

**City Council Building
Chattanooga, Tennessee
May 2, 2000**

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

INVOCATION

Invocation for the evening was given by Councilman Taylor.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: JOBS PLUS

David Sabir stated the Jobs Plus Program is a pioneering program for people in public housing and changes the persona of public housing, in general. He stated when you deal with human beings you never know what you are going to get as all things are possible; that this program states work is available but persons must have skills, attitude and the desire to work and many programs in the past have not had this. He made reference to the three tiers of the program, which include a saturation level of resources and training, rent incentives where work pays in public housing, and community support for work. He reiterated that this is a pioneering effort and there is much talent to be produced.

Ms. Wadley stated that the program is designed to saturate the community of resources needed for residents of public housing and firmly believes in leading by example. She stated residents in public housing are not asking for handouts and with determination anything can be done. She stated there are many partners involved with the program and the residents were involved through all phases of the program. She stated there are foundations, also, that support the program and expressed appreciation to them and the Council for the opportunity to brief them on the program. She asked other residents in attendance to stand and be recognized at this point.

SPECIAL PRESENTATION: JOBS PLUS
(Continued)

Chairman Hakeem inquired as to the sponsor for Jobs Plus. Mr. Sabir responded that the funding comes from a plethora of organizations both nationally and locally; that they have funding from HUD, the Community Foundation and six other sources that are spread across from the local to national level.

Chairman Hakeem stated there is a need for everyone to look at public housing in a different light and sees people in public housing as full partners in the American dream of life.

SPECIAL PRESENTATION: ANNIE HALL

Annie Hall, District 2 representative on the Hamilton County School Board, stated she was present to thank and recognize City Council members for their support of the playground at Red Bank Elementary; that Councilman Lively knows the School is really in the City of Chattanooga and is the largest elementary school with over 700 students. She stated the City's Parks and Recreation Department have partnered with the Hamilton County Board of Education to provide a playground and is thankful for the City's willingness to make the playground available to the students. She stated the Council needs to see how happy the students and teachers are to have the park; that it is a wonderful playground, well designed and appreciated by the students. She again expressed thanks for the partnership and stated that she looks forward to continued strong support of public schools in Hamilton County and Chattanooga.

Councilman Lively stated the City also thanks the Hamilton County School Board for their cooperation in the project and for the property that will become a community park.

Chairman Hakeem stated it is wonderful when we talk about partnerships and improvements within the community.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 11, ARTICLE XV REGARDING TEEN SOCIAL CLUBS**
passed first reading.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 26, RELATIVE TO THE ESTABLISHMENT OF A
SOFTBALL PROGRAM PETTY CASH FUND**
passed first reading.

AMEND CHARTER

City Attorney Nelson stated this will be a Charter amendment that will go on the ballot in August; that the Charter has been modified slightly by adding to it that, *“no person who has been convicted of a felony may serve in any elective office of the City of Chattanooga unless his full rights of citizenship, including the right to suffrage, have been restored . . .”* He stated in this way we would not brand someone for ever if they made one mistake.

Councilman Eaves stated that this was his problem; that he thinks when people are elected to office if he has a felonious background that will come out and does not think voters will vote for anybody like that. He stated there should not be penalty if someone in their youth or somewhere in their background had a felony on their record and from that time on have been good citizens, are not creating any problem and are doing good work in the community; that we have people working for us in the City that have felonies in their background and they do jobs for us. He stated this is a matter the citizens themselves will draw the line on. He expressed his intent to vote against this Ordinance, and stated that he does not think it is a good idea.

On motion of Councilman Pierce, seconded by Councilwoman Hurley,
**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF
CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER
CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO
THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE
CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE
AMENDMENT) SO AS TO PROHIBIT CONVICTED FELONS FROM
SERVING IN CITY ELECTIVE OFFICES**
passed first reading; **Councilman Eaves voted “no”.**

AMEND CHARTER

City Attorney Nelson stated State law requires that any open position of City Judge be appointed by the Mayor subject to the confirmation of the Council to serve until the next general election. He stated our Charter is in conflict with that; that it provides for the Council to make an appointment for the remainder of the City Judge's term and this amendment brings the Charter in compliance with State law.

Councilman Pierce stated he did not follow City Attorney Nelson's comment that the Council would make the appointment; that he thought the Mayor would make the appointment with approval from the Council. City Attorney Nelson stated, "That is correct"; that that is what the new provision says in Section 4.2. He stated right now the Council, under the Charter as it is, makes the selection which conflicts with State law. He stated this Charter amendment would bring our Charter into compliance with State law.

Councilman Pierce asked who would make the appointment now? City Attorney Nelson responded that the "State law prevails".

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO AMEND THE PROVISION AUTHORIZING THE CITY COUNCIL TO FILL VACANCIES IN THE OFFICE OF CITY JUDGE

passed first reading.

(Councilwoman Hurley excused herself from the meeting at this point.)

AMEND CHARTER

Assistant City Attorney Mike McMahan stated that the proposed Ordinance forwarded to Council members' in their packets last weekend contained one or two typographical errors; that the Ordinance before them reflects the corrections. He stated in proofreading the document it was noted that the definition of a part-time employee was not quite right as it provided that part-time employees could work no more than 1000 hours a year; that they did not want to be in a position of trying to keep track and have people going up and down being qualified and unqualified. He stated other than that the other errors were clerical in nature. He stated there was one other slight change with respect to the retroactive feature of the cost of living increase, which was retroactive to January 1, 2000 in the packet that was sent.

AMEND CHARTER (Continued)

Councilwoman Rutherford stated that she plans to vote for Ordinances (e) and (f) and indicated her strong objections to the fact the Council is removing this from the public and passing any changes or amendments by Ordinance. She stated both plans need to be improved and will vote for both.

Atty. McMahan stated that the history has been that every two years or every time there is a referendum since 1990 either the Fire and Police pension, General pension or both require changes be made. He stated it is becoming so complicated that sometimes it takes more than a half hour to race and make the changes. He stated in proofreading that is what it took to make sure we were consistent; that both need to be rewritten to make them completely legible. He stated the pension plans do need to be kept up to date; that economics changes and they try to be consistent with other cities; that the plans have been amended many times over the years.

Councilwoman Rutherford stated she is not sure the Council knows what it is going on many instances; that she does not want the Council to undermine the ability of the voters to understand.

Chairman Hakeem indicated that he would not respond to Councilwoman Rutherford's statement and indicated that the Council has a record of being progressive.

On motion of Councilman Franklin, seconded by Councilman Taylor,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE, TO MAKE CERTAIN IMPROVEMENTS TO THE GENERAL PENSION PLAN AND TO AUTHORIZE FUTURE AMENDMENTS BY ORDINANCE

passed first reading.

AMEND CHARTER

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE, TO MAKE CERTAIN IMPROVEMENTS TO THE FIREMEN'S AND POLICEMEN'S INSURANCE AND PENSION PLAN AND TO AUTHORIZE FUTURE AMENDMENTS BY ORDINANCE

passed first reading.

AMEND CHARTER

City Attorney Nelson stated that the Charter requires all contracts of public improvements should be let to open bid when the contract does not exceed \$1,000, which does nothing but slow down public improvements required. He stated State law right now has a figure up to \$10,000 and noted there is a good expense involved in advertising and using City time to evaluate bids and drawing them; that \$1,000 is totally impractical anymore. He stated removing this provision from the Charter will allow us to be in compliance with State law.

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO REPEAL PROVISIONS CONCERNING BIDS FOR CONTRACTS FOR PUBLIC IMPROVEMENTS

passed first reading.

AMEND CHARTER

City Attorney Nelson stated right now Section 4.29 of the Charter requires that “*City Court shall hold separate sessions for the trial of traffic violations, and at least two of said sessions shall be held twice weekly during the evening or night hours. The judges of said court shall rotate in presiding over said sessions at such intervals as they may mutually determine, but said intervals shall not be in excess of thirty days*”. He stated now we have a whole lot of problems that come before the City Court that did not used to as we have animal control matters which have been stepped up, Better Housing petitions and others; that it is not practical to maintain two separate dockets, one for traffic and one for other items. He stated the Council has passed an Ordinance adopting the night court which will be permanent to hear these cases and this would permit us to have one judge sitting at night and one during the day and not interchange.

On motion of Councilman Franklin, seconded y Councilman Eaves,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO REPEAL THE PROVISION OF THE CHARTER REQUIRING SEPARATE SESSIONS FOR THE TRIAL OF TRAFFIC VIOLATIONS

passed first reading.

AMEND CHARTER

Chairman Hakeem stated the Ordinance regarding the City Court Clerk was approved for addition on tonight's agenda as a result of today's Legal and Legislative Committee meeting. At this point, the Clerk of the Council read the Ordinance caption.

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AN ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDTATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO REPEAL THE PROVISIONS REGARDING FOR THE APOINTMENT OF THE CITY COURT CLERK BY THE CITY JUDGE AND PROVIDING FOR THE TERM OF OFFICE FOR THE CITY COURT CLERK, AND TO MAKE THE CITY COURT CLERK AN EMPLOYEE OF THE ADMINISTRATIVE BRANCH OF GOVERNMENT

City Attorney Nelson stated this caption pretty well states it; that right now the City Court Clerk is appointed by the Judge of Division I which presents a problem with the Judge of Division II; that both should have the same powers by both City and State Charters. He stated we also have the problem of chain of command where the Judge appoints; that all subordinates to the City Court Clerk report to the Finance Director, which makes for a strained chain of command. He stated this Ordinance turns the City Court Clerk into a regular City employee of the administrative branch of government rather than a separate office.

Councilman Eaves stated the recommendation from the Committee was to put this forward as it was the feeling of the Committee in working on it that this would solve a lot of problems that presently exist in the chain of command. He stated five members of the Committee did move this forward to put on the agenda tonight.

Councilwoman Rutherford stated that she came into the Committee meeting as the vote was being taken and should have abstained as she thought it was for appointment by the Mayor with approval by the Council. She stated she did not know that it was for regular hire; that the vote should have been 4-1.

Councilman Taylor expressed concern about the position being an elected position and is more interested in that. Councilman Franklin asked the City Attorney if the alternate version is available regarding the City Court Clerk being elected.

AMEND CHARTER (Continued)

City Attorney Nelson presented the alternate version which says the City Court Clerk shall be elected in the same manner at the same time as the Mayor; that a vacancy during the term shall be filled until the next general election by appointment of the Mayor subject to confirmation by the Council; that the successor will be elected for the remainder of the term.

Councilman Hakeem stated the Ordinance before the Council is the first version which makes reference to the City Court Clerk becoming an employee of the Finance Department.

Councilwoman Rutherford asked if there is a disadvantage to having this person elected and also inquired as to whether this is not the only City Court Clerk in Hamilton County that is not elected.

City Attorney Nelson stated the General Sessions, Circuit Court and Criminal Court Clerks are filled by election, as well as the Juvenile Court Clerk. He stated the only exception is the Clerk and Master, who is appointed by the Chancellors; that this is a dissimilar situation, as that person has to have a law degree and hears cases that come from probate.

At this point Councilman Taylor made the motion to substitute the elected version; Councilwoman Rutherford seconded the motion.

Chairman Hakeem indicated that there is a motion on the floor regarding the Committee's recommendation. Councilman Taylor clarified that Councilman Eaves reported on the Committee's vote and Councilwoman Rutherford expressed her change in vote and the revised vote count. He stated no motion was put forth.

Councilman Pierce expressed his concern that neither Ordinance version would pass tonight and would probably come back next week.

Chairman Hakeem stated the Council would move forward on the version that says the Clerk would be elected as requested in the substitution motion (by Councilmen Taylor and Rutherford).

Councilman Pierce clarified that the Council cannot vote on a motion to substitute when there was no motion on the floor prior to the motion to substitute.

City Attorney Nelson asked that the Clerk of the Council read the caption for the elected version.

After the caption was read, Chairman Hakeem stated there is no need for a motion to substitute because there was no initial motion on the floor. At this point he asked for a motion and second to use the version that says the City Court Clerk will be elected.

AMEND CHARTER (Continued)

City Attorney Nelson suggested that the previous motion to substitute by Councilmen Taylor and Rutherford be withdrawn and begin with a new motion.

Councilmen Taylor and Rutherford withdrew their previous motion to substitute.

At this point, Councilman Taylor made the motion to pass on first reading the version which called for an elected City Court Clerk; Councilwoman Rutherford seconded the motion; however, the motion failed on a 4-3 vote with Councilmen Taylor, Franklin and Rutherford voting “For” and Councilmen Eaves, Lively, Pierce and Hakeem voted “No”.

City Attorney Nelson indicated no action could be taken as the vote failed and stated the Chairman, Vice Chairman or any two members of the Council can have the matter placed on the agenda for next week.

On motion of Councilman Taylor, seconded by Councilman Rutherford,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO REPEAL THE PROVISIONS REGARDING FOR THE APPOINTMENT OF THE CITY COURT CLERK BY THE CITY JUDGE AND PROVIDING FOR THE TERM OF OFFICE FOR THE CITY COURT CLERK, AND TO PROVIDE FOR THE ELECTION OF THE CITY COURT CLERK

failed on a 4-3 vote (Councilmen Franklin, Rutherford, and Taylor “For”; Councilmen Eaves, Lively, Pierce and Hakeem “No”).

AGREEMENT: HAMILTON COUNTY, TN

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH HAMILTON COUNTY, TENNESSEE, RELATIVE TO LITTER COLLECTION ALONG THE CITY RIGHT-OF-WAY THROUGH THE COURTS COMMUNITY SERVICE PROGRAM, FOR A CONSIDERATION OF THREE THOUSAND, FORTY-TWO DOLLARS (\$3,042.00) PER MONTH, OR THIRTY-SX THOUSAND, FIVE HUNDRED DOLLARS (\$36,500.00) ANNUALLY

was adopted.

**AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC.**

Councilman Franklin stated Resolutions (b), (c) and (d) were discussed in the Public Works Committee today and are recommended for approval.

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE PUBLIC WORKS DEPARTMENT TO EXECUTE AN ENGINEERING AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO THE SOUTHSIDE GRAY WATER STORAGE, FILTRATION, AND DRIP IRRIGATION SYSTEM LOCATED ON 17th STREET, FOR A TOTAL FEE NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00)

was adopted.

CHANGE ORDER

On motion of Councilman lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHNGE ORDER NO. 5 (FINAL), ADDITION TO PAUL F. CLARK BUILDING, WITH EASTMAN CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY NINE THOUSAND, THREE HUNDRED TEN DOLLARS (\$9,310.00), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED FIVE HUNDRED EIGHTY-SIX THOUSAND, NINE HUNDRED TWENTY-EIGHT DOLLARS (\$586,928.00), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY TEN (10) DAYS FOR A REVISED COMPLETION DATE OF FEBRUARY 29, 2000

was adopted.

**TEMPORARY USE: CHATTANOOGA LAND
COMPANY**

City Attorney Nelson stated the version sent out in the Council members' packets were sent with the temporary use on a portion of Broad Street; that it should have been Second Street. He stated the corrections were made on the Council Clerk's copy.

TEMPORARY USE: CHATTANOOGA LAND COMPANY (Continued)

On motion of Councilwoman Rutherford, seconded by Councilman Lively,

A RESOLUTION AUTHORIZING THE CHATTANOOGA LAND COMPANY TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY ON SECOND STREET FOR THE INSTALLATION OF EIGHT (8) METALLIC AWNINGS COVERED WITH FABRIC OF VARYING LENGTHS, PROJECTING THREE FEET (3') INTO THE 2ND STREET SIDEWALK SUBJECT TO CERTAIN CONDITION

was adopted.

CONTRACT: ROSS-FOWLER

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH ROSS-FOWLER FOR DESIGN WORK RELATIVE TO THE MOUNTAIN CREEK PARK IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000.00)

was adopted.

CONTRACT: TWH ARCHITECTS

On motion of Councilman Lively, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH TWH ARCHITECTS RELATIVE TO DESIGN OF THE NORTH RIVER AQUATICS CENTER FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)

was adopted.

CONTRACT: FRANKLIN ASSOCIATES

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH FRANKLIN ASSOCIATES FOR DESIGN WORK RELATIVE TO THE AVONDALE RECREATION CENTER IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

was adopted.

CONTRACT: ROSS-FOWLER

On motion of Councilman Lively, seconded by Councilman pierce,

DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH ROSS-FOWLER FOR DESIGN WORK RELATIVE TO JOHN A PATTEN CENTER AND ASTER AVENUE IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

was adopted.

CONTRACT: TWH ARCHITECTS

On motion of Councilwoman Lively, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH TWH ARCHITCTS RELATIVE TO THE DESIGN OF THE NORTH RIVER AQUATICS CENTER FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)

was adopted.

SPECIAL POLICEMEN: ANIMAL SERVICES OFFICERS

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH TWH ARCHITECTS RELATIVE TO THE DESIGN OF THE NORTH RIVER AQUATICS CENTER FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)

was adopted.

OVERTIME

Overtime for the week ending April 28, 2000 totaled \$27,796.58.

PERSONNEL

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

CRAIG ELY – New Hire, Asst. Zoo Supervisor, Pay Grade 12/Step 1, \$26,262.00 annually, effective April 26, 2000.

EDWARD SADDLER – Transfer, Crew Worker, Sr., Parks Division, Pay Grade 5/Step 1, \$17,459.00 annually, effective April 26, 2000.

GERALD D. CRUTCHER – Resignation, Recreation Specialist, effective April 23, 2000.

L'QUAN STRICKLAND – Termination, Equipment Operator, TN Riverpark, effective April 26, 2000.

PURCHASES

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

APEX SUPPLY CO. (Lowest and best bid)

Requisition R0046832

PVC Pressure Pipe & Fittings

\$652.89 (For total of all items)

VIKING EQUIPMENT CO. (Lowest and best bid)

Requisition R0047206

4-Wheel utility Vehicles (2)

15,861.50

PURCHASES (Continued)

CUSTOM RECREATION, INC. (Lowest and best bid)
Requisition R0046814/B0000440

Playground Construction – Caruthers Park

\$51,923.00

EMERGENCY PURCHASE

The emergency purchase for parking lot paving and resurfacing of Tennis Courts at Rivermont Park for the Parks and Recreation Department, Requisition No. R0056873 in the amount of \$55,000 assigned to Kittsmiller-Murray Company was duly reported and signed in open meeting.

PERSONNEL

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

MICHAEL S. REAMS – Promotion, Heavy Equipment Operator, Citywide Services, Pay Grade 10/Step 1, \$23,033.00 annually, effective April 26, 2000.

TERRY CARTER – Dismissal, Equipment Operator, Citywide Services, effective April 19, 2000.

STEPHEN WRIGHT – Employment, Sanitation Worker Sr., Citywide Services, Pay Grade 5/Step 1, 417,459.00 annually, effective April 26, 2000.

PURCHASES

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

A PATRIOTIC HOUSE (Lowest and best bid)
Requisition R0046340/P0014058

American Flags

\$44.44 each

PURCHASES (Continued)

MID-SOUTH EQUIPMENT (Best Bid)
Requisition R0048252/B0000450

Topsoil Silt Screen Compact Transportable Screening Plant

\$33,200.00 each

WALTON/STOUT, INC. (Lower and best bid)
Requisition R0048602/B0000444

Miscellaneous Parts for Lime Slaker Repair

\$22,979.03

BAKER HUGHES (Single Source)
Requisition R0048642

Repair of Kruger Model 280 Rotating Assembly per TCA-56-301

\$50,116.00

CHATTANOOGA FIRE PROTECTION, INC. (Best Bid)
Requisition R0048619/P0014357

Fire Protection Equipment

(Price information available and filed with minute material)

AVANTI INTERNATIONAL (Per Section 2-342, Paragraph V, Chattanooga City Code)
Contract P0011783

Chemicals Contract Extension

(Price information available and filed with minute material)

PURCHASES (Continued)

INDUSTRIAL RUBBER (Per Section 2-342, Paragraph V, Chattanooga City Code)
Contract P0011757

Gloves Contract Extension

(Price information available and filed with minute material)

TEMPLE, INC. (Single Source)
Requisition R0048904

S Controller (Socket Mounted) per TCA-56-301

\$11,200.00

PERSONNEL

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

THOMAS MIDDLEBROOKS – Promotion, Senior Firefighter, Pay Grade F2/Step 4, \$28,621.20 annually, effective April 21, 2000.

PURCHASE

On motion of Councilman Eaves, seconded by Councilman Franklin, the following purchases were approved for use by the Chattanooga Fire Department:

VALLEY SAFETY CORPORATION (Single Source)
Requisition R0046608

Atmospheric Monitoring Equipment per TCA 6-56-301

\$24,669.79

FIREFIGHTERS BOOKSTORE
Requisition R0042977
Firefighting Manuals

\$10,774.00

PURCHASES (Continued)

CENTRAL STATES FIRE APPARATUS, INC.
Requisition R0042967

Fire Apparatus

\$1,380,579.00

PERSONNEL

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

STEPHEN HOPE – Resignation, Police Officer, effective April 26, 2000

ERVIN MORGAN – Termination, Police Officer, Effective April 26, 2000

MASON SMITH – Resignation, Police officer, effective May 1, 2000

MARK EASLEY – Voluntary Demotion, Police Officer, Pay Grade P1/Step 9, \$36,289.00 annually, effective May 5, 2000

PURCHASE

On motion of Councilman Lively, seconded by Councilman Pierce, the following purchase was approved for use by the Finance and Administration Department – Mayor's Office:

IT NETWORK (Single Source)
Requisition Not Available

City Services Guide for Real Yellow Pages

\$15,000.00

HEARING: FREDDIE BROOKS

City Attorney Nelson stated last night's hearing for Freddie Brooks was asked to be postponed; that the attorneys for him have asked for the dates of June 5, 19, or 26. He stated Councilman Franklin chairs the panel for the hearing with Councilmen Hurley and Lively as panel members.

The hearing for Mr. Brooks was rescheduled for Monday, June 5 with the same panel hearing the request.

City Attorney Nelson stated the Council might want to look at the rule in the law profession that most courts have adopted against "forum shopping". He stated if an attorney is assigned to be before a certain judge, that judge will always be the judge in that case if it is dismissed and comes back. He stated the reason is that the judges do not want lawyers trying to get in specific courts; that they want to keep control of that. He stated he does not think there has ever been that type of problem on the Council about people asking that cases be passed to get a different panel. He stated it might be something the Council needs to keep "in the back of their minds" and at some point address that in the Council's Rules.

COMMITTEES

Chairman Hakeem indicated that the new committee appointments will become effective on next Tuesday, May 9.

Councilman Lively scheduled a meeting of the **Economic Development Committee immediately following the Parks and Recreation Committee** for an update on the Electric Power Board.

Councilman Franklin reminded Council members of the meeting of **the Parks and Recreation Committee on Tuesday, May 9 at 4 p.m.**

SISTER BEY

Sister Bey stated that she could not sit back and allow the Council to "crush" Judge William's spirit. She indicated that she has asked the Vice President to look into everything the Council does.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, May 9, 2000 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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