

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

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

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, invocation was given by Councilman Taylor.

MINUTE APPROVAL

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

ANIMAL CONTROL ORDINANCE

Chairman Hakeem stated a letter had been circulated indicating that the Animal Control Ordinance would be discussed tonight. He clarified for those present that the Ordinance would not be before the Council until the Council meeting scheduled for July 25.

REZONING

2000-079: Wolford Development

City Attorney Nelson stated Councilman Crockett called this afternoon and suggested amendments; that the amended Ordinance has been prepared for the Council's consideration.

Jerry Pace, Planner with the Regional Planning Agency, stated that he received the second version of this Ordinance late in the afternoon and has not had an opportunity to peruse the amendments or conditions. He stated it might be better to defer it one week since Councilman Crockett is not present.

REZONING (Continued)

Chairman Hakeem asked if the applicant were present. Once the applicant identified himself Chairman Hakeem asked if he was aware of the amendments proposed.

Mr. Wolford stated that he is aware of the amendments proposed; that he has not seen a written version but has talked with Councilman Crockett regarding them.

After a brief opportunity to peruse the amendments, Mr. Wolford acknowledged that the amendments are the ones he and Councilman Crockett discussed.

Chairman Hakeem asked for verification as to whether the amendments are acceptable. Mr. Wolford responded “yes”.

Councilman Eaves made the motion to substitute the amendments to this Ordinance; Councilwoman Rutherford seconded; the motion passed.

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 SEVERAL UNPLATTED TRACTS OF LAND LOCATED AROUND HIGHWAY 153 AND GRUBB ROAD IN THE RHEA SUBDIVISION, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1, R-2 AND R-5 RESIDENTIAL ZONES AND M-3 WAREHOUSE AND WHOLESALE ZONE TO C-2 CONVENIENCE COMMERCIAL 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.

Later when Councilman Crockett joined the meeting, he apologized for arriving late stating that acts of vandalism had occurred in his district. In commenting on the 153 rezoning just approved, he stated that he would like for the letter from Wal-Mart be included in the record, which states their intent to lease as aggressively as possible the existing space left vacant; that he wants to make it again a matter of record that this is the interest expressed by the merchants. He stated he is confident Wal-Mart will follow through and complimented the developer in working through as many conditions as they did.

REZONING

2000-095: Mark Henry

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 10 EAST MORGAN LANE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL
ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO
CERTAIN CONDITIONS**

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

AMEND CONDITIONS

2000-098: Patten Golf, Inc.

Chairman Hakeem stated it has been mutually agreed by the applicant and those in opposition to
table this matter 30 days (August 15).

On motion of Councilman Eaves, seconded by Councilman Lively,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND CERTAIN
CONDITIONS IMPOSED IN ORDINANCE NO. 10499 ON PROPERTY
LOCATED AT 1073 MACKEY AVENUE, BEING MORE
PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN
CONDITIONS**

was deferred 30 days (August 15).

REZONING

2000-099: Patten Golf, Inc.

On motion of Councilman Eaves, 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 1071 MACKEY AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL
ZONE AND O-1 OFFICE ZONE TO C-1 HIGHWAY COMMERCIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

was deferred 30 days (August 15).

(Councilman Crockett joined the meeting at this point.)

CLOSE AND ABANDON

MR-2000-004: CBL and Associates

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A SEWER EASEMENT LOCATED IN THE EAST BRAINERD PROPERTY OWNED BY FRANK FRIST, PROPERTY OWNED BY NAOMI ROLLINS, AND PROEPRTY OWNED BY MARK T. AND PARTICIA HUGENIN, 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 Franklin, seconded by Councilman Taylor, the Ordinance passed third and final reading and was signed in open meeting.

REZONINGS

Chairman Hakeem stated five rezoning requests on the agenda for first reading for the East Brainerd community have been requested for deferral; that the applicant and concerned citizens have agreed to a thirty day deferral.

Councilman Taylor inquired as to whether the applicants are aware of the deferments and are in accord. Atty. John Anderson with Grant, Konvalinka and Harrison stated that he represents all the applicants and all are in concurrence with the deferral.

The Clerk of the Council identified the five rezoning requests as: **1999-193-03 Garvin Bryant** (rezone a tract of land located at 1820 Farris Road); **1999-193-04 Bruce Crane** (rezone several tracts of land located at 1812 and 1816 Farris Road and 7301 and 7309 Crane Road); **1999-193-06 Jackie Neal** (rezone a tract of land located at 1824 Farris Road); **1999-193-08 Carrie Arp** (rezone a tract of land located at 7302 Igou Gap Road); **1999-193-09 Dorman Scott** (rezone a tract of land located at 1818 Farris Road).

On motion of Councilwoman Rutherford, seconded by Councilman Eaves,
REZONING REQUESTS 1999-193-03 (GARVIN BRYANT); 1999-193-04 (BRUCE CRANE); 1999-193-06 (JACKIE NEAL); 1999-193-08 (CARRIE ARP) AND 1999-193-09 (DORMAN SCOTT)
were tabled indefinitely at the request of the applicants' Attorney.

REZONING

2000-094: Fidelity Trust Company

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 21 WEST 28TH STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM M-3 WAREHOUSE
AND WHOLESALE ZONE TO M-1 MANUFACTURING ZONE**
was withdrawn at the request of the applicant.

REZONING

2000-131: Cummings Cove

Pursuant to notice of public hearing, the request of Cummings Cove to rezone a tract of land located in the 4100 block of Cummings Highway came on to be heard.

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 IN THE 4100 BLOCK OF CUMMINGS HIGHWAY,
MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2
CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE**
was withdrawn at the request of the applicant.

GUNBARREL ROAD ZONING POLICY

Mr. Pace stated that the Planning Agency was asked by the Council in February to take a look at the Gunbarrel, Igou Gap and Jarnigan Road area to see if the policy in place was sufficient or needed updating. He stated that this matter was taken to the Planning Commission and their recommendation is before the Council tonight. He introduced Jeff Pfitzer, a new employee of the Planning Agency staff, who briefed the Council on the reasoning behind some of the recommendations in the policy.

Mr. Pfitzer stated that in February of this year the Planning Agency looked at the area south of Hamilton Place, bordered by Gunbarrel and Skyline Drive; that due to the increased commercial uses and requests for zoning in the area they wanted to look at a policy to guide future land use decisions. He stated his presentation would address what was found and the current zoning for the area; that from that he would then move into the policy recommendations.

GUNBARREL ROAD ZONING POLICY
(Continued)

Mr. Pfitzer presented a PowerPoint presentation outlining the area, and stated that the area was comprised by 75% residential property, characterized largely by well-established residential property in the Genoa, Verona, Clayton, Terra Verde and Bella Vista Drive areas with the Applegate Subdivision to the south. He identified the Jarnigan Road area in contrast with large lots and a wide range of homes as far as styles and conditions are concerned. He stated the Farris Road area borders the office and institutional area on Gunbarrel and is comprised of a wide range of different housing styles of very well kept modest homes. He stated the commercial area in this study is very limited at present with one parcel in the northeast corner with medical offices.

Mr. Pfitzer continued by stating that the length of Gunbarrel Road and the area up near Goodwin set the tone along Gunbarrel relating to the medical profession; that there is substantial investment in this market niche with a good presence and should be continued and supported. He stated the existing zoning is predominantly R-1 with R-4 along Gunbarrel to the south with a scattering of O-1 to the north, as well as a few C-2. He stated the driving force behind the study involves a rezoning request for nine different parcels; that there are eleven properties in total. He stated the issue facing them involves the erosion of the character of the neighborhood; that there is the transition from commercial use that seems to be in great demand in this area.

Mr. Pfitzer stated they set forth some goals for the policy recommendations to provide opportunity for orderly commercial development, to protect the residential character of interior properties, to provide diversity of housing opportunities and redevelopment and to present reasonable transitions between these uses. He stated they moved from that to planning principles which recommend "like" houses should face one another, separation of uses should occur at the rear or at property lines, there should be no residential uses facing commercial, and buffers should be used as a transition between uses of low and high intensity to help mitigate the impact between them. He stated they do not want barriers in the neighborhood.

Mr. Pfitzer indicated that recommendations were based on those principles and they defined a large area of residences they felt should remain a low density residential use; that they included the Applegate community to the south and from that they moved to the property bordered along Gunbarrel where there is a well-established medical office and institution use that they feel is working well and should be encouraged and expanded upon. He stated there is also an area between Jarnigan and Ring Roads south of the Mall that use access to Ring Road; that the commercial area was looked at carefully and all lots were carefully selected where commercial development was as they want to bring the rear of the lots to join with other commercial development. He stated they want to expand that to the south to give a slightly expanded area and keep off the Farris Road properties as there is the situation where people do not want to be facing commercial and made reference to the intrusion of commercial into residential areas.

GUNBARREL ROAD ZONING POLICY
(Continued)

Mr. Pfitzer stated that Farris Road would serve as a buffer between the office and commercial uses and that a medium density residential area such as town homes would be appropriate use for these properties. He stated in moving north to the area between Jarnigan and Igou Gap they want to keep the division on the back of the properties on Belle Vista to not have the corrosive effect in the neighborhood; that more density could be both a buffer and opportunity for the area; that the recommendation is for office institutional because of the proximity to Jarnigan.

In summary, Mr. Pfitzer stated that it is felt the policy would provide an opportunity for orderly commercial growth, a wide range of housing opportunities, have a transition strategy between similar uses to mitigate the impact of lower and higher intensity uses and protect the quality of interior established neighborhood residential property.

Mr. Pace stated that the Planning Staff met with the neighborhood last Thursday evening and good input was provided from the neighborhood; that they came up with a good workable recommendation policy for the fast growing East Brainerd/Gunbarrel area. He stated they tried to limit the growth of commercial and office and transition that with a higher density residential type use with buffers and tried to give the remaining neighborhoods some protection. He reiterated that it is felt they have a good workable plan, which, hopefully, will move forward and be put it into place.

Councilman Eaves stated there was a long meeting last week regarding this; that the community expressed concerns about what was going to be done and asked for changes which he had Mr. Pace put into an amendment that would change from high to medium density in Zone II for all properties fronting on Igou Gap Road with the remaining properties in that zone changed to Office/residential; that properties facing Bella Vista should remain low density residential. He stated the community felt they did not want apartments or high residential and the amendment is to change it to medium density. He stated another amendment is to change the boundary for Zone V along Gunbarrel Road to include one additional parcel on each side of Applegate Lane for office and institutional use.

At this point Chairman Hakeem recognized persons wanting to speak in regard to the plan.

GUNBARREL ROAD ZONING POLICY
(Continued)

Atty. John Anderson of Grant, Konvalinka and Harrison was present on behalf of Bryant, Scott, Gregg, Neal, West and Thornburg, property owners along Farris Road with the exception of Mr. Crane. He stated his comments are in reference to Area IV in the plan; that the residents are very specific in terms of their request. He stated they were not present to advocate that Farris be C-2 or any sort of commercial zoning; that they are here to express that they understand and agree that Farris is a transitional area and that Farris Road as R-T/Z or RT-1 only is limited to the various property owners. He requested all of the property owners act in concert; that the end result would not be desirable if piecemeal town home development occurred along Farris; that the end result might not be as well as would be desired. He asked the Council to consider adding to the transition zone what could be considered as low intensity use in O-1 and R-4 with an adequate buffer between Farris and Clayton and provide that it be in keeping with the residential character of the neighborhood. He stated an architectural concept fits the residential scheme; that both O-1 and R-4 is acceptable as a transition zone between Farris and Gunbarrel.

Hugh Moore stated that the residents of the area are largely supportive of the plan; that the two major issues are traffic and maintaining the residential character and the plan does take both into consideration. He stated the residents ask that the Council look at two areas; that the large area at the top of the map that is between Jarnigan and the Mall, the residents would rather it remain R-1, and if not R-1 they would like to see a development that is limited to offices and not commercial; that they do not want restaurants and other developments that might cause other problems. He stated the other problem was with the area noted as Area II under Councilman Eaves' amendment; that the medium density that was in Section IV has been moved to a large part which was originally in Area II. He stated the traffic along Igou Gap has become worse through the years and has become an access road from the Brainerd area back into the East Brainerd/Gunbarrel area. He stated high-density housing would do nothing but increase the traffic problem. He asked that the Council consider limiting any development on Tract I to office development and take into consideration the traffic and not allow access from Tract I back into the residential area to further outlets.

Sarah Johnson, a resident of Verona Drive for 30 years, stated there are residents who have been in the area only a few years who have specifically chosen to live in that area; that they have young children and hope to stay until they are through college; that it is a very well loved and respected area and would like to keep it that way. She stated the encroachment of so much business is going to affect their property values and safety; that the medium density town homes need to go toward Jarnigan and empty there. She stated there are nice homes close to Belle Vista Acres and if that is developed it does not need to be heavy development and nothing going onto Igou Gap. She stated there is no need for any more commercial or restaurants on Farris Road; that the property behind the theatres and Lowe's is available for that. She asked that her residential neighborhood be left alone; that they appreciate the plan and RPA working on this; that they want to work with them, but would like to have a few exceptions.

GUNBARREL ROAD ZONING POLICY
(Continued)

Jerry Hagan, developer of the Applegate Subdivision, stated he currently owns property in that area and has a zoning request that will be before the Council next month, and in that regard would like to see an additional change on the office and institutional use by adding a “menu” or two or three other things to complement the area that would not depreciate property values. He distributed information regarding uses within the C-6 commercial zone that would not cause a problem, which would include an upscale furniture store, musical instrument sales or orthopedic equipment sales and fittings; that all three would be low traffic generating. He stated that he knows the Council has a tough time maintaining balance and appreciates what the Council and Planning does; that there are some uses that would be in an O-1 or R-4 neighborhood that the residents would not like and it is hard to pick and choose what would be best. He stated he has the support of the residents in the subdivision for his rezoning request and asked that the Council consider other items as possibilities that might complement the area.

Councilman Eaves asked for clarification regarding Mr. Hagan’s comments, inquiring as to whether his request is specifically for the entrance to Applegate.

Mr. Hagan stated that he is requesting that the zone be “opened up” a little bit more than what is within the O-1 and R-4 zones; that he thinks the “menu” could be complemented to make it a little more attractive to add the three items he made reference to that come under C-6. He stated this is being suggested for the whole corridor, not just for Applegate.

Councilman Eaves clarified that Mr. Hagan’s request is for C-6 to be incorporated within the plan. Mr. Hagan stated that he was not requesting everything in C-6, just the specific uses he mentioned; that this zoning would help with his zoning request for furniture sales and the orthopedic sales would complement the medical facilities already existing in the area. Councilman Eaves stated that he wanted to make sure he understood Mr. Hagan’s request.

Martha Clark stated she was present representing property located at 7303 Igou Gap where C-2 has been requested; that Planning has recommended that it be denied. She stated that she maintains the request for C-2 and would like to see it stay C-2. Chairman Hakeem informed Ms. Clark that her specific request is on the agenda for discussion later in the meeting; that she could make her presentation at the time the request is called.

Mr. Pace expressed appreciation to everyone for their input and recommendations; that it is felt the recommendation for Farris Road to remain as residential use for patio or single homes is a good recommendation. He stated it is felt if it is changed to R-4 or office would be going against the principles set forth for the area. He stated for the area between the Mall and Jarnigan Road, the recommendation for no access from Jarnigan to the area in proximity to Ring Road and the development that will occur on the large tracts would be a use that would be permissible.

GUNBARREL ROAD ZONING POLICY
(Continued)

Mr. Pace stated the uses Mr. Hagan suggested in front of Applegate would be intrusive to the neighborhood; that some of the uses requested for C-6 would be uses that are sometimes in operation from 9 a.m. until 10 p.m. (at night). He stated some furniture stores have “midnight madness” sales and sometimes “all night” sales; that a continuation of office/institutional use is recommended for that area. He stated the plan recommends a fair use and the Planning Staff stands by their recommendation as amended by Councilman Eaves’ for the policy area.

Chairman Hakeem expressed thanks to everyone and stated that the intent of the study is to do the best job possible for the community; that consideration is given to what is good for the residents, neighborhood and businesses in the community to reach some type of balance. He stated it is known that everyone is not going to be satisfied all the time and it is hoped that everyone will understand and believe that it is the Council’s intent to do what they perceive and understand to be in the best interest of the neighborhood and the City, as a whole.

City Attorney Nelson stated as it relates to what is being done overall, it is hoped everyone in the audience is aware this is setting a zoning policy or plan for that area; that it is not changing the zoning tonight of any particular property; that it only expresses the intent of the City Council to follow this type of plan in the future. At this point he made reference to the amended Resolution and indicated that the plan has been amended by including Councilman Eaves’ amendment as Exhibit A.

Councilman Eaves and Councilwoman Rutherford made the in motion to amend the Resolution to incorporate Councilman Eaves’ amendment; the motion passed.

On motion of Councilman Eaves, seconded by Councilwoman Rutherford

**A RESOLUTION TO ADOPT A NEW ZONING POLICY FOR THE AREA
WEST OF GUNBARREL ROAD AND SOUTH OF HAMILTON PLACE MALL**

was adopted.

REZONING

1999-193-01: Jane Dye

Pursuant to notice of public hearing, the request of Jane Dye to rezone several tracts of land located at 1833 Gunbarrel Road and 7312 Igou Gap Road came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

On motion of Councilwoman Rutherford, seconded by Councilman Franklin

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SEVERAL TRACTS OF LAND LOCATED AT 1833 GUNBARREL ROAD AND 7312 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE

passed first reading.

REZONING

1999-084: Bobby E. & Voula L. Fairbanks

The applicants were present; there was no opposition.

Pursuant to notice of public hearing, the request of Bobby E. and Voula L. Fairbanks to rezone a tract of land located at 1615 Gunbarrel Road came on to be heard.

On motion of Councilman Eaves, 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 AT 1615 GUNBARREL ROAD, BEING ON THE NORTHWEST LINE OF GUNBARREL ROAD NORTHEAST OF APPLGATE LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

1999-193-02: Nell Marie Parris

Pursuant to notice of public hearing, the request of Nell Marie Parris to rezone a tract of land located at 7303 Igou Gap Road came on to be heard.

The applicant was present; there was no opposition.

Mr. Pace stated that the applicant is not acceptable to the recommendation for denial of C-2.

REZONING (Continued)

Councilmen Rutherford and Franklin made the motion to approve this ordinance.

Martha Clark was present representing the applicant and stated that the applicant maintains the request for C-2; that the property adjoins C-2 and another C-2 fronts on Igou Gap. She stated if the applicant could not be given the C-2 zone she would settle for O-1, but requests consideration of the C-2.

Councilman Eaves asked Ms. Clark if she does not want the alternate zone. Ms. Clark responded that she “would prefer C-2”.

Mr. Pace stated the policy just adopted changes this area from a higher density use to a medium density residential, which is what the applicant opposes. He stated the recommendation from Planning was to deny C-2, but at the time and place we had the option of an RT-1, R-T/Z or O-1. He stated tonight the action of the Council changed those uses to a medium density residential; that the Planning Staff would still be opposed to the request for O-1.

Councilwoman Rutherford stated since the plan has been approved we should not vary from it. At this point she withdrew her previous motion for approval; Councilman Franklin withdrew his second. She stated that she would make a motion to accept the recommendation of the Staff.

City Attorney Nelson stated the recommendation from Staff would be R-4; that the plan calls for medium residential use such as R-T/Z or RT-1, which does not include R-4 or O-1 in that use. He stated actually the recommendation from Staff would be to deny the request for C-2 and if the applicant is not willing to accept the RT-1 or R-T/Z use then the property would remain as R-1. He stated the ordinance would have to be changed as it is currently crafted to change it to R-T/Z or RT-1.

Chairman Hakeem stated in accordance with the plan the zoning for the property would have to be RT-1 or R-T/Z; that it is not appropriate for the Council to ask the applicant if they would accept those recommendations; that we are saying we have an option trying to deal with the best interest as the Council understands it.

Councilwoman Rutherford indicated that her motion would be to deny C-2 and approve RT-1 or R-T/Z.

Chairman Hakeem asked for specifics as to which of the two zones Councilwoman Rutherford would be motioning.

Councilwoman Rutherford asked Mr. Pace which of the zones requested would be the better zone.

REZONING (Continued)

Mr. Pace stated that R-T/Z is the better from the Staff's standpoint; that the applicant would have to present a detailed plan of what is proposed; that a plan would have to be submitted either way. He stated in the R-T/Z zone a site plan is required along with berming and buffering, which is not required in RT-1.

Councilwoman Rutherford made the motion to deny C-2 and approve R-T/Z; Councilman Franklin seconded the motion.

Councilman Lively stated if he is reading the ordinance correctly part of the property is already zoned O-1.

Mr. Pace responded "no"; that when the request came in all cases along Farris Road and this one came under one request which was Jane Dye's whose property was zoned R-1 and O-1 and was filled out that way on the application. He stated other applicants came in and as they got further into it signs were placed on the property indicating O-1; that they found that the requests should have been done individually. He stated cases 1999-193 1-9, should have been considered individually rather than making a blanket recommendation for them all as all have different circumstances.

Councilman Lively asked if the area indicated at O-1 is a misprint? Mr. Pace responded "yes".

Councilman Taylor asked the applicant if the R-T/Z zone is okay? Ms. Clark responded that the applicant does not prefer R-T/Z; that if she cannot get C-2 she would accept O-1.

Councilman Taylor stated that he needed to know if she accepts R-T/Z.

Ms. Clark stated that she would withdraw or defer the request if the R-T/Z is the only option.

At this point Councilmen Rutherford and Franklin withdrew their motion for approval of R-T/Z.

Councilman Taylor then made the motion to allow the applicant to withdraw the request; Councilman Franklin seconded the motion.

Councilman Crockett stated that the area should be blanket zoned R-T/Z or take action all up-and-down the street; that no one at this point in time is asking for RT/Z. He stated if people there think that would help market property by having it as consistent zoning it should be treated as a blanket zone; that he agrees with the motion behind the R-T/Z.

REZONING (Continued)

Councilwoman Rutherford asked for clarification that if Ms. Clark withdraws her request and wants to bring it back she will have to go through the whole process again; that if it is deferred indefinitely she can come back within eight months. City Attorney Nelson responded “yes”.

At this point Councilmen Taylor and Franklin amended their motion to defer the matter indefinitely.

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 7303 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO R-TZ RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE

was tabled indefinitely.

REZONING

1999-193-05: Susan Nichols

Pursuant to notice of public hearing, the request of Susan Nichols to rezone a tract of land located at 7306 Igou Gap Road came on to be heard.

The applicant was present; there was no opposition.

Councilman Crockett asked if this request is in concert with the plan approved tonight for the Gunbarrel Road area; that he wanted to make sure. Mr. Pace responded “yes”.

On motion of Councilwoman Rutherford, 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 7305 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO G2 CONVENIENCE COMMERCIAL ZONE

passed first reading.

REZONING

1999-193: Arnold Kyker

Pursuant to notice of public hearing, the request of Arnold Kyker to rezone a tract of land located at 7306 Igou Gap Road came on to be heard.

The applicant was present; there was no opposition.

Mr. Pace stated this request is in keeping with the Igou Gap Road policy.

On motion of Councilman Eaves, 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 7306 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE

passed first reading.

REZONING

2000-093: Robert Whitmire

Pursuant to notice of public hearing the request of Robert Whitmire to rezone a tract of land located at 3311 Fourth Avenue came on to be heard.

The applicant was present; there was no opposition.

Mr. Pace stated this request was deferred a couple weeks ago; that it is located in the East Lake area at the intersection of 34th Street and Fourth Avenue. He stated the property has a building on it presently that was a dry cleaner in the past; that the area is completely surrounded with R-2 residential with the exception of this intersection, which has commercial use on the southwest and northeast corners. He stated the recommendation from Staff was to deny the request; with the recommendation for approval with conditions from Planning.

Robert Whitmire, owner, stated the request is for M-2; that the building was used for a commercial laundry for 40 years and at one time had 60 people employed with five delivery vans coming and going. He stated there has been little interest in the property since then a different zone is requested to allow for a different type tenant in the building in the sheet metal, welding industry.

REZONING (Continued)

Mr. Whitmire stated there are a few places around in the area that do this type of work; that he has an agreement with Bobby Jones to lease the building for a business that will have six-to-eight employees. He stated it is a relatively small business; that all work will be done inside, all material will be kept inside and will be a closed-door operation. He stated part of the concern has been in regard to noise, and indicated that there would not be any (noise); that to his knowledge there is no opposition and (he) would appreciate consideration for the rezoning.

Councilman Taylor stated that he viewed the property and talked with Mr. Whitmire. He stated that he considered the requested zoning and surrounding zoning in a community that is trying to revitalize itself and “hold its own”; that he would have to vote for denial of the request.

On motion of Councilman Taylor, 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 AT 3311 FOURTH AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE
COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT
TO CERTAIN CONDITIONS**

was denied.

REZONING

2000-106: Terry L. Parks

Pursuant to notice of public hearing, the request of Terry L. Parks to rezone several tracts of land located in the 600 block of West Bell Avenue came on to be heard.

The applicant was present; there was no opposition.

Mr. Pace stated that this request is located in North Chattanooga off Cherokee at Bell Avenue and West Bell Avenue. He stated the request involves a large tract of land presently covered with kudzu; that the request was originally for an R-4 special zone. He stated that the Staff and Planning Commission recommended denial of R-4 and approval of O-1 for the entire tract for use as an office. He stated the Planning Commission and applicant did agree to the change in zoning with the condition of leaving screening along the east and northeast side of the property. He stated there is a good screening of natural buffer with trees and shrubbery that should be left in place to access Bell Avenue only, and not on West Bell Avenue. He stated the applicant is acceptable with these conditions.

REZONING (Continued)

Councilmen Taylor and Rutherford asked the applicant if consideration has been given to the office use.

Terry Parks, applicant, stated that he plans to use the property for an office for himself and really does not have a plan right now.

Councilwoman Rutherford indicated to Mr. Parks that the Council normally does not rezone unless there is indication of what is going to be done with the property in question.

Mr. Parks stated there are three lots together; that this tract is in the middle. He stated the other two pieces of property on each side are zoned R-1 and this rezoning would not interfere with anyone other than himself.

Mr. Pace stated the majority of the property is zoned O-1; that this is a small sliver of property along Bell Avenue which was R-1 and the one at the other end of the property is R-1; that it is on a very steep slope and a house could not be built on it. He stated the R-4 was recommended for denial; that the entire tract is recommended for O-1.

Mr. Parks stated he could use the two end lots for landscaping purposes and make it look good.

Councilman Crockett clarified that the version being considered is the rezoning for O-1 with restrictions (conditions).

On motion of Councilman Lively, seconded by Councilman Taylor,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SEVERAL TRACTS OF LAND LOCATED IN THE 600 BLOCK OF WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED HERIEN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

2000-119: Mary N. Quarles

Pursuant to notice of public hearing, the request of Mary N. Quarles to rezone a tract of land located at 3204 Calhoun Avenue came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

Mr. Pace stated this request is located in Clifton Hills, east of Rossville Boulevard and south of 32nd Street; that it is completely surrounded on the southeast by C-1 and residential uses on the east side of Calhoun with a church across the street from the property. He stated the Staff made the recommendation to deny the M-2 request and approve C-1 with conditions; that the Planning Commission made the recommendation to approve C-1 to complete the C-1 in the area.

Chairman Hakeem asked for clarification as to the version that is before the Council. The Clerk of the Council verified that it is the version specifying the Staff's version "with conditions".

Mr. G.A. Bennett of K & M Enterprises, Inc. represented the applicant and stated this property was inadvertently omitted from prior rezoning; that it is surrounded by C-1 and M-2; that the applicant originally requested it be rezoned M-2 because the lot adjacent is also M-2. He stated the Planning Commission recommended that it be rezoned C-1 and the applicant has no problem with that and no problem with the restrictions.

Mr. Pace stated the recommended version is the one with conditions to assure that the lighting would be directed away from the residential uses.

On motion of Councilman Crockett, 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 3204 CALHOUN AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL
ZONE TO C-1 HIGHWAY COMMERCIAL ZONE, SUBJECT TO
CERTAIN CONDITIONS**

passed first reading.

REZONING

2000-134: G. Mitchell Baldree and Marie Farrar Baldree

Pursuant to notice of public hearing, the request of G. Mitchell Baldree and Marie Farrar Baldree to rezone a tract of land located at 200 Wet Main Street came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT
OF LAND LOCATED AT 200 WEST MAIN STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM -1 MANUFACTURING
ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN
CONDITIONS**
passed first reading.

AMEND CITY CODE

Councilwoman Rutherford stated Ordinances (q) and (r) were discussed in today's Public Works Committee and are recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
**AN ORDINANCE AMENDING THE CHATTANOOGA CITY CODE,
PART II, CHAPTER 10, SECTION 10-5, AS AMENDED, SO AS TO
EXCLUDE CERTAIN PROPERTIES FROM THE DOWNTOWN FIRE
DISTRICT BOUNDARIES**
passed first reading.

AMEND BUDGET ORDINANCE NO. 11027

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 11027, ENTITLED "AN
ORDINANCE TO PROVIDE REVENUE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2000, AND ENDING JUNE 30, 2001, 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 PROVIDE FOR
INTEREST AND PENALTY ON DELINQUENT TAXES AND
PRIVILEGES." SO AS TO APPROPRIATE, AUTHORIZE AND
ALLOCATE TWENTY-FIVE MILLION DOLLARS (\$25,000,000.00)
FROM THE UNRESERVED FUND BALANCE OF THE INTERCEPTOR
SEWER SYSTEM TO THE SEWER CONSTRUCTION TRUST FUND SO
AS TO PROVIDE FUNDS FOR THE CONSTRUCTION OF CERTAIN
SEWER PROJECTS**
passed first reading.

PROPERTY ACQUISITION

On motion of Councilman Taylor, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN
PROPERTY LOCATED AT 3700 FREDERICK STREET FROM
MELINDA L. TROTTER FOR A CONSDIREATION OF THIRTY
THOUSAND DOLLARS (\$30,000.00), PLUS REASONABLE
TRANSACTION EXPENSES**

was adopted.

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

Councilwoman Rutherford stated Resolutions (c) – (h) were discussed in Committee and are recommended for approval.

On motion of Councilman Lively, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO.
SW-4-00, SCHOOL SIDEWALK PROJECTS, PHASE III, FOR EAST
LAKE ELEMENTARY SCHOOL, HOWARD ELEMENTARY SCHOOL,
CHATTANOOGA MIDDLE SCHOOL, AND LOOKOUT VALLEY HIGH
SCHOOL, TO YERBEY CONCRETE CONSTRUCTION, INC., IN THE
AMOUNT OF THREE HUNDRED THIRTY-EIGHT THOUSAND, THREE
HUNDRED THIRTY-NINE AND 75/100 DOLLARS (\$338,339.75)**

was adopted.

AGREEMENT: JACK VANDERGRIF

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
PUBLIC WORKS DEPARTMENT TO EXECUTE AN AGREEMENT FOR
PERSONAL SERVICES WITH JACK VANDERGRIF TO SERVE AS A
RESIDENT PROJECT REPRESENTATIVE (INSPECTOR) FOR THE
PAVING CONTRACT, FOR A TOTAL COMPENSATION AMOUNT
NOT TO EXCEED THIRTY-FOUR THOUSAND DOLLARS (\$34,000.00),
EXCLUDING REASONABLE REIMBURSABLE EXPENSES**

was adopted.

**AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC.**

On motion of Councilman Crockett, seconded by Councilman Lively,

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO ENGINEERING DESIGN, GEOLOGICAL SERVICES AND PERMITTING FOR AREA 3 OF THE CITY LANDFILL, FOR A TOTAL FEE NOT TO EXCEED ONE HUNDRED NINETY-NINE THOUSAND, ONE HUNDRED EIGHTY-FIVE DOLLARS (\$199,185.00)

was adopted.

**AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC. AND ARCADIS
GERAGHTY & MILLER, (“CTI/AGM”)**

On motion of Councilman Franklin, seconded by Councilman Crockett,

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR ENGINEERING SERVICES WITH CONSOLIDATED TECHNOLOGIES, INC. AND ARCADIS GERAGHTY & MILLER, A JOINT VENTURE (“CTI/AGM”), RELATIVE TO THE DESIGN AND BIDDING FOR THE OXYGEN SYSTEM UPGRADE AND SLUDGE HANDLING IMPROVEMENTS, FOR A TOTAL FEE NOT TO EXCEED ONE MILLION, SIX HUNDRED EIGHTY-EIGHT THOUSAND DOLLARS (\$1,688,000.00)

was adopted.

AGREEMENT: HINES

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HINES FOR CITY INFRASTRUCTURE IMPROVEMENTS ON 13TH STREET BETWEEN MARKET AND CARTER STREETS, ON 12TH STREET BETWEEN CHESTNUT AND BROAD STREET, AND ON BROAD AND CHESTNUT STREETS BETWEEN 12TH AND 13TH STREET, FOR A TOTAL FEE NOT TO EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)

was adopted.

**TEMPORARY USE: COCA COLA
BOTTLING COMPANY**

On motion of Councilman Crockett, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING COCA-COLA BOTTLING COMPANY TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 17 PATTEN PARKWAY FOR THE PURPOSE OF INSTALLING A HISTORICAL MARKER IDENTIFYING THE SITE OF THE FIRST COCA-COLA BOTTLING OPERATION, SUBJECT TO CERTAIN CONDITIONS

was adopted.

CONTRACT: SKATE PARK, INC.

Councilman Franklins stated Resolutions (i) and (j) were discussed in Parks and Recreation Committee and are recommended for approval.

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH SANCTUARY SKATE PARK, INC. TO PURCHASE JUMPS AND RAILS AND TO OPERATE AND MANAGE THE CITY'S SKATE PARK, SO AS TO INCREASE SAID CONTRACT BY SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00) FOR A REVISED CONTRACT TOTAL NOT TO EXCEED TWO HUNDRED TWENTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$221,500.00)

was adopted.

**DESIGNATION OF PROPERTY AT "TATUM
PARK"**

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

A RESOLUTION NAMING CERTAIN PROPERTY LOCATED IN THE HIGHLAND PARK AREA AS "TATUM PARK" IN RECOGNITION OF OUTSTANDING SERVICES IN THE COMMUNITY BY GINNIE TATUM

was adopted.

OVERTIME

Overtime for the week sending June 30, 2000 (\$110,180.80) and July 7, 2000 (\$18,422.25) totaled \$128,603.14.

PERSONNEL

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

JOHN T. DAVIS – Resignation, Crew Leader Sr., TN Riverpark/Downtown, effective June 30, 2000.

KENNETH L. BLUE – New Hire, Crew Worker, Golf Division, Pay Grade 3/Step 1, \$15,230.00 annually, effective June 30, 2000.

KAREN EADY – Promotion, Crew Leader Sr., TN Riverpark/Downtown, Pay Grade 8/Step 1, \$21,219.00 annually, effective July 5, 2000.

ANTHONY LOFTON – Termination (during probation), Custodian, Civic Facilities, effective July 7, 2000.

PURCHASES

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

THE FRANKLIN COMPANY (Change Order #1)
Purchase Order P0014414/R0046827

Skate Park change in Contract for Additional Stone, Crusher Run, Seed and Topsoil Replaced

\$185,000.00 - Original Contract
(per Council Approval 3/28/00)
59,272.50 - Change Order #1
\$ 244,272.50

BOARD APPOINTMENTS

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

PENSION BOARD:

--Appointment of **JAMES S. BONEY** and **CARL LEVI** for terms expiring July 31, 2005.

PERSONNEL

The following personnel matter was reported for the General Services Department:

HARVEY WEBB – New Hire, Property Service Coordinator, General Services Real Estate, Pay Grade 14/Step 1, \$28,041.00 annually, effective June 30, 2000.

PERSONNEL

The following personnel matters were reported for the Department of Neighborhood Services:

LAURIE VAUGHEN – Resignation, Neighborhood Relations Coordinator, effective June 30, 2000.

DIANNA BLACKMON – New Hire, Office Assistant, Codes & Community Services, Pay Grade 3/Step 1, \$15,230.00 annually, effective June 30, 2000.

YOLANDA YOUNG-NANCE -- New Hire, Office Assistant, Codes & Community Services, Pay Grade 3/Step 1, \$15,230.00 annually, effective July 7, 2000.

PERSONNEL

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

ELBERT A. JENKINS – Employment, Inventory Clerk, Waste Resources, Pay Grade 5/Step 1, \$17,459.00 annually, effective July 5, 2000.

DAVID (RANDY) FIELDS – Employment, Heavy Equipment Operator, Waste Resources, Pay Grade 10/Step 1, \$23,033.00 annually, effective July 12, 2000.

NORMAN D. IRWIN – Reclassification (Voluntary Demotion), Engineering Project Coordinator, Engineering, Pay Grade 20/Step 8, \$46,825.00 annually, effective June 30, 2000.

EDDIE W. MARION – Promotion, Equipment Operator Senior, City-wide Services, Pay Grade 8/Step 1, \$20,803.00 annually, effective July 5, 2000.

PERCY R. GIBSON – Retirement, Equipment Operator, City-wide Services, effective June 30, 2000.

PERSONNEL (Continued)

EDWIN L. ROBINSON – Lateral Transfer, Crew Worker, City-wide Services, Pay Grade 3/Step 7, \$19,952.00 annually, effective July 5, 2000.

RICKY D. COLSTON, JR. – Promotion, Crew Supervisor Senior, City-wide Services, Pay Grade 12/Step 3, \$28,344.00 annually, effective July 7, 2000.

ROBERT T. CENTER – Promotion, Information Technician, Engineering, Pay Grade 10/Step 6, \$29,367.00 annually, effective July 3, 2000.

LYDIA S. JALLOW – Employment, Information Technician, Engineering, Pay Grade 10/Step 1, \$23,494.00 annually, effective July 3, 2000.

PURCHASES

On motion of Councilman Crockett, seconded by Councilman Franklin, the following purchases were approved for use by the Public Works Department:

NEWTON CHEVROLET (Best bid)
Requisition R0050551/B0000480

Half-Ton Long Bed Pick-up Truck

\$33,750.00

WASTE EQUIPMENT HOLT (Single source)
Requisition R0050550

Grit Screening Containers per TCA-56-301

\$10,552.00

WRENN HANDLING (Single source)
Requisition R0048672

Major Overhaul and Rebuilding of Straddle Carriers per TCA-56-301

(Price information available and filed with minute material)

PURCHASES (Continued)

HIWASSE CONSTRUCTION AND ESLINGER CONSTRUCTION (Best Bids)
Requisition R0046378/P0014710

Underground Boring and Open Trenches
\$27,793.00

KAZMIER & ASSOCIATES, INC. (Only bid)
Requisition R0043926/B0000474

Flow Meters and Water Quality Equipment
\$24,793.00

ANTHONY L. CHITWOOD (Lowest and best bid)
Requisition R0048618/P0014360

Grounds Maintenance

(Price information available and filed with minute material)

PERSONNEL

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

STEVEN HARVEY – Transfer/Promotion, Building Maintenance Mechanic, Pay Grade 7/Step 2, \$20,083.00 effective July 14, 2000.

PERRY MCALLISTER – Resignation, Building Maintenance Mechanic, effective June 29, 2000.

CAROLYN TOWNSON – Resignation, Administrative Coordinator, effective July 6, 2000.

JAMES WILBANKS, JR. – Retirement, Firefighter, effective July 2, 2000.

JAMES H. BROOKS – Retirement, Firefighter, effective July 2, 2000.

WILLIAM MCJUNKIN -- Retirement, Captain, effective July 4, 2000.

PERSONNEL (Continued)

DAVID FAIRBANKS – Disability Retirement, Lieutenant, effective July 6, 2000.

DANIEL CHRISTIAN – Retirement, Captain, effective July 15, 2000.

LARRY WATSON – Retirement, Firefighter, effective June 28, 2000.

PURCHASES

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

TOTAL FIRE GROUP C/O TENNESSEE FIRE EQUIPMENT & SAFETY SUPPLY
(Best bid)
Requisition R0046547

Firefighters Protective Clothing

(Price information available and filed with minute material of this date)

HOTEL PERMITS

On motion of Councilman Crockett, seconded by Councilman Franklin, the following hotel permits were approved:

ADAMS HILBORNE MANSION, 801 Vine Street, Chattanooga, TN

HOLIDAY INN EXPRESS, 4833 Hixson Pike, Chattanooga, TN

DAYS INN – RIVERGATE, 901 Carter Street, Chattanooga, TN

SUPER 8 MOTEL – 20 Birmingham Highway, Chattanooga, TN

DAYS INN TIFTONIA, 3801 Cummings Highway, Chattanooga, TN

LOOKOUT MOUNTAIN INN, 3800 Cummings Highway, Chattanooga, TN

PARK CITY, 2747 Cannon Street, Chattanooga, TN

HOTEL PERMITS (Continued)

PETTIT HOUSE – HOMESTAY B&B, 109 Ochs Highway, Chattanooga, TN

DAYS INN, 2341 Shallowford Village Drive, Chattanooga, TN

WINGATE INN, 7312 Shallowford Road, Chattanooga, TN

COUNTRY HEARTH INN, 7638 Lee Highway, Chattanooga, TN

COURTYARD BY MARRIOTT, 2210 Bams Road, Chattanooga, TN

HOLIDAY INN EXPRESS, 7024 McCutcheon Road, Chattanooga, TN

INDUSTRIAL DEVELOPMENT BOARD

City Attorney Nelson stated members need to be elected to the Industrial Development Board; that two persons terms have expired. He stated Theodore “Ted” Mills, Chairman, has been on the board of 30 years and never misses a meeting; that James Miller, Secretary, is an outstanding member who does not ever miss a meeting. He stated Gary Visher has moved to Cincinnati and is no longer eligible to serve and a replacement is needed. He placed in nomination the names of Theodore Mills and James Miller for terms ending June 9, 2006 (six year terms) and Walter Justin, a bank officer at SunTrust who has consented to serve out the remainder of Gary Visher’s term.

On motion of Councilwoman Hurley, seconded by Councilman Crockett the appointment of ***THEODORE MILLS*** and ***JAMES MILLER*** (with terms ending June 9, 2006) and ***WALTER JUSTIN***, to serve out the remainder of Gary Visher’s term, were approved.

COMMITTEES

Councilman Crockett scheduled a meeting of **the Legal and Legislative Committee for Tuesday, July 25 immediately following Parks and Recreation** for discussion with the Taxi Board and industry.

City Attorney Nelson stated the Tuesday after the August election would be the last day to pass any **Charter amendments** on first reading to come before the people in November. He stated that he knows of one possibility and will notify administration if there is any matter that needs to be brought forth. **(This item was added to the Legal and Legislative Committee’s agenda.)**

COMMITTEES (Continued)

Councilman Eaves stated he has received quite a few calls about people who are on the **Beer and Wrecker Board about not being able to continue beyond two terms**. He asked if there is any enthusiasm regarding the Council taking that up in Legal and Legislative Committee to see if there might consideration to change that one clause.

Chairman Hakeem indicated there are recommendations regarding this matter that are in each Council members' letter box; that the matter **can be discussed in Legal and Legislative Committee, also on July 25**. City Attorney Nelson clarified that an amendment of this nature could be done by Ordinance.

HEARING: THOMAS SKYLES

Councilman Pierce stated the panel for the Thomas Skyles hearing needs to be addressed as Councilman Lively is not available to serve.

City Attorney Nelson indicated that the original committee consisted of Councilmen Pierce (Chairman), Hurley and Lively.

Councilman Crockett volunteered to serve on the panel with Councilman Taylor serving as alternate.

ST. ELMO SCHOOL MATTER

Councilman Taylor stated a third public hearing regarding the St. Elmo School property will be held on July 24 and a date to bring the matter before the Council needs to be pinpointed.

Councilman Taylor made the motion to hear the matter at the Council meeting of August 15; Councilman Franklin seconded the motion; the motion passed.

CARRIE ARP REZONING: (#1999-193-08)

Jerry Pace expressed appreciation to the Council for their indulgence in reference to matters on tonight's agenda. He stated Ms. Arp was not present at the beginning of the meeting and wanted to make certain her rezoning request (1999-193-08) was included in those that were indefinitely deferred. The Clerk of the Council indicated that Ms. Arp's rezoning was included in the group voted to be held indefinitely.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, July 18, 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)**