

**City Council Building
Chattanooga, Tennessee
December 5, 2000**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Crockett, Eaves, Franklin, 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, City Attorney Nelson gave invocation.

MINUTE APPROVAL

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

CLOSE AND ABANDON

MR-2000-013: City of Chattanooga

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT
LOCATED IN THE BELLEAU WOODS SUBDIVISION, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND
MADE A PART HEREOF BY REFERENCE, SUBJECT TO THE CONDITION
THAT NEW SEWER EASEMENTS WILL BE DEDICATED AND RECORDED ON
THE PROPOSED PLAT**

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

CLOSE AND ABANDON

MR-2000-014: City of Chattanooga

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE CLOSING AND ABANDONING SEWER EASEMENTS LOCATED UNDER THE NEW EASTSIDE ELEMENTARY SCHOOL, 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 Crockett, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2000-129: M & M 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 REZONE A TRACT OF LAND LOCATED IN THE 8700 BLOCK OF EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2000-192: Peter Alden Gibson

Jerry Pace of the Planning Agency stated that the applicant and members of the neighborhood association met with Councilman Taylor last week regarding this matter. He stated the Staff and Planning Commission made the initial recommendation for denial, however, after meeting last week both the applicant and members of the neighborhood worked out a possible solution that is acceptable to both parties. He suggested that the proposal move forward on first reading with the conditions being substituted prior to second and third reading.

REZONING (Continued)

Mr. Pace continued by stating that eight conditions were agreed upon as a workable solution for the parcel. He stated that the slides presentation last week showed a side of the parcel covered with kudzu, which will be cleaned off and made good for development for the neighborhood. He stated that the **eight conditions** involve the following: ***(1) that the rezoning be for the proposed use only for a storage building and one apartment with a site plan attached; (2) that a 30 foot buffer be left of existing trees along the suburban and north property line; (3) that the security fence proposed along the perimeter line be located inside the 30 foot buffer (no chain link fence); (4) that the façade of the building and two-story apartment will be bricked (photos will be attached); (5) that the fencing and gate entrance along Old Bell Avenue will be bricked with black aluminum or iron fencing and the columns will be bricked (photos will be attached); (6) that access will be by Bell Avenue only; (7) that landscaping along Old Bell Avenue will be in accordance with the Landscape Ordinance for street yards; and (8) that all existing easements will be retained.***

Councilman Taylor made the point that both parties have met and are in agreement with the conditions. Peter Gibson, the applicant, corroborated that both are in agreement.

Councilman Taylor stated that he spoke with the neighborhood association members for their input and the conditions recommended will improve and enhance the area.

Linda Bennett, President of the Northside Community Association, stated that the Association is in the process of developing a neighborhood plan and this project looks as if it will be an asset to the community. She stated that the Association has asked that the Urban Design Group be involved with this project because they want the project to "fit" within the neighborhood if Mr. Gibson is agreeable to that.

Mr. Gibson stated that he is in agreement with anything that will make this project "go" as this will be an asset to the community. He stated the project would be top scale, "high tech" and very secure; that (he) is willing to work with everyone.

Councilman Taylor suggested that Ms. Bennett's request be added as condition nine (9).

REZONING (Continued)

Mr. Gibson asked what Ms. Bennett's suggestion would entail? Mr. Pace clarified that Ms. Bennett's suggestion that the Urban Design Group be involved with the project would only make sure everything is in order.

Mr. Gibson again indicated that all he wants is for the project to "go"; that he is not a builder nor developer and wants to please everyone!

Chairman Hakeem indicated that the caption should be amended to reflect "**subject to certain conditions**".

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 IN THE 600 BLOCK OF WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

CHANGE ORDER

Councilwoman Rutherford stated Resolutions 7(a) – (h) were discussed in Public Works Committee and approval is recommended.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL), CONTRACT NO. SWM-1-99, DRAINAGE AND WATER QUALITY ABATEMENT, WITH MAYSE CONSTRUCTION COMPANY, WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY NINETY-TWO THOUSAND, NINE HUNDRED FIFTY-THREE AND 70/100 DOLLARS (\$92,953.78), FOR A REVISED CONTRACT TOTAL OF ONE MILLION, TWO HUNDRED TWELVE THOUSAND, SIX HUNDRED FORTY AND 22/100 DOLLARS (\$1,212,640.22), AND INCREASES THE CONTRACT TIME BY FIFTY (50) DAYS

was adopted.

AGREEMENT AMENDMENT: CONSOLIDATED TECHNOLOGIES, INC.

On motion of Councilman Lively, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO THE AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO CONTRACT NO. SS-10-00, SECOND STREET STREETScape, CHESTNUT STREET TO MARKET STREET, FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF FOUR THOUSAND, SEVEN HUNDRED NINETY DOLLARS (\$4,790.00), FOR A TOTAL FEE NOT TO EXCEED FOURTEEN THOUSAND, FIVE HUNDRED FORTY DOLLARS (\$14,540.00)
was adopted.

AGREEMENT AMENDMENT: JOE L. WOODALL

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH JOE L. WOODALL TO PROVIDE TECHNICAL SERVICES RELATIVE TO RECORDS AND INFORMATION RESEARCH FOR A TOTAL AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) PER YEAR
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM LENA MARIE CLAYTON, RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 12, FOR A TOTAL CONSIDERATION OF EIGHT THOUSAND, FOUR HUNDRED DOLLARS (\$8,400.00)
was adopted.

SEWER EASEMENT

On motion of Councilman Crockett, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM VIRGIE SUSAN GANN, C/O HERIAL J. BLEDSOE, RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 13, FOR A TOTAL CONSIDERATION OF FOUR THOUSAND, SEVEN HUNDRED FIFTY DOLLARS (\$4,750.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM H. J. BLEDSOE AND GAILEY BLEDSOE, RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 14, FOR A TOTAL CONSIDERATION OF FOUR THOUSAND, THREE HUNDRED DOLLARS (\$4,300.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM CALVIN E. GANN AND DOROTHY H. GANN, RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 15, FOR A TOTAL CONSIDERATION OF THREE THOUSAND, FIVE HUNDRED DOLLARS (\$3,500.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM BOWMAN & ASSOCIATES RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 18, FOR A TOTAL CONSIDERATION OF TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00)
was adopted.

PROPERTY ACQUISITION

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 38TH AND FREDERICK STREET FROM JOE V. WILLIAMS, ET. AL. FOR A CONSIDERATION OF TWENTY THOUSAND, FIVE HUNDRED EIGHTY-SIX DOLLARS (\$20,586.00), PLUS REASONABLE TRANSFER FEES, FOR THE FREDERICK STREET REVITALIZATION PROJECT
was adopted.

OVERTIME

Overtime for the week ending December 1, 2000 totaled \$190,729.25.

PERSONNEL

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

RONALD T. SIMPSON – Promotion, Light Equipment Operator, Citywide Services, Pay Grade 5/Step 9, \$25,464.00 annually, effective November 22, 2000.

GERALD HARRINGTON – Promotion, Light Equipment Operator, Citywide Services, Pay Grade 5/ Step 5, \$21,370.00 annually, effective November 22, 2000.

AARON M. DAVIS – Promotion, Crew Supervisor Senior, Citywide Services, Pay Grade 12/Step 1, \$25,767.00 annually, effective December 6, 2000.

JOHNNY H. PELFREY, JOHN T. SIMPSON – Employment, Sanitation Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective November 15, 2000.

EVERETT J. ALLEN, HENRY SAND, JR., KEITH D. SANDERS – Employment, Crew Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective November 15, 2000.

EUGENE B. JACKSON – Family Medical Leave of Absence, Crew Worker Senior, Traffic Engineering, effective November 8 – December 21, 2000.

ANGELA PATTON – Employment, Office Assistant, Engineering (Stormwater), Pay Grade 5/ Step 4, \$20,480.00 annually, effective December 1, 2000.

ILEANA M. SPEER – Resignation, Engineering Designer, Engineering (Stormwater), effective November 30, 2000.

PURCHASES

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

TEMPLE, INC. (Single Source Purchase)
Requisition R0048954

Traffic Signal Head, per TCA-56-301

\$19,750.00

QUALITY INDUSTRIAL SUPPLIES (Lowest and best bid)
Requisition R0052757

Rubber Boots

(Price information available and filed with minute material)

MOUNTAIN VIEW FORD (Best bid)
Requisition R0052745/B0000538

Pick-Up Truck

\$27,114.00

BOARD APPOINTMENTS

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

Chattanooga Metropolitan Airport Authority:

- ✍ Appointment of **NELSON BOWERS** and **JOANN FORMAN** for terms ending July 1, 2007.

Carter Street Corporation:

- ✍ Reappointment of **CURTIS JOHNSON** for a term ending December 1, 2004.

PERSONNEL

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

PATRICIA LANCE – Return to Duty, Police Services Technician Sr., effective November 16, 2000.

ANNIE GARNER – Dropped from Payroll, School Patrol Officer, effective November 17, 2000.

SAMANTHA L. BANTHER – Hire, Police Records Clerk, Pay Grade 3/Step 1, \$15,535.00 annually, effective December 1, 2000.

HEARING: SHAWN HICKEY

City Attorney Nelson indicated the need to reschedule the personnel hearing for Shawn Hickey; that the request to reschedule is due to the involvement of Police Department staff in the police accreditation process.

The hearing for Shawn Hickey was rescheduled for Monday, January 22, 2001 beginning at 4 p.m. with Councilmen Hurley (Chair), Lively and Franklin serving as the panel.

COMMITTEES

Councilman Franklin reminded Council members of the **Parks and Recreation Committee scheduled for Tuesday, December 12 at 4 p.m.**

Councilman Crockett scheduled a meeting of the Legal and Legislative Committee for **Tuesday, December 12 immediately following the Safety Committee meeting.**

DR. GRACE HEWELL

Dr. Grace Hewell addressed the Council regarding her concern with regard to the swimming pool that is being built in the Alton Park area by the Parks and Recreation Department. She stated that she was present for the meeting at the Tivoli Theatre when the project was announced and indicated that she has not received answers to her concern for a whirlpool to be installed for the elderly in the area. She stated that her question has been raised to the appropriate person but (she) has not received a response.

Councilman Taylor stated Jerry Mitchell is the person to whom the question should be asked and that Dr. Hewell should communicate with him.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, December 12, 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)**