

**City Council Building  
Chattanooga, Tennessee  
April 11, 2000**

The meeting of the Chattanooga Council was called to order by Chairman Lively, with Councilmen Eaves, Franklin, Hakeem, Hurley, Pierce and Taylor present; Councilman Crockett was out of the city on business; Councilwoman Rutherford 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**

City Attorney Nelson gave invocation.

**MINUTE APPROVAL**

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

**COUNCIL ELECTIONS**

Chairman Lively declared the floor open for nominations for Chairman of the Chattanooga Council.

On motion of Councilwoman Hurley, Councilman Hakeem's name was placed in nomination; Councilman Franklin seconded the motion. Councilman Taylor made the motion to close the nominations on the one said name; Councilman Franklin seconded the motion; the motion passed by unanimous vote.

Newly elected Council Chairman Hakeem expressed praise and thanks to Almighty God and also thanked Councilman Lively for the work he did over the past year as Chairman and past years as Councilman.

**COUNCIL ELECTIONS (Continued)**

City Attorney Nelson expressed congratulations and stated it always gives him pleasure to be able to welcome the new Chairman for the coming year and for the second time to present a new gavel to rule the Council with to Councilman Hakeem.

At this point, Chairman Hakeem declared the floor open for nominations for Vice Chairman of the Chattanooga Council.

On motion of Councilman Lively, Councilwoman Hurley's name was placed in nomination; Councilman Franklin seconded the motion. Councilman Taylor made the motion to close the nominations on the one said name; Councilman Franklin seconded the motion; the motion passed by unanimous vote.

Newly elected Vice Chairperson Hurley expressed thanks to everyone.

**SPECIAL PRESENTATION: MAYOR  
KINSEY**

Mayor Kinsey expressed thanks to Councilman Lively for the great leadership he provided to the Council and all of government over the last year. He stated Councilman Lively was a wonderful leader and again thanked him for his leadership and friendship. He congratulated Chairman Hakeem and stated that he is certain many great things will happen during the next year.

At this point, he acknowledged the service of Jimmie Williams as a member of the Electric Power Board for the past sixteen years and noted that he served as Chairman for the last two years and provided outstanding leadership. He stated the Electric Power Board is a very important organization providing power at a low cost to people not only in Chattanooga but also throughout the region and is owned by the City of Chattanooga. He stated they "run a great shop" and are really a key to our economic development efforts as they provide low cost power and are really doing unique things under Mr. Williams' leadership. He stated the Electric Power Board has become proactive at looking at downtown development with the announcement of a new building; that after fifty or sixty years it is appropriate they move and take part in the revitalization of our community. He stated this could not have happened without Mr. Williams' leadership. At this point he presented Mr. Williams with a framed Certificate of Appreciation and an ornamental plate depicting the City of Chattanooga's Official Seal. He concluded his presentation by stating Mr. Williams has passed some of his leadership qualities on to his son, James, who heads the City's Brownfield Office.

**SPECIAL PRESENTATION (Continued)**

Jimmy Williams stated he is grateful to have had the opportunity to serve this community in various capacities over the years. He stated he came to Chattanooga in 1949 and never dreamed of the idea of being so involved. He stated Chattanooga has come a long way and still has a long way to go, again expressing thanks for allowing him to serve in such a small capacity and be of some help to the City.

Chairman Hakeem stated he has had an opportunity to know Mr. Williams as a teacher, businessman and community activist; that he has served this community in many different ways and has been a role model who gets involved. He stated he is a person who “puts his money where his mouth is” and challenges others to do the same. He stated Mr. Williams will continue to be an asset to Chattanooga.

Councilman Taylor joined in the expression of appreciation to Mr. Williams by stating he has been an outstanding citizen in the Alton Park community and brings great leadership ability to that area. He stated since Mr. Williams now has some free time there is more for him to do in the community!

**ELECTRIC POWER BOARD APPOINTMENT**

Councilman Lively stated it is appropriate at this point to move Resolutions 8(g) and (h) to the top of the agenda to coordinate with this special presentation. On motion of Councilman Lively, seconded by Councilman Pierce the Resolutions were moved forward on the agenda.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

**A RESOLUTION CONFIRMING AND APPROVING THE APPOINTMENT  
OF L. JOE FERGUSON AS A MEMBER AND CHAIRMAN OF THE  
ELECTRIC POWER BOARD OF CHATTANOOGA**

was adopted.

**ELECTRIC POWER BOARD APPOINTMENT**

On motion of Councilwoman Hurley, seconded by Councilman Pierce,

**A RESOLUTION CONFIRMING AND APPROVING THE APPOINTMENT  
OF LINDA PICKTHORNE FLETCHER AS A MEMBER OF THE  
ELECTRIC POWER BOARD OF CHATTANOOGA**

was adopted.

**CLOSE AND ABANDON**

**2000-025: Alloway Stamping**

On motion of Councilman Lively, seconded by Councilman Eaves,

**AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHWEST OF EAST 28<sup>TH</sup> STREET, NORTHWEST OF DODDS AVENUE, 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 Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**2000-027: Thomas A. DuBose and Michael S. Curtis**

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

**AN ORDINANCE CLOSING AND ABANDONING WORTHINGTON STREET AND AN ALLEYWAY LOCATED SOUTHEAST OF WINTHROP STREET, SOUTHWEST OF HANOVER STREET, 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 Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**2000-028: Herman B. Trotz**

On motion of Councilman Franklin, seconded by Councilman Lively,

**AN ORDINANCE CLOSING AND ABANDONING NORTH HAWTHORNE STREET LOCATED SOUTHWEST FROM PORTLAND STREET, NORTHWEST OF NORTH ORCHARD KNOB, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

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.

**CLOSE AND ABANDON**

**2000-035: Highland Park Baptist Church**

On motion of Councilman Taylor, seconded by Councilwoman Hurley,

**AN ORDINANCE CLOSING AND ABANDONING ANDERSON AVENUE LOCATED NORTHWEST FROM ORCHARD KNOB AVENUE, SOUTHWEST OF VANCE 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 Hurley, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

**REZONING**

**2000-039: Dan Rardin**

Pursuant to notice of public hearing, the request of Dan Rardin to rezone a tract of land located at 2510 and 2516 Dodds Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

Councilwoman Hurley asked Mr. Rardin if he accepts the alternate version of the request and whether he is aware of the conditions. Mr. Rardin responded “yes” to the inquiry.

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 2510 AND 2516 DODDS AVENUE, BEING ON THE SOUTHEAST LINE OF DODDS AVENUE FROM WOODSIDE STREET TO EAST 26<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-044: Austin Properties**

Pursuant to notice of public hearing, the request of Austin Properties to rezone a tract of land located at 2113 Chestnut Street came on to be heard.

**REZONING (Continued)**

The applicant was present; there was no opposition in attendance.

On motion of Councilman Taylor, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2113 CHESTNUT STREET, BEING ON THE NORTHWEST LINE OF CHESTNUT STREET SOUTHWEST OF WEST 21<sup>ST</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE**

passed first reading.

**REZONING**

**2000-046: James Herrod**

Pursuant to notice of public hearing, the request of James Herrod to rezone a tract of land located at 1444 Vance Road came on to be heard.

The applicant was present; there was no opposition in attendance.

James Herrod asked if the Council would consider removing the conditions from this Ordinance.

Jerry Pace of the Planning Agency stated that the parcel is located in the East Brainerd area and is east of Vance Road and south of Lee Highway. He stated the request is for R-4 Special Zone from R-1; that the alternate version reflects a depth of 400 feet along the north property line and extending southward to a point 340 feet along the south property line. He stated the request was for the entire parcel to be rezoned and it was felt that this would intrude too far back into the R-1 neighborhood. He stated it was felt the rezoning should be held to not include Van Ness Road rather than extend back to the R-1 any further than necessary.

James Herrod again asked for the removal of restrictions on the property. He stated the property was originally platted in October of 1934 for the whole area to the north and east, and was replatted and recorded in 1949 for residential use. He stated it has been nearly 65 years and no one has developed the property to the east of that and Franklin Avenue has three large tracts that are not shown on the map; that Franklin Road does not extend out as far, nor has it been developed as shown on the plat nearer to La Brea Drive. He stated the property west of Franklin is real steep and falls below the road and (he) feels that may be one of the reasons it has never been developed.

**REZONING (Continued)**

Mr. Herrod stated going west, the road shown on the plat abuts the property and it is not shown on the map, either; that it has been platted and recorded but no road stops at the corner of Hunt and La Brea. He stated the property is not developed all the way back as far as shown on the map; that the Planning Commission wants to restrict to protect the R-1 and it has been 65 years with no development. He stated the property beside him is R-3 apartments and he has three signatures of the nearest homeowners who have indicated they do not disagree or object.

Councilwoman Hurley inquired as to what Mr. Herrod plans to do with the property. Mr. Herrod responded that he plans to use the older home for use as an office and some apartments to the rear. He stated there is a gradual slope in the back and if he is cut off there beside the other R-3 like some of the other property owners he will be landlocked and will not be able to do anything with the property on the back.

Mr. Pace stated that is the basis for the recommendation to Planning for the things he mentioned before regarding a stopping point of the R-4 and indicated that the applicant would not be landlocked since the right-of-way on the east side is presently there. He reiterated that the property would not be landlocked without any access.

Councilman Franklin asked if Mr. Herrod has the signatures of landowners that surround the property.

Mr. Herrod stated there is a house directly beside him to the south, a house next to it and across the street; that the property across the street is a house or office and the one on the corner is for office use, also.

At this point Councilman Lively made the motion to approve the alternate version. Chairman Hakeem asked the applicant if he accepts the alternate version. Mr. Herrod responded "yes".

On motion of Councilman Lively, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1444 VANCE ROAD, BEING ON THE NORTHEAST LINE OF VANCE ROAD NORTHEAST OF HUNT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-048: Dorothy Lund and Lorraine Fox**

Pursuant to notice of public hearing, the request of Dorothy Lund and Lorraine Fox to rezone a tract of land located at 7730 Lee Highway came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Lively, 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 7730 LEE HIGHWAY, BEING ON THE SOUTHEAST LINE OF LEE HIGHWAY NORTHEAST OF OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-1 HIGHWAY COMMERCIAL ZONE**

passed first reading.

**REZONING**

**2000-053: Dr. Donald W. Vanarsdale**

Pursuant to notice of public hearing, the request of Dr. Donald W. Vanarsdale to rezone a tract of land located at 1950 Gunbarrel Road came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Franklin, 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 1950 GUNBARREL ROAD, BEING ON THE SOUTHEAST LINE OF GUNBARREL ROAD AT GOODWIN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.



**REZONING**

**2000-054: Tommye Montgomery**

Pursuant to notice of public hearing, the request of Tommye Montgomery to rezone a tract of land located at 2313 Ocoee Street came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated the Staff's version indicated "all commercial activity shall cease at 10:00 p.m." and the Planning Commission's version does not include that condition.

Chairman Hakeem stated the only provision with the Planning Commission is in regard to no alcohol being served or sold.

Tommye Montgomery stated she is not asking to sell any alcohol and asked if that condition could be removed.

Councilman Taylor asked for clarification; that the building is going to be a multi-purpose building, which will be rented out for family reunions and other community functions.

Mr. Pace stated there are apartments above the building.

Councilman Taylor inquired as to what the standard is now for functions such as this; that if this is a community complex are persons able to bring their alcoholic beverage but not sell it?

Chairman Hakeem asked if that is a question that would come before the Beer Board?

Mr. Pace stated only when alcohol is being sold would there be a need to have a license approved by the Beer Board.

Chairman Hakeem stated the applicant does not need a license, as she will not be selling alcohol. He asked if there is a family reunion and persons bring in alcohol what impact does that have?

City Attorney Nelson stated as long as the owner of the facility does not furnish it, either as a part of the rental price or something along that line, and it is brought in by guests that will be permissible without a license. He stated if they sell alcohol they will have to have a license; that the Ordinance before the Council prohibits the sale of alcohol.

Councilman Taylor asked if consumption of alcohol needs to be stricken; that the applicant cannot sell alcohol.

**REZONING (Continued)**

City Attorney Nelson stated as long as the applicant is not serving alcohol it is okay.

Councilman Taylor asked if persons would be able to bring in their alcohol. Chairman Hakeem clarified as long as the applicant is not selling or serving alcohol that is found to be acceptable.

Councilman Pierce stated he wants there to be a clear understanding; that if someone rents the hall for personal use they will have to bring their beverage in a “brown bag” and place it on the table themselves.

On motion of Councilman Franklin, 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 2312 OCOEE STREET, BEING ON THE SOUTHWEST LINE OF OCOEE STREET AT ARLINGTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-056: Paul H. Williams**

Pursuant to notice of public hearing, the request of Paul H. Williams to rezone a tract of land located at 6026, 6032 and 6040 Dayton Boulevard came on to be heard.

The applicant was present; there was no opposition in attendance.

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 AT 6026, 6032 AND 6040 DAYTON BOULEVARD, BEING ON THE SOUTHWEST LINE OF DAYTON BOULEVARD SOUTHWEST OF DOWLEN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE**

passed first reading.

**AMEND ZONING ORDINANCE**

Mr. Pace stated the Ordinance places barbershops, beauty shops and hair salons in the R-4 zone; that they were formally in C-2 and are now permitted in the R-4.

On motion of Councilman Taylor, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTION 401 AND ARTICLE VIII, SECTION 107, TO INCORPORATE NEW SUBSECTIONS RELATIVE TO LAND USES OF THE R-4 SPECIAL ZONE**

passed first reading.

**AMEND ZONING ORDINANCE**

Mr. Pace explained that this Ordinance stated the “minimum size of any tract of land intended for a cemetery shall be twenty-five acres” and “for proposed cemeteries of twenty-five acres or more there shall be a 100 foot buffer area; for proposed cemeteries of less than twenty-five acres there shall be a twenty-five foot buffer area along all property lines abutting other residentially zoned land”.

On motion of Councilman lively, seconded by Councilman Taylor,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE VI, SECTION 111, BY DELETING SUBSECTIONS (A) AND (C) AND INSERTING NEW SUBSECTIONS (A) AND (C) TO INCORPORATE NEW SIZE AND BUFFER REQUIREMENTS FOR CEMETERIES**

passed first reading.

**CREATE SECOND DIVISION OF CITY COURT**

Councilman Pierce inquired as to the time the evening court would begin. City Attorney Nelson stated the times of 3:00 p.m., 3:30 p.m. and 4:00 p.m. were mentioned during the Committee meeting; that he split the difference for the Court to begin at 3:30 p.m. He stated the time could be changed at a later date if necessary.

Councilman Taylor inquired as to when the ending time would be. City Attorney Nelson stated the Court’s ending time would run until the docket is complete.

**CREATE SECOND DIVISION OF CITY COURT (Continued)**

On motion of Councilman Lively, seconded by Councilman Franklin,

**AN ORDINANCE TO CREATE A SECOND DIVISION OF CITY COURT**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilwoman Hurley, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 3-102(g), RELATIVE TO SPECIAL PERMITS FOR ON-PREMISE SIGNS AND/OR BANNERS LOCATED UPON COMMERCIAL, PREDOMINANTLY RETAIL, DEVELOPMENTS**  
passed first reading.

**CONTRACT: TENNESSEE TEMPLE UNIVERSITY**

Councilwoman Hurley stated this matter was discussed in the Parks and Recreation Committee and is recommended for approval. Representatives from the Highland Park area were present.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO ENTER INTO A CONTRACT FOR THE LEASE OF PROPERTY LOCATED AT 1602-1615 UNION AVENUE FROM TENNESSEE TEMPLE UNIVERSITY FOR THE PURPOSE OF BUILDING A PARK**  
was adopted.

**CONTRACT: TDOT**

On motion of Councilman Franklin, seconded by Councilman Lively

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION, RELATIVE TO FUNDING THE RESURFACING OF VARIOUS STREETS IN THE CITY OF CHATTANOOGA LP#2361, MORE PARTICULARLY DESCRIBED HEREIN, WITH THE CITY OF CHATTANOOGA'S PORTION OF THE TOTAL COST OF ONE MILLION, THREE HUNDRED THIRTY-FOUR THOUSAND, FIVE HUNDRED SEVENTY-SIX AND 67/100 DOLLARS (\$1,334,576.67) TO BE TWO HUNDRED SIXTY-SIX THOUSAND, NINE HUNDRED FIFTEEN DOLLARS (\$266,915.00)**  
was adopted.

**CONTRACT: YERBEY CONCRETE  
CONSTRUCTION, INC.**

On motion of Councilman Franklin, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SW-2-00, SCHOOL SIDEWALK PROJECTS-PHASE I FOR BARGER ELEMENTARY SCHOOL, WOODMORE ELEMENTARY SCHOOL, 21<sup>ST</sup> CENTURY MIDDLE SCHOOL, AND BRAINERD HIGH SCHOOL, TO YERBEY CONCRETE CONSTRUCTION, INC., IN THE AMOUNT OF THREE HUNDRED NINETY-NINE THOUSAND, FIVE HUNDRED FORTY-ONE DOLLARS (\$399,541.00)**

was adopted.

**TEMPORARY USE: TIFTONIA FULL  
GOSPEL CHURCH**

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING TIFTONIA FULL GOSPEL CHURCH TO USE TEMPORAIRLY THE CITY'S RIGHT-OF-WAY FOR TEMPORARILY LOCATING TWO (2) DIRECTIONAL SIGNS, ONE (1) AT BROWNS FERRY-ADKINS INTERSECTION, AND THE OTHER AT ADKINS-LOOKOUT HIGH STREET INTERSECTION, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**TEMPORARY USE: DODSON AVENUE  
PARTNERS, L.P., JOHN A. COOPER, AND  
ROSALIND M. GLOVER**

On motion of Councilman Pierce, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING DODSON AVENUE PARTNERS, L.P., JOHN A. COOPER, AND ROSALIND M. GLOVER TO USE TEMPORARILY A FIFTY FEET (50') WIDE SECTION OF KELLY STREET EXTENDING APPROXIMATELY TWO HUNDRED SEVENTY FEET (270') FROM GARFIELD AVENUE TO BLACKFORD STREET, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**AGREEMENT AMENDMENT: THOMAS JOHNSON, ARCHITECT**

On motion of Councilman Lively, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH THOMAS JOHNSON, ARCHITECT, RELATIVE TO THE DESIGN AND CONSTRUCTION OF THE FIRE STATION TO BE LOCATED AT MAIN STREET AND OLD ROSSVILLE BOULEVARD, SO AS TO INCREASE SAID CONTRACT BY TWENTY-FOUR THOUSAND, TWO HUNDRED FORTY DOLLARS (\$24,240.00) FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTEEN THOUSAND, EIGHT HUNDRED FORTY DOLLARS (\$117,840.00)**

was adopted.

**OVERTIME**

Overtime for the week ending April 7, 2000 totaled \$115,787.72.

**PERSONNEL**

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

**TROY Z. WILLIAMS** – Resignation, Crew Leader, Sr., Tennessee Riverpark Downtown, effective march 29, 2000.

**TONY D. HUTTON** – Disability, Crew Worker, Tennessee Riverpark Downtown, effective march 29, 2000.

**WARDELL RAMSEY** – Resignation, Crew leader, Civic Facilities Adm., effective march 31, 2000.

**THOMAS W. SKYLES** – Termination, Golf Course Manager, Golf Courses, effective April 5, 2000.

**CHARLES R. AUSTIN** – Suspension (30 days without pay), Assistant Superintendent, effective April 7 – May 6, 2000.

**PURCHASES**

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

**MUSCO SUPPORTS LIGHTING (Lowest and best bid)**  
**Requisition R0046828/B0000434)**

Skate Park Lighting System

\$32,200.00

**ARROW EXTERMINATORS, INC. (Lowest and best bid)**  
**Requisition R0046808**

Twelve Months Requirements Contract for Pest Control

\$5,796.00

**PERSONNEL**

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

**RILLIE BYNUM** – New hire, Custodian, Maintenance, Pay Grade 2/Step 1, \$14,115.00 annually, effective March 29, 2000.

**AGNES BROWN** – Re-Hire, Custodian, Maintenance, Pay Grade 2/Step 1, \$14,115.00 annually, effective March 29, 2000.

**STEVE GARRISON** – Resignation, Director of Contract Management, effective April 17, 2000.

**PERSONNEL**

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

**SEIYID J. MATEEN** – Dismissal, Sanitation Worker, Citywide Services, effective March 22, 2000.

**TERRY W. CAGLE** – Resignation, Equipment Operator, Citywide Services, effective April 7, 2000.

**PERSONNEL (Continued)**

**ANTONIO COLLIER** – Dismissal, Sanitation Worker, Citywide Services, effective April 5, 2000.

**SHAWN WADE** – Dismissal, Crew Worker, Citywide Services, effective April 5, 2000.

**CHARLES STEWART** – Disability Resignation, Crew Supervisor, Citywide Services, effective February 1, 2000.

**STATUS OF STREETS IN TIFTONIA AREA**

Admin. Marcellis stated at the March 28 Council meeting, R.C. Murray addressed the Council regarding paving of an unimproved section of a private road named Pan Gap Circle and indicated other streets in the area needed paving included Cash Canyon Road, Harris Lane, Massengale Road, and Zena Drive. He stated the matter has been researched and provided a summary for Council members to peruse.

Councilman Hakeem asked if Mr. Murray has been responded to in writing or conversation.

Admin. Marcellis stated that he has not done that, but will.

**PERSONNEL**

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

**KENNETH M. BROWN** – Family Medical Leave, Firefighter, effective April 10, 2000.

**FREDDIE BROOKS** – Suspension (28 days without pay), Firefighter, effective April 11 – May 8, 2000.

**DAVID BROOKS, AVERY HUBBARD, DAVID LONG, JEFFREY O'DELL** – Promotion, Senior Firefighter, Pay Grade F2/Step 4, \$28,621.20 annually, effective April 7, 2000.

**BENITA OWENS** -- Promotion, Senior Firefighter, Pay Grade F2/Step 9, \$34,843.20 annually, effective April 21, 2000.

**LARRY TAYLOR** – Promotion, Senior Firefighter, Pay Grade F2/Step 11, \$37,332.00 annually, effective April 21, 2000.



**PERSONNEL**

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

**JULIAN C. BEAVERS, JONATHAN C. BRYANT, BRIAN C. SMITH, MATHEW S. WEBB** – Hire, Police Officer, Pay Grade P1/Step 3, \$28,516.00 annually, effective April 17, 2000.

**JOSEPH M. CARPENTER** – Hire, Police Officer, Pay Grade P1/Step 5, \$31,107.00 annually, effective April 7, 2000.

**RICHARD A. PATTERSON** – Hire, Police Officer, Pay Grade P1/Step 2, \$27,220.50 annually, effective April 7, 2000.

**MARTIN R. PENNY** – Hire, Police Officer, Pay Grade P1/Step 4, \$29,811.50 annually, effective April 7, 2000.

**CHARLES L. PETTY, LEE K. SNELL, MARK W. STACK** – Hire, Police Officer, Pay Grade 1/Step 6, \$32,402.60 annually, effective April 7, 2000.

**KAREN A. TREGO** – Hire, Senior Secretary, Pay Grade P1/Step 2, \$20,673.00 annually, effective April 17, 2000.

**ERIC L. TUCKER** – Rehire, Police Officer, Pay Grade 1/Step 6, \$32,02.50 annually, effective April 7, 2000.

**LORIN D. JOHNSTON** – Rehire, Police Officer, Pay Grade P1/Step 2, \$27,220.50 annually, effective April 7, 2000.

**JERRY R. LEE, JR.** – Resignation, Police officer, effective April 7, 2000.

**MARGARET CHASTAIN** – Promotion, Police Records Clerk Supervisor, pay Grade 8/Step 8, \$28,500.00 annually, effective April 7, 2000.

**LISA L. JONES** – Transfer/Promotion, Senior Secretary, Pay Grade P7/Step 6, \$24,611.00 annually, effective April 21, 2000.

**CHARLES FINNEY** – Hire, Accounting Technician, Pay Grade P8/Step 1, \$20,803.00 annually, effective April 17, 2000.

**BETTER HOUSING APPEAL**

City Attorney Nelson reminded Council members of the Better Housing appeal scheduled for Tuesday, April 18 immediately following the Council meeting.

**HEARING: FREDDIE BROOKS**

City Attorney Nelson stated that a request for a hearing regarding a 28-day suspension has been received from Firefighter Freddie Brooks. Mr. Brooks' hearing was scheduled for Monday, May 1 beginning at 6 p.m. with Councilmen Franklin (Chair), Hurley and Lively serving as the panel.

Councilman Pierce inquired as to whether it is out of place to ask the circumstances for the suspension.

City Attorney Nelson responded "yes"; that every member will have to serve on a hearing and if the background is known it could prejudice the way those serving on the panel would feel. He stated that the committee hearing these cases should hear it and decide upon the merits presented by both sides.

Councilman Pierce expressed that he thought the Council should have the right to know what the charge is without prejudicing the case.

City Attorney Nelson stated that he has no objection in the Council knowing what Mr. Brooks is charged with without getting into the facts behind the charge.

Chief Coppinger stated the charges are for insubordination for disobeying a direct order on a couple occasions.

**COMMITTEES**

Councilman Franklin reminded Council members of the **Public Works Committee meeting scheduled for Tuesday, April 18 beginning at 4 p.m.**

**SISTER BEY**

Sister Bey expressed concern regarding the trash in the street and money funding that is coming into the Chattanooga area that no one seems to know anything about. She stated she asked Admin. Traughber for information regarding this and has talked with Peggie Kilpatrick, as well. She stated people are skeptical about this; that she will be in touch with the Vice President and has sent letter to the Secretary of HUD regarding this matter for a better understanding.

**ANNE WILLIAMS**

Anne Williams stated she owns property at 17<sup>th</sup> and Market Street and her daughter operates a business at the location. She stated she donates her time to the store in a joint venture with Zeta Phi Beta Sorority and the March of Dimes for unwed mothers. She stated her concern is in regard to the traffic at 17<sup>th</sup> and Market; that she talked with the City Engineer's office and was given a copy of information from the Manual of Uniform Traffic Control Devices that guides the City in determining when traffic signals should be placed. She stated after reading the document a traffic signal should be placed at the location; that she realizes there is work being done at 17<sup>th</sup> Street and housing in the area. She stated she talked with the gentleman in the engineering office (John Wall) who indicated he did not feel there should be a traffic signal at the location. She stated the manual calls for a study to be made and requested that a study be made and the information made available to the people in the area. She stated the manual indicates that for any reason there ceases to be traffic that is required for establishment of a traffic signal, the traffic signal will be removed. She indicated that she would like to have both done.

Chairman Hakeem inquired as to whether there is enough pedestrian traffic to warrant a light at this location.

Ms. Williams stated the manual indicates that if a traffic light is 300 feet from the place where a person is to cross and there is an added requirement or necessity or support to have traffic light at that location. She stated large pipes are being installed for sewers at 17<sup>th</sup> Street and all of this is great, but there is a Labor Solutions office on the west side of the street at Market Street where people come in daily for daily work. She stated even with the work in progress, the traffic is still coming and going and there was a need for a street sign placed far enough down the street to allow entrance into the Labor Solutions parking lot.

Councilman Pierce stated he had a conversation with Ms. Williams earlier today about this and expressed to her that he would give his support and invited her to address the issue during non-agenda time. He asked Admin. Marcellis to address the issue.

Admin. Marcellis stated he could not give a position until the study is made; that the study will be a little light because there is construction going on and there is not as much traffic on 17<sup>th</sup> from the west as there would be normally. He stated he will ask the traffic engineer to do the study which would look at the vehicles crossing and then make a manual count to see the pedestrians going in and see if it does not meet one of the warrants. He made reference to the studies to remove traffic signals and indicated if there is a certain location Ms. Williams would want them to look at they will; that he knows of two traffic signals that have been removed nearby; one at Main and Wilhoit and another at Main and Chestnut.

**ANNE WILLIAMS (Continued)**

Ms. Williams stated there is a requirement that says if the traffic that passes is at a certain speed there should be a reduction in the number of pedestrians and number of people crossing at the side street. She stated she would also like to have that taken into consideration.

Chairman Hakeem asked if the installation of a light is the main goal. Ms. Williams responded that a "light is needed".

Chairman Hakeem stated the bottom line is that Ms. Williams wants a light at that location; that he appreciates her citing different laws and is trying to get exactly what it is she wants.

Councilman Pierce stated the number of pedestrians crossing would dictate the speed limit within that area; that she is asking for a speed reduction.

Admin. Marcellis stated there are various conditions; that it depends upon how much traffic is on a major street; that he can assure the Council the criteria within the study will be followed.

Ms. Williams stated that she would like to see the information; that her primary concern is safety in the area. She stated when persons cross the street they have to run and there is no median because there is a turning lane. She stated the young women her business will be serving would start coming within the next couple weeks; that all will be riding the bus and will have to come across the street. She stated she is concerned about the safety of people.

Councilman Franklin clarified that all the information Ms. Williams is interested in will be contained within the study.

**ADJOURNMENT**

Chairman Hakeem adjourned the meeting until Tuesday, April 18, 2000 at 6 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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