERAGHTY & MILLER), FOR PROVIDING ADDITIONAL ENGINEERING SERVICES RELATIVE TO CONTRACT NO 73B-2, BIG RIDGE COLLECTION SYSTEM IV, FOR AN ADDITIONAL AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND, THREE HUNDRED SIXTY DOLLARS (\$23,360.00)

was adopted.

LICENSE AGREEMENT: PROVIDENT LIFE  
& ACCIDENT INSURANCE COMPANY

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH PROVIDENT LIFE & ACCIDENT INSURANCE COMPANY, RELATIVE TO THE CENTRAL AVENUE COMBINED SEWER OVERFLOW FACILITY

was adopted.

CONTRACT: HAREN CONSTRUCTION  
COMPANY, INC.

On motion of Councilman Pierce, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. 29A, 19TH STREET PUMP STATION UPGRADE, TO HAREN CONSTRUCTION COMPANY, INC. FOR THEIR LOW BID IN THE AMOUNT OF NINE HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED DOLLARS (\$977,900.00)

was adopted.

TEMPORARY USE: SIGNAL VOICE &  
DATA

On motion of Councilwoman Hurley, seconded by Councilman Swafford,  
A RESOLUTION AUTHORIZING SIGNAL VOICE AND DATA TO USE  
TEMPORARILY THE SIDEWALK ON 21ST STREET, APPROXIMATELY  
ONE HUNDRED (100) FEET FROM BROAD STREET, MORE  
PARTICULARLY DESCRIBED HEREIN, FOR INSTALLING A  
BUSINESS SIGN, SUBJECT TO CERTAIN CONDITIONS  
was adopted.

REGIONAL TRANSPORTATION AND LAND  
USE STUDY: WILBUR SMITH  
ASSOCIATES

On motion of Councilman Lively, seconded by Councilman Swafford,  
A RESOLUTION TO APPROVE A REGIONAL TRANSPORTATION AND  
LAND USE STUDY FOR HAMILTON PLACE/EAST BRAINERD TO BE  
PERFORMED BY WILBUR SMITH ASSOCIATES FOR AN AMOUNT NOT  
TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)  
was adopted.

OVERTIME

Overtime for the week ending May 1, 1998 totaled \$22,876.12.

PERSONNEL

The following personnel matters were reported for the Parks and  
Recreation Department:

GRETA L. MILES -- New Hire, Stadium/Sports Director, Parks Division,  
Pay Grade 13/Step 1, \$26,642.00 annually, effective May 11, 1998

PURCHASE

FERRELL GAS  
Contract No. P1147753

Extension of Contract for Propane Gas for an additional Twelve  
Months (Per Section 2-342, Paragraph V, Chattanooga Code)

PERSONNEL

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

DORIS HARRIS -- Family Medical Leave, City-wide Services, effective April 1 - June 22, 1998.

MICHAEL L. DAVIS -- Suspension (6 days without pay), Truck Driver IV, City-wide Services, effective April 13, - April 21, 1998.

DAVID R. BERNES -- Suspension (3 days without pay), Truck Driver IV, City-wide Services, effective April 20, 21, 23, 1998.

AARON A. ATKINSON -- Employment, Laborer III, City-wide Services, Pay Grade 5/Step 1, \$16,151.00 annually, effective May 4, 1998.

JAMES H. ELDER -- Promotion, Sanitation Worker I, City-wide Services, Pay Grade 4/Step 4, \$16,587.00 annually, effective April 30, 1998.

OLIVER B. HARRIS, JR. -- Return from Family Medical Leave, Laborer I, City-wide Services, effective April 29, 1998.

LARRY MILLS -- Resignation, Laborer III, Waste Resources, effective April 20, 1998.

PURCHASES

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

CHEROKEE TRUCK EQUIPMENT (Lower and better bid)  
Requisition No. 0030785

Purchase of Hydraulic/Electric Boom Crane (3 @ \$6,062.00 each)  
\$18,186.00

LINEAR DYNAMICS (Lower and better bid)  
Bid No. P0006585

Purchase of Twelve Months Requirements Contract for Traffic Paint  
\$4.75/gal, yellow  
\$4.45/gal, white

PURCHASES (Cont'd.)

LEE-SMITH (Lower and better bid)  
Requisition No. 0031933

Purchase of Conventional Cab and Chassis w/16 ft. Trash Body

\$127,983.87

LEE SMITH, INC. (Lowest bid)  
Requisition No. R0031934

Purchase of Three Trucks for Public Works (per negotiated price w/low bidder)

\$127,983.87

LEE-SMITH (Low bid)  
Requisition No. 0031928

Purchase of 2 Dump Trucks w/negotiated price for an International 4700 with an In-Line 6 cylinder engine

\$78,477.54

POWER EQUIPMENT (Local sole source)  
Requisition No. R0032651

Purchase of Undercarriage parts

\$21,486.44

LEE SMITH, INC. (Lower and better bid)  
Requisition No. R0028660

Purchase of One Tractor and One Trailer

\$112,304.22

STOWERS MACHINE (Only bid received)  
Requisition No. 0002654

Purchase of Scraper, Wheel Tractor

\$263,260.00



PURCHASES (Cont'd.)

MCPHERSON OIL (Lower and better bid)  
Requisition No. R000033668

Purchase of 660 Mobil Oil

\$16.99 per gallon w/no drum  
deposit

STOWERS MACHINERY (Single Source Purchase)  
Requisition No. R0032650

Purchase of Shoes and Related Parts for a D 8L Caterpillar Dozer

\$11,077.53

R. P. ADAMS (Lower and better bid)  
Requisition No. 0032616

Purchase of Industrial Machinery Aftercooler

\$25,748.00

VALLEN SAFETY SUPPLY CO. (Most complete bid)  
Requisition No. 0033673

Purchase of Twelve Months Requirement Contract

(Price information available and filed with minute material)

PERSONNEL

The following personnel matters were reported for the Fire  
Department:

ROY KINCER -- Promotion, Deputy Fire Chief, Pay Grade 18/Step 10,  
\$53,101.00 annually, effective May 8, 1998.

MIKE PEMBERTON -- Promotion, Operations Chief, Pay Grade 18/Step 10,  
\$53,101.00 annually, effective May 8, 1998.

PERSONNEL (Cont'd.)

DUANE PITTS -- Promotion, Training Chief, Pay Grade 16/Step 10, \$45,042.00 annually, effective May 8, 1998.

MIKE REED -- Resource Chief, Pay Grade 16/Step 10, \$45,042.00 annually, effective May 8, 1998.

CECIL BARBER, SAM BLAKEMORE, WAYNE HENNESSEE, ROBERT LACKEY, CHARLES NICHOLS, JAMES QUARLES, GARY ROSENBAUM, STEVEN WRIGHT -- Staff Officer, Pay Grade 13/Step 14, \$40,152.00 annually, effective May 8, 1998.

KELVIN FLINT, JOE HITCHCOCK, RANDY JACKS -- Staff Officer, Pay Grade 13/Step 9, \$34,635.00 annually, effective May 8, 1998.

DAVID WALKER -- Staff Officer Pay Grade 13/Step 10, \$35,675.00 annually, effective May 8, 1998.

ANDRE HICKS -- Staff Officer, Pay Grade 13/Step 7, \$32,638.00 annually, effective May 8, 1998.

PURCHASE

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

HYDRO-VACDRUM (Better bid)  
Requisition No. R0027495

Purchase of Twelve Months Contract to Supply Waste Removal Services  
\$275.00 per drum

PERSONNEL

The following personnel matters were reported for the Police Department:

ROSLYN HARRIS -- Promotion, Administrative Secretary, Pay Grade 8/Step 10, \$25,118.00 annually, effective May 8, 1998.

CHARLOTTE WILSON -- Resignation, School Patrol Officer, effective April 24, 1998.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, the following purchases were approved for use by the Police Department:

EAST RIDGE UNIFORMS (Only source of supply having local outlet per specifications)  
Requisition No. 0028009

Purchase of Twelve Months Contract for Women's Civilian Uniforms  
(Price information available and filed with minute material)

RATIFICATION OF EMERGENCY PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, the following emergency purchase was ratified:

TELEVISION EQUIPMENT ASSOCIATION  
Emergency Purchase No. P0004070

Purchase of Audio/Visual Supplies (Due to change from 400 mhz to 800 mhz system)

\$18,000.00

PERSONNEL

The following personnel matter was reported for the Finance Department (Information Services):

STEVEN E. FAULKNER -- Promotion, Support Service Manager, Pay Grade 10/Step 11, \$59,070.00 annually, effective May 8, 1998.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Finance Department (Chattanooga/Hamilton County Bicentennial Library):

GREATER CHATTANOOGA LAWN & LANDSCAPE CO. (Lower and better bid)  
Requisition No. 0028561

Purchase of Contract for Grounds Maintenance  
\$8,400.00

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Finance Department (Information Services):

POMEROY COMPUTER RESOURCES OF NASHVILLE (Per TCA 6-56-301)  
Requisition No. 0029195

Purchase of Computer Hardware under State Contract SWC 2035573

\$15,307.45

PERSONNEL

The following personnel matters were reported for the Department of Neighborhood Services:

MARY HUTSON -- Resignation, Inspector, Better Housing, effective April 23, 1998.

CHARLES W. MORE -- Termination, Inspector, Better Housing, effective April 30, 1998.

JOSEPH J. SHEATS -- Termination, Inspector, Better Housing, effective April 30, 1998.

COMMITTEES

Councilman Swafford stated a Budget Committee meeting will be scheduled within the next two weeks.

JOINT CITY/COUNTY BUDGET MEETING

Councilman Swafford reminded Council members of the joint City/County Budget meeting scheduled for Wednesday, May 13 beginning at 9 a.m. and continuing all day. He stated it is his hope each will be able to participate.

SHIRLEY DEAKINS

Shirley Deakins addressed the Council to request that her property at 222 Baker Street be changed to a commercially zoned designation to fit into the new strategies of the North Shore Development; that many of the neighbors are in agreement with her. She distributed photos of the area and made reference to the difficulties she has endured from slum lords/tenants. She requested (hopeful) acceptance of her request.

TONY TROUTMAN

Tony Troutman, President of USWA Local 3967, represented steel workers from Wheland Foundry and stated (by now) all Council members were aware of the strike at Wheland involving 1,300 employees who helped generate \$70 - \$200 million in profits; that he and others were present to make the Council aware of some of the issues.

Chairman Crockett stated the Council would like to hear from Mr. Troutman and his group; that the Council has a set of rules for this part of the meeting regarding things the Council can do something about; that the 1,300 persons involved are valued employees and citizens. He stated he understands from the newspapers there are issues but is not sure they are ones over which the Council has jurisdiction.

Mr. Troutman stated the concerns he will mention does involve two issues the Council can address. He stated the Foundry is located behind the Pizza Pub and there has never been "no parking" signs placed along the street. He stated Eric Burnett of Traffic Engineering came by today and informed them that Mr. Faulkner of Wheland got in touch with him and requested that "no parking" signs be placed up and down the area. He stated they (strikers) were told to move their cars or they would be towed; that there has never been "no parking" signs in that area; that cars have constantly parked in the area from the stock yard down beyond Buck's Barbecue. He stated the second issue involves the removal of a stop sign on Sidney Street; that with its removal it allows the company to escort trucks in at a high rate of speed without stopping.

Chairman Crockett stated the Council and Administration will be glad to look into his concerns. Mr. Troutman expressed thanks to the Council for their time.

Councilman Pierce asked Admin. Marcellis if he was aware of Mr. Troutman's concerns. Admin. Marcellis stated he is not aware of the "no parking" signs; that he would not have gotten involved in this situation; that there has never been a sign there in thirteen years. He stated he would inquire about the matter and get back with the Council.

TONY TROUTMAN (Cont'd.)

Councilman Pierce stated he would like for Admin. Marcellis to follow up on the matter to see who authorized the signs to be put there.

Councilman Taylor asked those present with Mr. Troutman to stand; that Wheland is located in District 7. He stated most of the individuals that work there live in the community, as well. He stated the Council and Administration will look into the matters for them.

CHARLES MOORE

Charles Moore stated he has questions; that he was formerly a City Codes Inspector and was terminated April 30. He stated he has one question: Why was he terminated. He stated when he went to Administration he did not receive an answer and is bringing it to the Council.

City Attorney Nelson stated there is a grievance procedure where a person takes their grievance to Administration; that if he did not get satisfaction he can take it to the Mayor's Office and then make an appeal to the City Council.

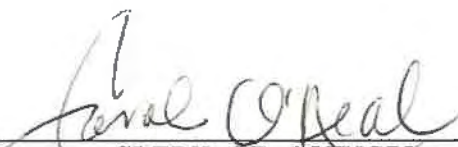
Mr. Moore then indicated he did not complete his six months probation. City Attorney Nelson stated if Mr. Moore did not complete the probation he would need to take it to Administration and then to the Mayor.

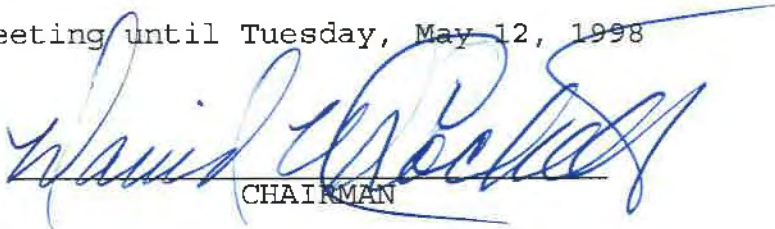
Chairman Crockett explained that the Council does not have any jurisdiction in this case because Mr. Moore is not in a status the Council can review; that he should take his requests back to Mr. Freeman and/or the Mayor's office.

Mr. Moore expressed thanks to the Council.

ADJOURNMENT

Chairman Crockett adjourned the meeting until Tuesday, May 12, 1998 at 6 p.m.

  
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CLERK OF COUNCIL

  
\_\_\_\_\_  
CHAIRMAN

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