

Municipal Building  
Chattanooga, Tennessee  
November 17, 1998

The meeting of the Chattanooga Council was called to order by Chairman Crockett with Councilmen Hakeem, Hurley, Lively, Pierce, Shockley, Rutherford and Taylor present; Councilman Eaves was absent due to recuperation from knee surgery. City Attorney Randall Nelson, Management Analyst Randy Burns, and Council Clerk Carol O'Neal, CMC, were also present.

INVOCATION

Invocation was given by J. B. Collins.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: JOSE MARIA FIGUERES OLSEN

Chairman Crockett recognized Rick Hitchcock, Chairman of the CARTA Board. He stated CARTA is the key sponsor of a very special event this week, and Mr. Hitchcock will introduce a very special guest who is returning for his second or third visit, Jose Maria Figueres Olsen, former President of Costa Rica.

Rick Hitchcock stated President Olsen has been to this City several times to talk with us about electric vehicles and has been instrumental in putting together a conference with eight representatives from countries from around the world. He stated the President left office in May of 1998 after four years; that in Costa Rica you can only serve one time during a lifetime. He stated he has been a leader throughout the world and is the Sustainable Development leader in Costa Rica.

SPECIAL PRESENTATION: JOSE MARIA FIGUERES OLSEN (Cont'd.)

President Olsen stated he was glad to be back in Chattanooga; that this is becoming a home-away-from-home and is very pleased about it and each time he comes it is a terrific learning experience. He stated he went to Raccoon Mountain to see how sustainable development concepts are used in the generation of power, which was a learning experience for him. He stated he is very happy to be associated with CARTA and the City in this international event on electrical vehicles; that there are delegates from China, Japan, Thailand, India, Guam, and others. He again indicated his happiness in being back in Chattanooga.

At this point Chairman Crockett asked Mayor Kinsey to join him at the podium and both presented a plaque of appreciation to President Olsen and a decorative plate bearing the City's seal.

Mayor Kinsey stated President Olsen has been a wonderful friend to our City and the world and invited him to come back. He expressed appreciation to Rick Hitchcock and CARTA for hosting the electric conference.

President Olsen expressed sincere thanks to Mayor Kinsey, Chairman Crockett, the Council and the citizens of Chattanooga.

PRESENTATION TO COUNCILMAN SHOCKLEY

At this point Chairman Crockett asked Councilman Shockley to join him at the podium and made reference to his (Shockley's) appointment to the Council as a result of former Councilman Swafford's election as Juvenile Court Clerk. He stated Councilman Shockley was formerly Principal of Tyner Middle School for six years, a long time educator and involved in community activities. In thanking him for his two months of service on the Council, Councilman Shockley was presented with a plaque of appreciation and a decorative plate bearing the City's seal.

Councilman Shockley stated this has been a very rewarding and humbling experience; that the Council is comprised of a good group. He expressed appreciation to Mayor Kinsey and complimented him on the energy he has in moving this City forward.

Mayor Kinsey stated Councilman Shockley has been a wonderful public servant and knows of three boards that are trying to enlist his continued service in an effort to continue his service in many ways.

INAUGURATION: JOHN P. FRANKLIN,  
JR.

At this time the Honorable Judge Walter Williams gave the oath of office as Councilman to John P. Franklin, Jr., the successor in the November 3 campaign for District 5 Councilman.

Following the oath of office, Chairman Crockett recognized the presence of Councilman Franklin's parents, former Commissioner and Mrs. John Franklin, Sr.; his sister, Cheryl F. Key; and other friends.

Councilman Taylor jokingly passed his "rookie pass" to Councilman Franklin, indicating that he is no longer the new "kid on the block".

RECOGNITION OF COMMISSIONER AND  
MRS. CURTIS ADAMS

Chairman Crockett recognized the presence of County Commissioner and Mrs. Curtis Adams who were in attendance for Councilman Franklin's swearing-in ceremony.

REZONING

1997-262: Jim Ledbetter

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

CLOSE AND ABANDON

1998-192: Gigi A. Walters

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

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

REZONING

1998-204: James and Lila Forgey, Sr.

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 REZONE A TRACT OF LAND LOCATED AT 6830 MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO 0-1 OFFICE ZONE, 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.

REZONING

1998-205: James E. Herrod

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

REZONING

1998-209: Charles E. Samples

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

REZONING

1998-210: Danny Mabee

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 711 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS passed second reading. On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE

On motion of Councilman Hakeem, 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, EXTERIOR APPEARANCE, EMERGENCY EGRESS, SITE LOCATION AND COMPLETION REQUIREMENTS OF MANUFACTURED HOMES passed second reading. On motion of Councilman Lively, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-163: Freeman Smith

The applicant was not present; opposition was in attendance.

Gloria Haney of Planning stated this case was held pending the adoption of the mobile homes ordinance permitting such manufactured homes in C-1; that the applicant was going to wait until the C-1 change becomes final.

**At this point Councilwoman Hurley made the motion to table the matter two weeks; Councilman Taylor seconded the motion.**

Chairman Crockett stated there are a couple of persons present this evening who desire to speak on this issue. Councilman Pierce indicated that the matter can be discussed after the vote is taken.

City Attorney Nelson stated this matter was noticed for a hearing earlier and we should probably hear any one present whether "for" or "against" if they cannot come back in two weeks.

Councilman Pierce reiterated that the matter should not be discussed before the vote is taken on the tabling motion. City Attorney Nelson stated independent of what the Council does tonight, if anything, we can still have a public hearing.

Councilwoman Rutherford stated her thoughts were that what the Council did two weeks ago was to allow these modular homes to be in the C-1 zone; that it seems this property is already C-1, and we will not be rezoning it; that she does not quite understand why we will have a public hearing on something that is not going to be an issue before us.

Chairman Crockett stated as a result of the property being in that zone it will go to the Variance Board.

Councilwoman Hurley interjected that this is a different issue.

Chairman Crockett stated this is a real issue and rather than wait until the end of the agenda he would like to recognize those wanting to speak now.

Councilman Pierce expressed his objection to the hearing and the Chairman's procedure at this time.

REZONING (Cont'd.)

Don Holland stated he lives in Hixson and that a double wide trailer is being moved into his neighborhood.

Chairman Crockett asked if Mr. Holland's comments relate to the case the Council has talked about.

Mr. Holland responded "yes"; that his comments are in regard to the one moving in on 153. He stated the area is up for zoning and the trailer is the first thing visible when traveling Highway 27 onto 153; that he was in Alabama driving down 31 and it was the most unsightly thing he has seen. He expressed objection to the zoning allowing this to be placed in his area as he does not feel it needs to be placed there; that mobile homes should not be placed in established neighborhoods and this is the wrong place for a double wide trailer. He stated he knows there is an ordinance against single wides; that this trailer came in two pieces and was bolted together, and he disapproves of it 110 percent!

Mr. Holland continued by stating he lives in a great neighborhood and the subdivision residents are with him 110 percent. He stated this issue has drawn a lot of interest; that many people have shown interest all over this City. He again expressed objection to putting the sale of trailers on the lot at 153 and Boy Scout Road. At this point slides were shown of the trailer and its placement in the community to give Council members a visual view of how it looks. He stated all other homes in the area have adhered to the building codes and set backs; that this trailer has a setback of only 25 feet off the road. He stated this trailer has been bolted together and this whole situation is "dead wrong".

Councilman Hakeem expressed appreciation for Mr. Holland's comments and stated the Highland Park community and other communities have been working on this matter for quite sometime, and it is something everyone must work on together. He stated there was an ordinance passed earlier where we are tightening up the rules and guidelines; that we are all looking at it and working on it.

Councilwoman Rutherford stated there is not one on the Council that is not concerned about this issue; that this is a State issue and the Council really cannot do what Mr. Holland wants the Council to do, otherwise the Council would have done it a long time ago. She suggested that Mr. Holland talk with the State Senators and House members regarding the matter.

REZONING (Cont'd.)

Chairman Crockett expressed thanks to Mr. Holland for his comments and stated the Council will make it a point to see that the State delegation is aware of this from the City and neighborhood's level.

Councilwoman Hurley stated one point that has not been made and it was her impression that the ordinance the Council passed related to sales lots; that this is the one we have passed and waiting to be fulfilled before this issue we have before us tonight is withdrawn.

Chairman Crockett stated this matter will be put on a priority list; that both issues fall within his district, along with Councilmen Hakeem and Rutherford's (districts); that this is a city-wide concern. He stated the C-1 zones were placed at the entrance off highways as hotel/motel zones for the purpose of serving as gateways into the City. He expressed his opinion that the C-1 use is not appropriate for manufactured homes; that the Variance Board will have the final say on it. He stated he does not support this at all at that location (Hixson); that he does not support manufactured homes in a neighborhood situation. He stated it does provide good housing options for people who live in the county, but that is not the issue.

On motion of Councilwoman Hurley, seconded by Councilman Taylor, 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 6900 BLOCK OF HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-1 HIGHWAY COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE

**was tabled two weeks.**

REZONING

1998-199: Joseph W. Schuessler

The applicant was present; opposition was in attendance.

Gloria Haney stated the surrounding zoning for this request is R-2 on three sides and C-5 across the street; that the land use is predominantly single family housing with some commercial use across the street in neighborhood commercial zoning.



REZONING (Cont'd.)

Bill Schuessler, applicant, stated he operates an exterminating company in the house and has been endeavoring to start a tax business, as well. He stated the C-5 was requested after he talked with the Planning Commission and was told that he needed to get the rezoning to have a tax office and a building. He stated after going to Planning it was discussed that a less obtrusive zone was R-4, which is consistent with the neighborhood and the different housing options. He made reference to the multi-family zoning in the area and pointed out the C-5, as well. He stated the R-4 is more consistent with the neighborhood and was surprised to see the C-5 request still on the agenda. He stated his requests is for R-4 zoning so that it will be more consistent with the neighborhood. Mr. Schuessler stated the house has a wooden fence and a garage and the driveway is located off 37th Street; that a chain link fence divides the area. He stated he can take down the fence and put in a gate large enough to allow cars in and provide for off-street parking for tax purposes. He stated the exterminating business will not generate any traffic because it is only a telephone answering service from customers who call in; that there would be on occasion people coming in to drop off their taxes and there would be a location available for people to park their cars. He stated this is a busy intersection but does not anticipate the current traffic situation being affected one way or the other.

Councilman Taylor stated Mr. Schuessler brought out a good point as he made reference to the R-4 in the neighborhood. Councilman Taylor stated the R-4 is not shown on his map.

Ms. Haney stated the zoning map does not reflect some of the houses that have been grandfathered-in over the years or their illegal uses.

Councilman Taylor asked if that matter could be made note of and followed up if they are not grandfathered-in to make sure they are in the proper zone.

Mr. Schuessler stated there is a four-plex right across the street.

Councilman Taylor stated the Neighborhood Services Department needs to definitely follow-up on this matter to see if the properties are being used in the proper zone or are grandfathered-in.

REZONING (Cont'd.)

Mr. Schuessler stated there is a Notary Public right up the street and the person there did not go through this process; that he is trying to do this the right way.

Councilman Taylor stated what he is looking at after touring the area is that the front door is facing Fourth Street, which is a residential and single family area. Mr. Schuessler stated there are single and multi-family uses; that he is trying to be consistent.

Councilman Taylor stated R-2 is being shown primarily in this area, which is a single family housing and would like for the Council to keep that in mind.

Mr. Shuessler stated the R-2 zone reflects duplexes, which are relatively new; that it might have been single family at one time and has been made into a duplex. He stated another duplex is going up that is still under construction.

Councilman Taylor asked for clarification as to whether Mr. Schuessler plans to have two businesses at this location. Mr. Schuessler stated there will be two businesses, but one will be conducted by telephone; that they will be named United Tax Services and United Exterminators.

Ms. Haney stated in the R-4 zone the exterminating office can be permitted, but there can be no storage of equipment, and they cannot have trucks coming in-and-out. Mr. Shuessler responded "that is not a problem".

Councilman Taylor inquired as to condition two (2) in the R-4 request which makes reference to the request being "restricted to use of a tax office only".

Mr. Schuessler stated the exterminating business will only involve accounting and bookkeeping and does not involve any technical or chemical equipment nor trucks; that it is a telephone answering service. He stated from the outside no one will ever know the businesses exist.

Councilman Taylor stated the application for this request stated the proposed development is for an "office now and possibly future commercial".

Mr. Schuessler stated he just wants an office out there; that the Planning people put that on the application. He stated if his requested use is approved for use as an office the property can revert back after he leaves; that he just wants to use it for the intent specified.

REZONING (Cont'd.)

City Attorney Nelson stated the footage in condition one (1) should read "nine (9) **square** feet" as opposed to "nine (9) feet", which was corrected in open meeting.

Councilman Lively stated we talk about saving neighborhoods and thinks this neighborhood is a good example that should be looked at for down zoning as it is made up of single family use and somebody at some point in time has allowed everything to get in there. He stated that is why neighborhoods disappear.

Councilman Hakeem expressed agreement with the statements expressed by Councilmen Taylor and Lively; that when he thinks of a tax office and serving the community, he wonders how much business can be generated as that community is made up of quite a few senior citizens on limited income. He stated the applicant is looking for people to come in from other areas and thinks it would be better on a main thoroughfare as opposed to being in a neighborhood like this.

Councilman Franklin inquired about the tax office being requested and whether the location will have the appearance of a residence or a commercial entity.

Mr. Schuessler responded that it will have the appearance of a residence; that tax offices are conducted out of people's homes all over the nation.

Councilman Franklin concurred with Mr. Schuessler's remark and asked if there are any plans to alter the appearance of the home for a sign and parking requirements. Mr. Schuessler responded "no"; that he plans to leave it as it is.

Councilman Franklin inquired as to whether a precedence has already been set in that area. Mr. Schuessler stated R-4 is all over the place; that there is no other tax office.

Councilwoman Rutherford expressed agreement with Councilman Lively's comment; that she would like to see this looked at by Planning. She asked which zone is more restrictive, O-1 or R-4.

Ms. Haney stated the O-1 permits office use and the R-4 will permit residential development and office use.

Councilwoman Rutherford O-1 is the most restrictive according to what this person is interested in doing. She inquired as to the square footage for the house. Mr. Schuessler responded that the house is 1,000 square feet.

REZONING (Cont'd.)

Councilman Taylor stated in considering all that has been said and after listening to the applicant, he is concerned about the neighborhood; that we have to focus upon long term growth of our neighborhoods and working hard to renovate and encourage home ownership and single family homes.

At this point he made the motion to deny the request; Councilman Lively seconded the motion.

Jean Swafford, President of the East Lake Residents Association, stated the Association know where every apartment and duplex is located in the community; that the place across the street from this house is a very large residential house, but it is not a multi-family structure. She stated it was formerly Judge Moon's home and was sold as a duplex; that for 38 years it has been a duplex and there is another up the street. She stated they have looked at the number of meters and mail boxes and have them colored-in on their map. She stated there are three churches within four blocks of this house; that there is no off-street parking for this location except for the garage in the rear. She stated cars have to turn onto Fourth Avenue in the middle of the street because the street is narrow and several wrecks occur there. She stated the traffic is very heavy in this area, and it is one of the main thoroughfares. She asked that the Council deny this request and keep it R-2 and R-1.

Mr. Schuessler stated there is a place in the back that can be made into off-street parking; that the R-4 is consistent with what is in the neighborhood whether legal or not. He stated there are vendors up and down the street and thinks the income tax office would be a benefit to the neighborhood.

Admin. Freeman clarified that the matter regarding the proper use of various properties regarding this request should be referred to Public Works as opposed to Neighborhood Services. Admin. Marcellis indicated that he would refer the matter to Codes and Inspection to look at the properties on Fourth Avenue as requested by Councilman Taylor.

On motion of Councilman Taylor, 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 3701 FOURTH AVENUE, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL  
ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE

**was denied.**

REZONING

1998-206: David Walker

The applicant was present. There was no opposition.

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 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 passed first reading.

CLOSE AND ABANDON

1998-213: City of Chattanooga

Admin. Traugbber clarified that this involves the Crye-Leike development on property we sold (to them) recently.

On motion of Councilman Lively, seconded by Councilwoman Rutherford, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED NORTHWEST OF COWART STREET AND SOUTHWEST OF MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE passed first reading.

QUITCLAIM DEED

On motion of Councilman Pierce, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE MAYOR AND CITY FINANCE OFFICER TO EXECUTE AND ATTEST, RESPECTIVELY, A QUITCLAIM DEED JOINTLY WITH HAMILTON COUNTY CONVEYING TO HOPE FOR CHATTANOOGA, INC. CERTAIN PROPERTY LOCATED AT 253 N. HAWTHORNE STREET, TAX MAP NO. 146G-N-019, RELATIVE TO REHABILITATION AND HOUSING FOR A VERY LOW INCOME FAMILY was adopted.

AGREEMENT: ROD ROBERTSON

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ROD ROBERTSON, RELATIVE TO CONSTRUCTION INSPECTION ON STORMWATER PROJECTS, FOR AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000.00), INCLUDING WAGES AND OTHER REASONABLE EXPENSES SPECIFIED IN THE AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE was adopted.

AGREEMENT: DENNIS W. SMITH

On motion of Councilman Hakeem, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DENNIS W. SMITH, RELATIVE TO CONSTRUCTION INSPECTION ON STORMWATER AND SANITARY SEWER PROJECTS, FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. BL-1-98, BIRCHWOOD LANDFILL, ON SITE SUPPORT FACILITIES, WITH B & W CONTRACTORS, INC. D/B/A/ CHEROKEE CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY THREE HUNDRED NINETY-THREE DOLLARS (\$393.00) FOR A REVISED CONTRACT TOTAL OF ONE MILLION, TWO HUNDRED FORTY-FIVE THOUSAND, THREE HUNDRED FOUR DOLLARS (\$1,245,304.00), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY SIXTEEN (16) CALENDAR DAYS was adopted.

CHANGE ORDER

On motion of Councilman Lively, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. SR-1-96, HIGHLAND PARK SEWER REPLACEMENT PROJECT, WITH MAYSE CONSTRUCTION COMPANY, WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY NINETY-THREE THOUSAND, FIVE HUNDRED SEVEN AND 06/100 DOLLARS (\$93,507.06) FOR A REVISED CONTRACT TOTAL OF ONE MILLION, TWO HUNDRED NINETY-FIVE THOUSAND, SEVEN HUNDRED TEN AND 44/100 DOLLARS (\$1,295,710.44), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY ONE HUNDRED TWENTY-FIVE (125) CALENDAR DAYS

was adopted.

CHANGE ORDER

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. 28H, SUBMERGED OUTFALL DIFFUSER, WITH SOUTHERN MARINE CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY FORTY-ONE THOUSAND, FOUR HUNDRED DOLLARS (\$41,400.00) FOR A REVISED CONTRACT TOTAL OF ONE MILLION, ONE HUNDRED THIRTY-ONE THOUSAND, FOUR HUNDRED DOLLARS (\$1,131,400.00), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY THIRTY (30) CALENDAR DAYS

was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NOS. 2, 3 AND 4, CONTRACT NO. 37A-1, SOUTH CHICKAMAUGA CREEK PUMP STATION UPGRADE, WITH J. S. HAREN COMPANY, WHICH CHANGE ORDER INCREASE THE CONTRACT AMOUNT BY EIGHTY-ONE THOUSAND, SEVEN HUNDRED SIXTY-SIX AND 55/100 DOLLARS (\$81,766.55) FOR A REVISED CONTRACT TOTAL OF TWO MILLION, SIX HUNDRED THIRTY-FIVE THOUSAND, FOUR HUNDRED FIFTY-EIGHT AND 62/100 DOLLARS (\$2,635,458.62), AND WHICH CHANGE ORDERS INCREASE THE CONTRACT TIME BY FIFTY-ONE (51) CALENDAR DAYS

was adopted.

CHANGE ORDER

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. 134B-1, 23RD STREET PUMP STATION UPGRADE, WITH J.S. HAREN COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY THIRTY-ONE THOUSAND, ONE HUNDRED NINETEEN AND 29/100 DOLLARS (\$31,119.29) FOR A REVISED CONTRACT TOTAL OF ONE MILLION, FIVE HUNDRED FIFTY-EIGHT THOUSAND, ONE HUNDRED NINETEEN AND 29/100 DOLLARS (\$1,558,119.29), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY EIGHT (8) CALENDAR DAYS was adopted.

PAYMENT AUTHORIZATION: LAVETA SEWARD

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF ONE THOUSAND, FOUR HUNDRED NINETY-TWO DOLLARS (\$1,492.00) TO LAVETA SEWARD FOR REIMBURSEMENT OF THE COST OF TREES AND SHRUBS REMOVED IN THE CONSTRUCTION OF CONTRACT NO. SWM-2-96, NORTH TERRACE DETENTION FACILITY was adopted.

MORATORIUM

On motion of Councilman Taylor, seconded by Councilwoman Rutherford, A RESOLUTION DECLARING A MORATORIUM FOR UP TO SIX MONTHS ON ISSUING ANY BUILDING PERMITS OTHER THAN FOR SINGLE FAMILY DWELLINGS ON PROPERTY LOCATED IN THE NORTH CHATTANOOGA AREA, KNOWN AS THE PINE RIDGE AREA AND MORE PARTICULARLY DESCRIBED HEREIN, SO AS TO PERMIT THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION TIME TO PERFORM THE PINE RIDGE ROAD ZONING STUDY was adopted.

OVERTIME

Overtime for the week ending October 30, 1998 totaled \$48,319.89 (unintentionally not reported).

Overtime for the week ending November 13, totaled \$14,961.66.



PERSONNEL

The following personnel matters were reported for the Human Services Department:

REBECCA DDAMULIRA -- New Hire, Child Care Broker, Child Care Division, \$19,300.00 annually, effective October 23, 1998.

PAMELA ROBERTS -- New Hire, Office Clerk, Foster Grandparents Division, \$17,179.00 annually, effective October 30, 1998.

RONLANDA CURTIS -- Resignation, Teacher Assistant, Head Start Division, effective November 2, 1998.

TANIKA COUSIN -- Resignation, Teacher Assistant, Head Start Division, effective October 30, 1998.

KIMBERLY GOODWIN -- Resignation, Teacher, Head Start Division, effective November 6, 1998.

JANET CURTLEY -- Resignation, Teacher Assistant, Head Start Division, effective October 29, 1998.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Human Services Department:

JAKE MARSHALL SERVICES, INC. (Lower and better bid)  
Requisition No. R0037026

Purchase of HVAC Equipment System

\$46,870.00

PERSONNEL

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

JOHN J. HINELY -- Resignation, Laborer II, Plaza, effective November 10, 1998.

JEFFREY C. BUTLER -- Resignation, Operator II, Golf Division, effective November 20, 1998.

ERIC D. PENTECOST -- Promotion, Crew Leader, Sr., Plaza, Pay Grade 8/Step 1, \$20,803.00 annually, effective November 18, 1998.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the following purchase was approved for use by the Parks and Recreation Department:

RCP SHELTERS (Lower and better bid)  
Requisition No. R0037497

Purchase of Recreational Equipment

\$16,385.00

PERSONNEL

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

EDWARD H. MATTHEWS, JR. -- Employment, Crew Worker, City-wide Services, Pay Grade 3/Step 1, \$15,230.00 annually, effective November 11, 1998.

WARREN TILLISON, ERIC COX -- Lateral Transfer, Crew Worker, City-wide Services, Pay Grade 3/Step 11, \$23,607.00 annually, effective November 18, 1998.

LLOYD HUSSEY -- Lateral Transfer, Crew Worker, City-wide Services, Pay Grade 3/Step 6, \$19,038.00 annually, effective November 11, 1998.

HERANA ROBINSON -- Later Transfer, Sanitation Worker, City-wide Services, Pay Grade 3/ Step 1, \$15,230.00 annually, effective November 18, 1998.

ROBBIE K. HENRY -- Suspension (4 days without pay), Sanitation Worker, City-wide Services, effective November 2-5, 1998.

LESTER BRAGG -- Termination, Plumbing Inspector, Codes and Inspection, effective October 12, 1998.

ALVIN L. HUFF -- Employment, Crew Worker, City-wide Services, Pay Grade 3/Step 1, \$15,230.00 annually, effective November 25, 1998.

VALORIE H. OSBORNE -- Family Medical Leave, Public Relations, Engineering, effective October 26 - November 23, 1998.

PURCHASES

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

HOLT SPECIALTY EQUIPMENT (Lower and better bid)  
Requisition No. R0038614

Purchase of Trash Containers

\$11,320.00

STANSELL ELECTRIC (Lower and better bid)  
Requisition No. R0037217

Purchase of Twelve Months Requirements Contract for Steel Strain Pole, Pedestrian Poles, and Mast Arm Poles

**(PRICE INFORMATION AVAILABLE AND FILED WITH MINUTE MATERIAL)**

QUALITY INDUSTRIAL SUPPLIES (Lower and better bid)  
Requisition No. R0038692

Purchase of Cleaning Rags

**(PRICE INFORMATION AVAILABLE AND FILED WITH MINUTE MATERIAL)**

PURCHASE

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

J. D. HELTON ROOFING COMPANY (Lower and better bid)  
Requisition No. R0032893

Purchase of Roof Replacement

\$23,600.00

HOTEL PERMIT

On motion of Councilman Lively, seconded by Councilman Franklin, the following hotel permit was approved:

COMFORT SUITES -- 2431 Williams Street, Chattanooga, TN

FIRE ACADEMY

Councilwoman Rutherford stated there is a (Fire Academy) graduation coming up. Chief Coppinger confirmed that there will be an Academy graduation of 14 persons that will be held on Thursday night and extended an invitation to all Council members to attend.

PERSONNEL

The following personnel matters were reported for the Police Department:

M. C. COMMANDER -- Rehire, Communications Officer, Pay Grade 11/Step 1, \$24,147.00 annually, effective November 20, 1998.

REGINA GREER -- Hire, Communications Officer, Pay Grade 11/Step 1, \$24,147.00 annually, effective November 20, 1998.

PURCHASE

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

APPLIED CONCEPTS, INC. (Sold source purchase)  
Requisition No. R0037963

Purchase of Eight (8) Stalker Dual SL Radar Units per TCA 6-56-301 at \$2,495.00 each

\$19,960.00 Total

BOARD APPOINTMENTS

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following board appointments were approved:

HUMAN RIGHTS HUMAN RELATIONS COMMISSION:

--Appointment of **EDDIE HOLMES (District 3 representative)** and **RABBI PHILIP POSNER (At-Large member)** for two-year terms ending July 28, 2000.

LIQUOR LICENSE

Admin. Boney stated Parshotam R. Bhagchandani has made application for renewal of a liquor license at 627 Northgate Mall. He stated Administration recommends approval.

**On motion of Councilman Pierce, seconded by Councilman Pierce, a liquor license at 627 Northgate Mall was approved.**

CERTIFICATION OF NOVEMBER 3  
ELECTION RESULTS

City Attorney Nelson stated Charter Amendment Ordinance Numbers 10739 - 10747 on the November 3 ballot were all adopted and become effective January 2, 1999. He stated the results of the election are to be spread upon the minutes. The results are as follows:

<b>Ordinance #10739</b>	<b>For:</b>	<b>16582</b>
	<b>Against:</b>	<b>6039</b>
<b>Ordinance #10740</b>	<b>For:</b>	<b>18798</b>
	<b>Against:</b>	<b>4093</b>
<b>Ordinance #10741</b>	<b>For:</b>	<b>14494</b>
	<b>Against</b>	<b>7302</b>
<b>Ordinance #10742</b>	<b>For:</b>	<b>17984</b>
	<b>Against:</b>	<b>2987</b>
<b>Ordinance #10743</b>	<b>For:</b>	<b>15904</b>
	<b>Against:</b>	<b>4657</b>

CERTIFICATION OF NOVEMBER 3  
ELECTION RESULTS (Cont'd.)

Ordinance #10744	For:	16530
	Against:	4496
Ordinance #10745	For:	15964
	Against:	4648
Ordinance #10746	For:	17432
	Against:	3624
Ordinance #10747	For:	16252
	Against:	4093

SAMPLES FROM ARCADE

Councilman Taylor distributed perfume samples to Council members provided by Arcade Company, a Company located in District 7.

Chairman Crockett stated Arcade will be moving into District 7 with additional people as they expand and consolidate their headquarters.

COMMITTEES

Councilwoman Rutherford stated a meeting of the **Parks and Recreation Committee** was held earlier regarding the Greenways System. She reminded Council members of the meeting **scheduled for Tuesday, December 1 at 3:30 p.m.** to finalize discussion regarding the Plan for 2000.

Councilman Hakeem scheduled a meeting of the **Economic Development Committee for Tuesday, December 1 at 5 p.m.** regarding the Planning study proposed for Ridgedale.

ADJOURNMENT

Chairman Crockett adjourned the meeting until Tuesday, November 24, 1998 at 6 p.m.

  
CLERK OF COUNCIL

  
CHAIRMAN

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