

**City Council Building
Chattanooga, Tennessee
September 26, 2000**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Crockett, Eaves, Franklin, Hurley, Lively, Pierce, Rutherford and Taylor present. 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, Councilwoman Hurley gave invocation for the evening.

MINUTE APPROVAL

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

REZONING

On motion of Councilman Crockett, seconded by Councilman Taylor, approval was given for Ordinance (d) to be moved up on the agenda.

2000-108: Steven Reese

Attorney John Anderson represented the applicant and asked that the request be withdrawn.

Councilman Crockett stated that there have been new developments on this request and indicated that the residents are concerned some other properties are being negotiated with the development group doing the WalMart. He stated that there would be no request to change the zoning, which would solve some of the issues that have been of concern with adjacent property owners; that there will not be a zoning change for people on Winding Lane or in the subdivision near Hixson Elementary. He stated that he wanted to make sure those in opposition understood that the matter is being withdrawn and any contractual agreements with other property owners will not involve a zoning change. He reiterated that the zoning would remain "as is".

REZONING (Continued)

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 5925, 5927 AND 5929 WINDING LANE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL
ZONE AND R-5 RESIDENTIAL ZONE TO C-2 CONVENIENCE
COMMERCIAL ZONE**
was withdrawn at the request of the applicant.

**CORRECT ERRORS IN LEGAL
DESCRIPTION**

2000-079: Wolford Development

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 CORRECT
ERRORS IN THE REVISED LEGAL DESCRIPTION CONTAINED IN
ORDINANCE NO. 11029, ON SEVERAL UNPLATTED TRACTS OF
LAND LOCATED AROUND HIGHWAY 153 AND GRUBB ROAD IN THE
RHEA SUBDIVISION, MORE PARTICULARLY DESCRIBED HEREIN,
SUBJECT TO CERTAIN CONDITIONS**
passed second reading. On motion of Councilman Franklin, seconded by Councilman Eaves, the
Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1999-026: Frankie Elaine Lanier

Councilwoman Rutherford stated Ordinances (a) and (d) were discussed in today's Public Works
Committee meeting and are recommended for approval. She stated Ordinance 6 (b) was
discussed and is recommended for denial.

CLOSE AND ABANDON (Continued)

On motion of Councilwoman Rutherford, seconded by Councilman Lively,
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN ALLEY THAT BEGINS SEVENTY FEET (70') NORTH OF LOCKWOOD AVENUE TO THE INTERSECTION OF THE ALLEY THAT RUNS FROM FROST STREET TO NOAH STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
passed first reading.

CLOSE AND ABANDON

1999-026: Frankie Elaine Lanier

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,
AN ORDINANCE CLOSING AND ABANDONING THE ALLEY BETWEEN FROST STREET AND NOAH STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was denied

AMEND CITY CODE

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

AMEND CITY CODE

Chairman Hakeem stated this matter was discussed in the Economic Development Committee meeting and was approved for placement on the agenda this evening.

On motion of Councilman Franklin, seconded by Councilman Taylor,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 35, SECTION 35-48, RELATIVE TO THE PUBLIC HEARING FOR TAXICAB BOARD APPLICATIONS
passed first reading.

AGREEMENT: FRONT PORCH ALLIANCE

Councilwoman Hurley stated this Resolution was discussed in the Health, Education, Human Services and Housing Opportunities Committee and is recommended for approval.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE FRONT PORCH ALLIANCE TO ACCEPT A GIFT TO THE CITY OF CHATTANOOGA OF SEVENTY-TWO THOUSAND AND 00/100 DOLLARS (\$72,000.00) AND AUTHORIZING THE DEPARTMENT OF NEIGHBORHOOD SERVICES TO ADMINISTER THE FUNDS AS SHOWN MORE FULLY HEREINBELOW

was adopted.

CONTRACT: PUBLIC AGENCY TRAINING COUNCIL

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PUBLIC AGENCY TRAINING COUNCIL, RELATIVE TO SPECIALIZED TRAINING CLASSES FOR THE CHATTANOOGA POLICE DEPARTMENT, FOR AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00)

was adopted.

EASEMENT

On motion of Councilman Crockett, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ACCEPT A CONSERVATION EASEMENT, MORE PARTICULARLY DESCRIBED HEREIN, FROM COCA-COLA BOTTLING COMPANY FOR THE GREENWAY

was adopted.

AGREEMENT: COMQUEST, LLC

Councilwoman Rutherford stated Resolutions (d) through (k) and (m) were discussed in Public Works Committee and are recommended for approval.

AGREEMENT: COMQUEST, LLC
(Continued)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGINEERING AGREEMENT WITH COMQUEST, LLC, FOR THIRD (3RD) STREET AND POWER ALLEY STREETScape IMPROVEMENTS FOR A TOTAL FEE NOT TO EXCEED ELEVEN THOUSAND, EIGHT HUNDRED DOLLARS (\$11,800.00)

was adopted.

AGREEMENT: COMQUEST, LLC

On motion of Councilwoman Rutherford, seconded by Councilman Lively,

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGINEERING AGREEMENT WITH COMQUEST, LLC, FOR BROAD STREET AND MARTIN LUTHER KING BOULEVARD STREETScape IMPROVEMENTS FOR A TOTAL FEE NOT TO EXCEED ELEVEN THOUSAND, EIGHT HUNDRED DOLLARS (\$11,800.00)

was adopted.

AGREEMENT AMENDMENT: DAVID VOLKERT & ASSOCIATES, INC.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO THE AGREEMENT WITH DAVID VOLKERT & ASSOCIATES, INC., RELATIVE TO CONTRACT NO. SS-4-00, STREETScape AND ROADWAY IMPROVEMENTS TO 13TH STREET AND THE SURROUNDING BLOCKS TO THE CHATTANOOGAN, FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF FIFTY-TWO THOUSAND, FIVE HUNDRED DOLLARS (\$52,500.00), FOR A TOTAL REVISED FEE NOT TO EXCEED ONE HUNDRED FIFTY-FOUR THOUSAND, FIVE HUNDRED DOLLARS (\$154,500.00)

was adopted.

**CONTRACT: 3-D ENTERPRISES
CONTRACTING CORPORATION**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. CSO-4b-00, 19TH STREET CSO CONTROL FACILITY, TO 3-D ENTERPRISES CONTRACTING CORPORATION, FOR THEIR LOW BID IN THE AMOUNT OF TWO MILLION, NINE HUNDRED NINETY THOUSAND DOLLARS (\$2,990,000.00)

was adopted.

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

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SW-6-00, MOUNTAIN CREEK ROAD WALKWAY, TO YERBEY CONCRETE CONSTRUCTION, INC., FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED EIGHTEEN THOUSAND, SEVEN HUNDRED TWENTY-FIVE DOLLARS (\$118,725.00)

was adopted.

AMEND RESOLUTION 22485

On motion of Councilman Franklin, seconded by Councilman Lively,

A RESOLUTION AMENDING RESOLUTION NO. 22485, ENCAPTIONED "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)." SO AS TO INCREASE THE TOTAL COST TO ONE MILLION, FIVE HUNDRED THIRTY-EIGHT THOUSAND, SEVEN HUNDRED TWENTY-THREE DOLLARS (\$1,538,723.00) INCREASING THE CITY'S SHARE TO THREE HUNDRED SEVEN THOUSAND, SEVEN HUNDRED FORTY-FIVE DOLLARS (\$307,745.00)

was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FORM FORREST A. WILLIAMS AND MARY FLORENCE WILLIAMS, RELATIVE TO CONTRACT NO. 45b, SANITARY SEWER RELOCATION FOR WIDENING OF STATE ROUTE 153 FROM NORTH HICKORY VALLEY ROAD TO AMNICOLA HIGHWAY, TRACT NO. 15, FOR A TOTAL CONSIDERATION OF THREE THOUSAND DOLLARS (\$3,000.00)

was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM E. F. GOFORTH AND EDNA EARLE GOFORTH, RELATIVE TO CONTRACT NO. 45B, SANITARY SEWER RELOCATION FOR WIDENING OF STATE ROUTE 153 FROM NORTH HICKORY VALLEY ROAD TO AMNICOLA HIGHWAY, TRACT NO. 14, FOR A TOTAL CONSIDERATION THREE THOUSAND DOLLARS (\$3,000.00)

was adopted.

AGREEMENT: BOOTH RESEARCH GROUP, INC.

Councilman Pierce inquired as to why this Resolution was back on the agenda.

Chairman Hakeem explained that Chief Dotson answered questions that were raised by Councilpersons, and, as a result, the Resolution was placed back on the agenda.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BOOTH RESEARCH GROUP, INC., A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, RELATIVE TO THE DEVELOPMENT AND ADMINISTRATION OF PROMOTIONAL EXAMS FOR THE POSITIONS OF POLICE LIEUTENANT, POLICE CAPTAIN AND POLICE SERGEANT

was adopted.

CONTRACT: BROWN AND CALDWELL

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH BROWN AND CALDWELL TO CONDUCT AN ORGANIZATION ASSESSMENT OF THE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND, SIX HUNDRED FIFTY DOLLARS (\$74,650.00)
was adopted.

OVERTIME

Overtime for the week ending September 22, 2000 totaled \$154,546.53.

PERSONNEL

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

JONATHAN WOOTEN – New Hire, Equipment Operator, TN Riverpark/Downtown, Pay Grade 6/Step 1, \$18,945.00 annually, effective September 22, 2000.

MAURICE HARVEY – New Hire, Custodian, Civic Facilities, Pay Grade 2/Step 1, \$14,397.00 annually, effective September 20, 2000.

EDWARD F. BAKER, II – New Hire, Assistant Manager, Champions Club, Pay Grade 15/Step 3, \$32,095.00 annually, effective September 22, 2000.

WAYNE A. BURNETT – Promotion, Crew Worker Sr., Champions Club, Pay Grade 5/Step 3, \$19,589.00 annually, effective September 26, 2000.

CHARLES L. MCGRAW – Promotion, Crew Worker Sr., Parks Division, Pay Grade 5/step 2, \$18,699.00 annually, effective September 20, 2000.

PERSONNEL

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

ALVIN HUFF – Dismissal, Crew Worker, Citywide Services, effective September 13, 2000.

PERSONNEL (Continued)

TYRONE LAMB – Suspension (8 days without pay), Equipment Operator Sr., Citywide Services, effective September 1, 6, 7, 8, 19, 20, 21, 22, 2000.

PURCHASES

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

SAFECO, INC. (Best bid)
Requisition R0050597/P0014973

Traffic Control Equipment

(Price information available and filed with minute material)

LEE SMITH INTERNATIONAL (Best bid)
Requisition R0048291/B0000509

Refuse (Non-Loader) Truck

\$91,039.00

PERSONNEL

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

ALVIN D. THOMPSON, JR. – Family Medical Leave, Firefighter, effective October 2 – December 25, 2000.

ALGIE M. JOHNSON – Retirement (*30+ years of dedicated service*), Commander, effective October 6, 2000.

ROBERT L. LACKEY, JR. – Retirement (*25 years of dedicated service*), Captain, effective October 6, 2000.

PERSONNEL

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

PERRY L. BATES, GAY P. SHETTER – Hire, School Patrol Officer, \$24.16 daily rate, effective September 19, 2000.

STUART K. MABRY– Resignation, Police Officer, effective September 30, 2000.

MILO WARE – Retirement, Police Sergeant (*16 years of outstanding performance*), effective October 5, 2000.

MATTOY BEST – Resignation, Police Cadet, effective November 21, 2000.

PURCHASES

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

C & S CONSTRUCTION COMPANY (Lower and better bid)
Requisition R0047062/B0000436

Renovation of Police Services Center Gymnasium

\$59,280.00

WOLF CAMERA & VIDEO (Best bid)
Requisition R0027732/P0015128

Photographic Supplies (additional 6 months contract)

(Price information available and filed with minute material)

COMMON GROUND MAGAZINE

Adm. Curry displayed a copy of the Department of Neighborhood Services' most recent edition of *Common Ground* featuring the Department of Recreation, Arts and Culture.

COMMITTEES

Councilman Eaves scheduled a meeting of the **Safety Committee for Tuesday, October 10 immediately following the Public Works Committee meeting.**

**JOINT COMMITTEE MEETING FOR
TUESDAY, OCTOBER 3**

Chairman Hakeem reminded Council members that the meeting of the **Joint Legal and Legislative/Economic Development Committees** scheduled for next Tuesday, October 3, to discuss the various master plans for the Alton Park, Bushtown and Shallowford Road communities **has been moved to Wednesday, October 4 beginning at 4 p.m.**

SISTER BEY

Sister Bey expressed her displeasure regarding “deception” in government, the “forced” issue regarding Room In The Inn and the entrapment of people into “slavery”.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, October 3, 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)