

Municipal Building
Chattanooga, Tennessee
November 10, 1998

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

INVOCATION

Councilman Shockley delivered the invocation for the evening.

MINUTE APPROVAL

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

REZONING

Chairman Crockett stated there are several rezoning requests that are being requested for deferral or withdrawal on tonight's agenda. He asked for a motion from the Council to move them up on the agenda.

At this point, Councilman Pierce made the motion to move Ordinances 6(e), (g) and (k) up on the agenda; Councilwoman Rutherford seconded the motion; the motion passed.

1998-196: Rex Henry

Pursuant to notice of public hearing the request of Rex Henry to rezone a tract of land located at 5032 Highway 58 came on to be heard.

Chairman Crockett stated the applicant faxed a letter to the Council Office requesting withdrawal of this matter.

REZONING (Cont 'd.)

On motion of Councilman Lively, seconded by Councilman Shockley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5032 HIGHWAY 58, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE
was withdrawn at the request of the applicant.

REZONING

1998-199: Joseph W. Shuessler

Pursuant to notice of public hearing the request of Joseph W. Shuessler to rezone a tract of land located at 3701 Fourth Avenue came on to be heard.

Chairman Crockett stated Councilman Taylor has asked that this matter be deferred one week.

On motion of Councilman Lively, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 3701 FOURTH AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE
was tabled one week at the request of Councilman Taylor.

REZONING

1998-206: David Walker

Pursuant to notice of public hearing the request of David Walker to rezone a tract of land located at 3501 St. Elmo Avenue came on to be heard.

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 3501 ST. ELMO AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-3 WAREHOUSE AND WHOLESALE ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
was tabled one week.

REZONING

Councilman Hakeem made the motion to move Ordinances 6(b) and (c) up on the agenda; Councilman Lively seconded the motion; the motion passed.

1998-055: Phoenix Associates, LLC

Pursuant to notice of public hearing the request of Phoenix Associates, LLC to rezone part of property generally bounded by Shallowford Road, Gunbarrel Road and McCutcheon Road, came on to be heard.

The applicant was present; considerable opposition was in attendance.

Councilman Pierce expressed appreciation to everyone for coming out tonight regarding this issue; that due to the traffic study that is going on and the calls he has received from people in the area, he feels he cannot make a fair decision. At this point he made the motion to table the matter for sixty (60) days until the traffic study and other items can be completed.

Councilman Hakeem asked if sixty (60) days is a reasonable time.

Barry Bennett stated that the applicant might feel that is probably too long; that he feels the study should be ready before then and the applicant might want to address that.

Councilman Pierce stated the sixty (60) day motion was based on the fact that tabling the matter thirty (30) days would put us right into the holiday season and the possibility that all Council members would not be present, which would cause another delay. He stated sixty (60) days will put us out of the holidays and into the working season.

On motion of Councilman Pierce, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY GENERALLY BOUNDED BY SHALLOWFORD ROAD, GUNBARREL ROAD AND MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO C-4 PLANNED COMMERCE CENTER ZONE

was tabled sixty (60) days.

REZONING

1998-191: Sharon Sue Quarles

Pursuant to notice of public hearing the request of Sharon Sue Quarles to rezone a tract of land located at 7331 Shallowford Road came on to be heard.

Councilman Pierce stated his sixty (60) motion to table is the same for this property; Councilwoman Hurley seconded the motion; the motion passed.

Atty. Arvin Reingold stated in the previous case the Chairman asked if the applicant was present, but did not for this one; that sixty days is an extensive period of time. He made the observation that at a meeting sometime ago the traffic study was discussed and it was indicated the City would be done with the study by December 8; that December 15 would be an acceptable time to hear this request and there are reasons for that. He stated there are some options that will cause individuals to come with applications that are not under the Phoenix plan. He asked the Council to consider a December date; that December 8 and 15 would be sufficient time to report to this body as to what the professional staff and engineering thought would be a sufficient time. He stated the City's services continue during the holidays and asked due consideration for people who have waited since March. He stated this is an undue penalty and asked the Council to reconsider for a December date.

Chairman Crockett stated there is one more to be tabled coming up; that the Council has voted on this and the matter has been deferred for 60 days. He stated many of the Council members would have liked to have dealt with this earlier and (he) certainly understands Councilman Pierce's comments.

On motion of Councilman Pierce, 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 7331 SHALLOWFORD ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL
ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO
CERTAIN CONDITIONS

was tabled sixty (60) days.

REZONING

Councilman Hakeem made the motion to move Ordinance 6(f) up on the agenda; Councilman Pierce seconded the motion; the motion passed.

Councilman Pierce indicated that the same sixty (60) day time frame is requested for this rezoning matter.

1998-197: Dr. Dianne Fillman

Pursuant to notice of public hearing the request of Dr. Dianne Fillman to rezone a tract of land located at 7613 Shallowford Road came on to be heard.

Noel Fillman, husband of the applicant, stated this property is a half mile away from the others; that according to the traffic study at the previous meeting we are talking about 3,000 cars per day at rush hour. He stated with this request we are talking about three cars being the maximum and cannot see what impact that would have on any traffic issue. He appealed to the Council that this request not be tied to the traffic study or the Phoenix proposal.

Councilman Hakeem stated he would like to hear from the Staff regarding the study area.

Gloria Haney of Planning stated the study was extended to Jenkins Road and does have an impact on this request; that the Staff made their recommendation based on that.

Chairman Crockett clarified that the property is within the study area.

On motion of Councilwoman Rutherford, 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 7613 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS **was tabled sixty (60) days.**

(THE REGULAR ORDER OF THE AGENDA PROCEEDED FROM THIS POINT FORWARD.)

AMEND ZONING ORDINANCE

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 AMEND ARTICLE VII, SECTION 103, TO CREATE A PROCESS FOR THE EXTENSION OF TIME FOR RESTORATION OF NONCONFORMING USES DESTROYED BY FIRE, EXPLOSION, OR OTHER CASUALTY, SUBJECT TO CERTAIN CONDITIONS
passed second reading. On motion of Councilwoman Hurley, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

AMEND ZONING ORDINANCE

On motion of Councilman Lively, seconded by Councilwoman Rutherford, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, TO INCORPORATE NEW LANGUAGE RELATIVE TO CERTAIN SUBSECTIONS WITHIN ARTICLE IV OF THE LANDSCAPE PROVISIONS AS ADOPTED IN ORDINANCE NO. 10692
passed second reading. On motion of Councilman Pierce, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

AMEND ZONING ORDINANCE

On motion of Councilwoman Rutherford, seconded by Councilman Lively, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND ARTICLE V, SECTION 504, TO CREATE A SPECIAL PERMIT PROCESS FOR THE DISPLAY AND SALE OF MANUFACTURED HOMES WITHIN C-1 HIGHWAY COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS AND TO AMEND ARTICLE VIII, SECTION 107, TO ADD A NEW SUBSECTION 23
passed second reading. On motion of Councilwoman Hurley, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-143: Hamilton County Government and City of Chattanooga

Councilman Hakeem asked if the conditions are included. Ms. Haney responded, "yes, they are included".

On motion of Councilman Lively, seconded by Councilwoman Rutherford, AN ORDINANCE CLOSING AND ABANDONING PORTIONS OF 4TH STREET, ROANOKE STREET AND ALLEYS LOCATED SOUTHWEST OF EAST 3RD STREET, NORTHWEST OF WILLOW STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second reading. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-144: Hamilton County Government and City of Chattanooga

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

AN ORDINANCE CLOSING AND ABANDONING HICKORY STREET, WOODLAWN AVENUE, OCOEE AVENUE, WALL STREET, OAKLAND AVENUE, AND ALLEYS LOCATED NORTHEAST OF CLEVELAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-145: Hamilton County Government and City of Chattanooga

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

AN ORDINANCE CLOSING AND ABANDONING HOWELL ROAD AND AN UNNAMED STREET LOCATED SOUTHEAST OF WOODMORE LANE, NORTHEAST OF MIDLAND PIKE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
passed second reading. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-146: Hamilton County Government and City of Chattanooga

On motion of Councilwoman Hurley, seconded by Councilman Lively, AN ORDINANCE CLOSING AND ABANDONING BATTERY PLACE AND WOODWORTH AVENUE LOCATED NORTHWEST FROM SISKIN DRIVE, NORTHEAST OF EAST 3RD STREET, AND GARDENHIRE STREET AND ALLEYS LOCATED NORTHEAST FROM EAST 3RD STREET, SOUTHEAST OF SISKIN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS passed second reading. On motion of Councilwoman Hurley, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-147: Bruce Goodwin, Inc.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHWEST FROM EAST 20TH STREET BETWEEN WILLOW STREET AND KELLEY STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS passed second reading. On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1997-262: Jim Ledbetter

Pursuant to notice of public hearing the request of Jim Ledbetter to rezone a tract of land located in the 1600 block of McCallie Avenue came on to be heard.

The applicant as present; there was no opposition.

Judith Shorr, President of the Highland Park Neighborhood Watch Association, represented the applicant and stated this is a real blessing for the Highland Park community; that they have 100 percent participation of the property owner who has worked very diligently with them. She stated they have worked out an arrangement of C-2 with conditions and (they) are very pleased.

REZONING (Cont 'd.)

On motion of Councilman Hakeem, 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 IN THE 1600 BLOCK OF MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO C-2, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

CLOSE AND ABANDON

1998-192: Gigi A. Walters

The applicant was present; there was no opposition.

Councilman Hakeem asked if the conditions have been made a part of the ordinance. Ms. Haney responded "yes".

On motion of Councilman Lively, seconded by Councilman Hakeem, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED NORTHEAST OF CREWDSON STREET, SOUTHEAST OF TREMONT STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

1998-202: Reymundo V. Perez

Pursuant to notice of public hearing the request of Reymundo V. Perez to rezone a tract of land located at 1514 South Willow Street came on to be heard.

The applicant was not present.

On motion of Councilwoman Rutherford, 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 1514 SOUTH WILLOW STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE

was denied.

REZONING

1998-204: James A. & Lila Forgey, Sr.

Pursuant to notice of public hearing the request of James A. & Lila Forgey, Sr. to rezone a tract of land located at 6830 McCutcheon Road came on to be heard.

The applicants were present; there was no opposition.

Councilman Eaves asked the applicants if the conditions are acceptable to them. Mr. & Mrs. Forgey responded "yes".

On motion of Councilman Eaves, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 6830 MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1998-205: James E. Herrod

Pursuant to notice of public hearing the request of James E. Herrod to rezone a tract of land located at 1015 King Street came on to be heard.

The applicant was present; there was no opposition.

James Herrod stated there is a house on the property that he wants to use as an office.

Councilman Hakeem inquired as to which zone is more restrictive -- R-4 or O-1.

Ms. Haney responded that the R-4 allows for residential use and office; that the O-1 allows for office use only.

Councilman Hakeem asked the applicant for clarification that the request is for office use. Mr. Herrod responded "yes".

Councilman Pierce asked for clarification regarding the location on King Street, as there is a King Street in his District. Mr. Herrod clarified that the location of the property is off East Brainerd Road, behind the Wrinkle Building. Councilman Eaves indicated the location is in Councilwoman Rutherford's (district) area.

REZONING (Cont'd.)

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1015 KING STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE passed first reading.

REZONING

1998-209: Charles E. Samples

Pursuant to notice of public hearing the request of Charles E. Samples to rezone tracts of land located at 232, 234, 238 and 246 East 11th Street and 1115 King Street came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Pierce, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACT OF LAND LOCATED AT 232, 234, 238 AND 246 EAST 11TH STREET AND 1115 KING STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

REZONING

1998-210: Danny Mabee

Pursuant to notice of public hearing the request of Danny Mabee to rezone a tract of land located at 711 East Brainerd Road came on to be heard.

Erskine Mabee was present representing the applicant; there was no opposition.

On motion of Councilman Lively, 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 AT 711 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS passed first reading.

AMEND CITY CODE

Councilman Hakeem, stated this matter was discussed in Public Works Committee and comes with the Committee's recommendation for approval.

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 10-8(F), TO ADOPT SPECIFIC TIE-DOWN STANDARDS SET FORTH IN THE 1997 STANDARD BUILDING CODE AND TO ADD A NEW SECTION 10-9, RELATIVE TO ROOF PITCH, EMERGENCY EGRESS, SITE LOCATION AND COMPLETION REQUIREMENTS OF MANUFACTURED HOMES

passed first reading.

DECLARE PROPERTY SURPLUS

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, A RESOLUTION TO RECOMMEND THAT CERTAIN CITY OF CHATTANOOGA OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WILSON AT HICKORY BE DECLARED SURPLUS was adopted.

CONTRACT: EAST TENNESSEE GRADING, INC. AND MAYSE CONSTRUCTION COMPANY

Councilman Hakeem stated Resolutions (b) and (c) were discussed in Public Works Committee and approval is requested.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. 99D, MISCELLANEOUS SANITARY SEWERS REQUIREMENTS CONTRACT, TO EAST TENNESSEE GRADING, INC. AND TO MAYSE CONSTRUCTION COMPANY FOR A COMBINED TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000.00) was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL), CONTRACT NO. 45A, VAAP CONNECTOR, WITH EAST TENNESSEE GRADING, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWO THOUSAND, THREE HUNDRED THIRTEEN DOLLARS (\$2,313.00) FOR A REVISED CONTRACT PRICE OF ONE HUNDRED FIFTY-FOUR THOUSAND, SEVEN HUNDRED SIXTY-SEVEN DOLLARS (\$154,767.00) was adopted.

AGREEMENT: FARRIS, MATHEWS,
GILMAN, BRANAN & HELLEN, PLC

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH FARRIS, MATHEWS, GILMAN, BRANAN &
HELLEN, PLC, RELATIVE TO LOBBYING SERVICES, FOR AN
AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS
(\$45,000.00)
was adopted.

OVERTIME

Overtime for the week ending October 6, 1998 totaled \$76,667.08.

PERSONNEL

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

MELVIN ANDERSON -- Reinstatement, Equipment Operator, City-wide
Services, Pay Grade 6/Step 9, \$26,562.00 annually, effective
November 11, 1998.

MAURICE L. POWELL -- Promotion, Equipment Operator, City-wide
Services, Pay Grade 6/Step 2, \$19,503.00 annually, effective October
28, 1998.

JAMES SIMON -- Retirement, Equipment Operator, Waste Resources,
effective November 17, 1998.

COLIN KINTON -- Resignation, Assistant Traffic Engineer, effective
November 11, 1998.

VALORIE OSBORNE -- Suspension (1 day without pay), Engineering,
effective October 28, 1998.

Councilman Hakeem inquired as to whether there is a pool of people
in this City who can apply for the Traffic Management position.

Admin. Marcellis stated there could be some that the State of
Tennessee has hired; that he would like to have someone with
experience, a graduate's degree and a professional engineering
license. He stated young persons getting out of college would not
have those credentials. He stated the position is being advertised,
now and will also be advertised in the trade magazines and,
hopefully, they will find someone in the City.

PURCHASES

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

DUKE'S SALES AND SERVICE (Only bid received)
Requisition No. R0038693

Purchase of Twelve Months Requirement Contract for Application of Root Control Chemicals

(Price information available and filed with minute material)

FLAIR PRECAST PRODUCTS AND SHERMAN-DIXIE CONCRETE
Requisition No. R0038828

(Contract to both vendors due to non-availability of some sizes by both vendors and the difference in pricing on some sizes)

Purchase of Concrete Manhole Risers

(Price information available and filed with minute material)

MARSHALL MIZE FORD (Lower and better bid)
Requisition No. R0037397

Purchase of Crew-Cab Pick-up Truck (Price reflects inclusion of Options I and II)

\$28,047.00

REFUND

On motion of Councilwoman Hurley, seconded by Councilman Lively, the Administrator of Finance was authorized to issue the following refund:

SEXTON CONSTRUCTION CORP. -- #B239926, Will not be completing the job, \$1,015.00

PERSONNEL

The following personnel matters were reported for the Police Department:

MICHAEL SMITH -- Suspension (5 days without pay), Patrol Officer, effective November 1, 1998.

PERSONNEL (Cont'd.)

MARTIN SANTOS -- Suspension (5 days without pay), Patrol Officer, effective November 18, 1998.

KENNETH FREEMAN -- Suspension (3 days without pay), Patrol Officer, effective November 10, 1998.

CARSON HENNESSEE -- Suspension (2 days without pay), Patrol Officer, effective November 10, 1998.

IRAN MEADOWS -- Suspension (5 days without pay), Patrol Officer, effective December 4, 1998.

TARRANCE MEADOWS -- Suspension (10 days without pay), Patrol Officer, effective December 4, 1998.

BEVERLY A. GILLILAND -- Hire, Secretary, Pay Grade 6/Step 1, \$18,574.00 annually, effective November 6, 1998.

THESSLEANER M. ROBERTS -- Hire, Secretary, Pay Grade 6/Step 1, \$18,574.00 annually, effective November 9, 1998.

DEBORAH R. DENNISON -- Hire, Meter Patrol Officer, Pay Grade 5/Step 1, \$17,459.00 annually, effective November 20, 1998.

WILLIE GRIFFIN, SR. -- Hire, Crew Worker, Pay Grade 3/ Step 1, \$15,230.00 annually, effective November 6, 1998.

GLORIA JACKSON -- Transfer/Promotion, Secretary, Pay Grade 6/Step 5, \$22,290.00 annually, effective November 20, 1998.

TERRY D. TOPPING -- Transfer/Promotion, Patrol Officer, Police Grade P1/Step 01, \$25,925.00 annually, effective November 6, 1998.

MARK H. BENDER, COREY A. BOYKIN, CEVIN D. BURNEY, JACQUE D. BUSH, THOMAS B. BUTTRY, AMY M. CALDWELL, MARY A. CLARKE, KEVIN R. COBB, RODRIGO M. FERNANDEZ, GALEN T. FUGH, JULIE R. JACKS, CHUL HUN LEE, GREGORY H. MARDIS, CHARLES L. MARTIN, JR., JOHN R. MONROE, JR., STONEY W. MORTON, REGINALD C. PARKS, JERRY M. PENDYGRAFT, SABRINA L. SHOLTZ, CHRISTOPHER M. SIMS, MICHAEL S. SMITH, JONATHAN O. WATKINS, GROVER L. WILSON, III, MORLAND K. WILSON, PRESTON L. WOLFF, CARL G. YOUNG -- Hire, Patrol Officer, Police Grade P1/Step 01, \$25,925.00 annually, effective November 6, 1998.

CHARLES COOKE -- Promotion, Deputy Chief, Police Grade P5/Step 02, \$56,046.00 annually, effective November 9, 1998.

PURCHASE

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

AUDIO INTELLIGENCE DEVICES (Single Source Purchase)
Requisition No. R0033528

Purchase of Audio-Video Surveillance System

\$16,070.00

COMMITTEES

Councilman Eaves stated a meeting of the Safety Committee was held earlier in the day regarding the Citizens Review Committee and reminded Council members of the need to submit names for appointment to the Committee.

Councilman Hakeem stated a meeting of the Public Works and Legal and Legislative Committees were held earlier regarding matters covered on tonight's agenda.

Councilman Pierce schedule a meeting of the **Legal and Legislative Committee for Tuesday, November 24 immediately following the Public Works Committee** to discuss the disciplinary appeals process as requested by Personnel.

Councilwoman Rutherford scheduled a meeting of the **Parks and Recreation Committee for Tuesday, November 17 at 5 p.m.** to discuss the Greenways system and **Tuesday, December 1 at 3:30 p.m.** for a final discussion regarding the Master Plan.

MANUFACTURED HOMES ORDINANCE

Chairman Crockett expressed concern regarding the Manufactured Homes Ordinance [5(c)] approved tonight. He stated as a matter of record he still has reservations about some of the conditions contained within the Ordinance and how they "play out"; particularly where it makes reference to the Variance Committee. He stated there are a couple of C-1 zones in this City that were pre-zoned where we thought would be hotels at major intersections; that he still has not had a reason from Planning "where" those are. He stated some C-1's are pretty strategic and there is a condition stating there will be a review by the Variance Committee and hopes it will not be automatic that C-1 will be approved. He stated there was a zoning case that was on the agenda with this Ordinance and (he) is not sure he supports it; that at this time he does not and hopes the Variance Committee does take this to be an automatic zoning in the City.

ADJOURNMENT

Chairman Crockett adjourned the meeting until Tuesday, November 17, 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)