

**Municipal Building
Chattanooga, Tennessee
June 29, 1999**

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

INVOCATION

Invocation was given by Councilman Franklin.

1999-2000 BUDGET

Councilwoman Hurley made the motion to substitute the amendments to this Ordinance; Councilman Franklin seconded the motion; the motion passed.

On motion of Councilman Hakeem, seconded by Councilman Franklin,

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FY 1999/2000 BUDGET ORDINANCE", TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1999, AND ENDING JUNE 30, 2000, 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 PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES

passed third and final reading and was signed in open meeting; **Councilwoman Rutherford voted "no" for reasons previously stated.**

**AMEND 1998-99 CAPITAL
IMPROVEMENTS BUDGET**

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 10816 ENTITLED
"AN ORDINANCE APPROPRIATING, AUTHORIZING OR
ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS
BUDGET FOR THE FISCAL YEAR 1998/99" SO AS TO
REALLOCATE FUNDS AS SET FORTH BELOW; AND TO
PROVIDE FOR THE APPROPRIATION OF ADDITIONAL FUNDS
FROM VARIOUS SOURCES**

passed second reading. On motion of Councilman Franklin, seconded by Councilman
Pierce, the Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1998-174: American Material Technologies, LLC

Councilman Hakeem stated this matter was discussed in Public Works Committee this
afternoon and comes with the Committee's recommendation to defer six months as it may
be entangled in legalities being put forth.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,
**AN ORDINANCE CLOSING AND ABANDONING STREETS AND
ALLEYS LOCATED SOUTHEAST OF JERSEY PIKE,
NORTHEAST OF HIGHWAY 153, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED
HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO CERTAIN CONDITIONS**

was tabled six months.

**AGREEMENT: TRUST FOR
PUBLIC LAND**

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE
TO ENTER INTO A CONSERVATION SERVICES AGREEMENT
1999-2000 WITH THE TRUST FOR PUBLIC LAND, RELATIVE TO
THE CHATTANOOGA GREENWAYS PROGRAM**

was adopted.

**SHARE PROJECT COSTS FOR
RIVER BANK STABILIZATION**

Councilman Hakeem stated Resolutions 7(b) - (e) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,

A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF FOUR HUNDRED SIXTY-SIX THOUSAND, TWO HUNDRED FIFTY-THREE THOUSAND DOLLARS (\$466,253.00) TO HAMILTON COUNTY, TENNESSEE, FOR THE CITY OF CHATTANOOGA'S SHARE OF PROJECT COSTS RELATIVE TO STABILIZATION OF THE BANK OF THE TENNESSEE RIVER

was adopted.

**AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC.**

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE PUBLIC WORKS DEPARTMENT TO ENTER INTO AN AGREEMENT FOR ENGINEERING SERVICES WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO VARIOUS SEWER PROJECTS MORE PARTICULARLY DESCRIBED HEREIN, FOR A PROJECT COST NOT TO EXCEED SEVENTY-THREE THOUSAND, ONE HUNDRED SEVENTY-FIVE DOLLARS (\$73,175.00)

was adopted.

**CONTRACT: HAREN
CONSTRUCTION CO., INC.**

On motion of Councilwoman Hurley, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. CSO-7-98, TREMONT STREET COMBINED SEWER OVERFLOW FACILITY, TO HAREN CONSTRUCTION COMPANY, INC. FOR THEIR LOW BID IN THE AMOUNT OF TWO MILLION, THREE HUNDRED ELEVEN THOUSAND DOLLARS (\$2,311,000.00)

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. CSO-7-98, TREMONT STREET COMBINED SEWER OVERFLOW FACILITY, WITH HAREN CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY FIVE HUNDRED EIGHTY-EIGHT THOUSAND, FIVE HUNDRED SIXTY DOLLARS (\$588,560.00), FOR A TOTAL CONTRACT PRICE OF ONE MILLION, SEVEN HUNDRED TWENTY-TWO THOUSAND, FOUR HUNDRED FORTY DOLLARS (\$1,722,440.00), AND WHICH INCREASES THE CONTRACT TIME BY ONE HUNDRED FIFTY-FIVE (155) CALENDAR DAYS

was adopted.

OVERTIME

Overtime for the week ending June 25, 1999 totaled \$22,144.75.

PURCHASES

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

CAP SYSTEMS (Single Source Purchase)
Requisition No. 0040763

Renewal of Maintenance Agreement on FY00 Client Tracking System Software per TCA 6-56-301

\$10,800.00 (Annual cost)

DENHAM LANDSCAPE AND LAWN (Lowest and best bid)
Requisition No. R0040695

Twelve Months Requirements Contract for Lawn Care Service

\$2,160.00

PURCHASES (Continued)

B & B JANITORIAL SERVICE (Lowest and best bid)
Requisition No. R0041816

Twelve Months Requirements Contract for Maintenance and Janitorial Service

\$121,740.00

PERSONNEL

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

KAREN R. EADY -- Rehire, Crew Worker, Ross' Landing Plaza, Pay Grade 3/Step 4, \$17,516.00 annually, effective June 23, 1999.

DARLE Q. JORDAN -- Transfer, Park & Carousel Manager, Coolidge Park, No change in Pay Grade and Step, effective July 1, 1999.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Crockett, the following purchases were approved for use by the Parks and Recreation Department:

LEE-SMITH, INC. (Lowest and best bid)
Requisition No. R0041333

One Conventional Cab/Chassis Dump Truck

\$42,268.00

COTHAM CONSTRUCTION, INC. (Change Order #3)
Purchase Order No. P00087776

Change Order No. 3, Installation of Separate Electrical Circuit Breaker (Original Contract 6/16/98: \$253,000.00; Change Order #1, \$13,979.00; Change Order #2, \$2,357.25)

\$ 5,232.00 - Changer Order #3
274,568.25 - New Total

PURCHASES (Continued)

KING EQUIPMENT CO. (Single source)
Requisition No. R0043310

One Set Interkal Telescopic Bleachers per TCA 6-56-301

\$13,598.00

PERSONNEL

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

KERRY E. MAY -- Resignation, Purchasing Technician, effective June 30, 1999.

RONALD L. MARTIN -- Resignation, Purchasing Agent, effective June 30, 1999.

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the following purchases were approved for use by the General Services Department:

KONTOVICH & ASSOCIATES (Single source)
Requisition No. R0042254

Street lighting for South Chattanooga and East Tenth Street Streetscape per TCA 6-56-301

\$94,875.00

AUSTIN EQUIPMENT (Best bid)
Requisition No. R0041547

American Lift Model No. A25K

\$11,751.28

PERSONNEL

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

RONALD CUNNINGHAM -- Compulsory Medical Leave, Crew Worker, City-wide Services, effective June 5 - September 6, 1999.

ROBBIE K. HENRY, II -- Dismissal, Sanitation Worker, City-wide Services, effective June 16, 1999.

MELVIN ANDERSON -- Extension of Compulsory Medical Leave of Absence, Equipment Operator, City-wide Services, effective June 1 - September 1, 1999.

PURCHASES

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

AMERICAN MUNICIPAL SUPPLY CO. (Lowest and best bid)
Requisition No. R0040988

Twelve Months Contract for Plastic PVC Sewer Pipe

(Price information available and filed with minute material)

MID-SOUTH EQUIPMENT CO. (Lowest and best bid)
Requisition No. R0040967

Skid Steer Loader and Trailer

\$20,632.00

EASTMAN CONSTRUCTION (Lowest and best bid)
Requisition No. R0041100

Addition to Paul F. Clark Building

\$557,539.00

PURCHASES (Continued)

TENN RAND COMPANY, INC. (Lowest and best bid)
Requisition No. R0043518

Wedge Flap Valve

\$15,800.00

SOUTHERN FLUID POWER (Lowest and best bid)
Requisition No. R0040286

Filter Press Pressure Hoses

(Price information available and filed with minute material)

STANSELL ELECTRIC (Best bid)
Requisition No. R0037246

Traffic Signal Heads/Pedestrian Signals

\$30,960.00

PERSONNEL

The following personnel matters were reported for the Chattanooga Police Department:

PEGGIE BULLARD -- Retirement, Deputy Chief/School Patrol, effective June 30, 1999.

DONALD L. LONG -- Retirement, Parking Enforcement Officer, effective June 30, 1999.

JUDY HEALEY -- Resignation, School Patrol Officer, effective May 7, 1999.

Councilman Pierce inquired as to the number of years of service Mrs. Bullard has. Chief Dotson responded "33 years of service".

Councilman Pierce asked that Mrs. Bullard be invited to the Council next week so that a certificate of recognition can be presented. Chief Dotson stated if her health permits he will ask that she be present.

PURCHASE

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

MOTOROLA (Single Source)
Requisition No. R0038336

Two Motorola Centracom Gold Elite Radio Consoles for the 911 Communications Center per TCA 6-56-301 (\$30,328.30 each)

\$60,656.00

Councilman Pierce inquired as to why the City Police Department has to purchase the 911 equipment as opposed to the 911 office.

Chief Dotson stated the equipment is what they are using to set up a teleserve unit, which will enable them to tape record citizens when they call in. He stated depending upon circumstances the use of the equipment will prevent having to send a patrol car to take a report; that the Police Department has to purchase this equipment and not 911.

Councilman Pierce stated this equipment will enhance 911 in order to do that. Chief Dotson stated the Police Department and citizens will receive more of a benefit than 911; that it is a new initiative the Department is implementing. He stated the equipment will not be used just for the community; that it will be used for receiving calls and taping reports.

Councilman Pierce stated sometimes agencies try to get out of having to do things. Chief Dotson reassured Councilman Pierce that he will be the "gate keeper".

PERSONNEL

The following personnel matter was reported for the Finance Department:

JAMES DEGLAR -- New Hire, Clerk IV, Treasurer's Office, Pay Grade 6/Step 1, \$18,574.00, effective July 2, 1999.

PURCHASE

On motion of Councilman Hakeem, seconded by Councilman Crockett, the following purchase was approved for use by the Finance Department (Planning Commission Division):

NORTHLAND SYSTEM (Only bid that met specifications)
Requisition No. R0040427

Computer Equipment

\$27,090.00

BOARD APPOINTMENTS

On motion of Councilman Crockett, seconded by Councilman Hakeem, the following board appointments were approved:

CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY:

- Reappointment of **Bill Tittle** for a term to expire **July 1, 2000**.
- Appointment of **Carolyn Jones** for a term to expire **July 1, 2000**.
- Appointment of **Dan Jacobson** for a term to expire **July 1, 2004**.
- Appointment of **A. E. "Gene" Veazey** for a term to expire **July 1, 2006**.

EMERGENCY PURCHASE

The emergency purchase of Office Furniture/Work Stations for Neighborhood Services, Requisition No. 0028878 to Bentco Office in the amount of \$30,846.00 was duly reported and signed in open meeting.

Councilman Pierce inquired as to how soon the Neighborhood Services Department will be moving to their new location. Admin. Freeman stated the Department will be moving the last of July or first of August; that the move will be postponed until after the Neighborhood Conference.

Councilwoman Hurley stated she wanted to express publicly how much she appreciates the expanded role of the Neighborhood Services Department by looking at Better Housing and their responsibilities more broadly. She stated she likes the way the Department operated in the past, however the new expanded role gives Better Housing an opportunity to solve problems extending beyond the very narrow definition of better housing. She applauded Admin. Freeman for what he is doing and is happy more people have been employed to work in Better Housing.

HEARING RESCHEDULED:
JENNIFER DUGGAN

City Attorney Nelson stated the hearing for Officer Jennifer Duggan will have to be moved forward another two weeks, August 16, at 6 p.m. It was indicated the panel previously appointed to hear the request will remain.

COMMITTEES

Councilwoman Rutherford reminded Council members of the **Parks and Recreation Committee meeting scheduled for Tuesday, July 6 beginning at 5 p.m.** rather than 4 p.m.

Councilman Hakeem scheduled a meeting of the **Budget, Finance and Personnel Committee for Tuesday, July 13 immediately following the Public Works Committee** meeting for continuation of discussion regarding the policy for employee drug testing. He indicated there will not be a meeting of the Committee next week.

Councilman Franklin scheduled a meeting of the **Public Works Committee for Tuesday, July 13 beginning at 4 p.m.**

HEARING: JOHN COLLINS

Councilman Franklin reported that a hearing was held last evening for Officer John Collins and the panel voted unanimously to reinstate him with limited back pay from January 1, 1999. He stated the back pay will be given provided Ofcr. Collins receives POST certification as he is in "limbo" because he surrendered his post and during that time he was not rehired. He stated during the time Ofcr. Collins was terminated there were communications problems. He stated Ofcr. Collins will be subject to inservice training, which will be handled administratively through the Police Department.

Councilman Pierce stated we are talking about back pay from January 1999 and asked for clarification that Ofcr. Collins will not be hired back until he gets certification and can then go back to the Department.

Councilman Hakeem stated in order to get POST certification from the State, Ofcr. Collins will have to be on the payroll, which will take place possibly within the next month. He stated in regard to the back pay it was proposed by one Councilman that the back pay go back as far as February, 1999, but that proposal did not receive a majority support of the panel. He stated it was felt that there were other entities involved in the process in moving forward.

HEARING: JOHN COLLINS
(Continued)

Councilman Pierce asked if Ofcr. Collins will be put back to work without certification.

Chief Dotson stated Ofcr. Collins will first have to go through the training to see how proficient he is; that he can be paid while he goes through the training. He stated he (Collins) can be paid at whatever level he went out on, but it will still have to be contingent upon what POST does.

Councilman Pierce expressed his confusion; that last year Ofcr. Collins was not put back to work because of certification and other problems and he (Pierce) does not want to get caught up in that again. He stated he does not want him to be put back if he is not qualified, yet he cannot get certification unless he is working.

Chief Dotson responded "that is correct"; that because of the way the State law is written a person can work in any capacity up to one year with POST certification and can waive another year; that this Council does not want to hold the pay while he is going through the training.

Councilman Pierce asked if the panel was under the understanding Ofcr. Collins will have to go back through the physical and all. Councilmen Franklin and Hakeem responded "yes".

Councilman Franklin stated Ofcr. Collins missed inservice training from 1997-1999 which was mentioned in the brief that was submitted. He stated the question was raised and Chief Dotson agreed that the officer needs to go through the inservice training for those two years.

ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, July 6, 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)**