

**City Council Building
Chattanooga, Tennessee
April 8, 2003
12:00 Noon**

Vice Chairman Franklin called the special meeting of the Chattanooga Council to order with Councilmen Benson, Hakeem, Robinson and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

BOND AWARD

Admin. Eichenthal stated two Resolutions are before the Council for this special meeting and indicated that the first Resolution awards \$12,190,000.00 City of Chattanooga general obligation bonds. He stated pursuant to State law, there was a competitive bid this morning and the results are reflected in the Resolution. He stated they were very pleased with the level of competition with eight firms bidding and the winning firm is Davenport and Company, LLC, with a true interest rate of 3.819516 percent. He reminded the Council that these are fifteen-year general obligation bonds that exclusively fund the fiscal and capital plan.

Admin. Eichenthal continued by stating the second Resolution is a supplemental Resolution authorizing the sale of and making certain determinations relating to sewer and sewage refunding bonds; that this was a negotiated refunding. He requested the Council's approval for both Resolutions.

Councilman Hakeem asked for a point of clarification with regard to companies that bid, whether their quality or level of service reliability is the same or better than the other. He stated just because the low bid was accepted does not mean overall there is a person or group who would be better than the other.

Admin. Eichenthal responded that under Tennessee State Law there is the requirement with regard to competitive bidding. He stated in regard to Davenport and Company, he realizes the name is new before the Council in terms of the City of Chattanooga; that Davenport is a Richmond, Virginia-based firm. He stated they have done a considerable amount of work on municipal sales both in Virginia, Maryland and Pennsylvania; that they acted as financial advisor for a number of county and city municipal bond deals and expressed his confidence in going forward with them.

BOND AWARD (Continued)

Asst. Admin. Daisy Madison stated each bidder is required to do a surety bond to assure us they will deliver.

Councilman Hakeem inquired as to whether either company has any principles or individuals that are African American within the company.

Asst. Admin. Madison stated that was not listed as one of the specific requirements of the bid and (she) did not know at this point.

Admin. Eichenthal acknowledged that Councilman Hakeem's question was a fair one and is something they can look at on future issues. He indicated that he would "get back" with information to Councilman Hakeem.

On motion of Councilman Taylor, seconded by Councilman Hakeem,
A RESOLUTION AWARDED TWELVE MILLION ONE HUNDRED NINETY THOUSAND DOLLARS (\$12,190,000.00) CITY OF CHATTANOOGA, TENNESSEE GENERAL OBLIGATION BONDS, SERIES 2003A
was adopted.

REFUNDING RESOLUTION

On motion of Councilman Hakeem, seconded by Councilman Taylor,
A SUPPLEMENTAL RESOLUTION AUTHORIZING THE SALE OF, AND MAKING CERTAIN DETERMINATIONS RELATING TO THE CITY OF CHATTANOOGA, TENNESSEE (\$13,465,000.00*) GENERAL OBLIGATION SEWER AND SEWAGE FACILITIES REFUNDING BONDS, SERIES 2003B
was adopted.

ACKNOWLEDGEMENTS

Vice Chairman Franklin acknowledged the presence of Ed Rojas of Pillsbury Winthrop and Kevin Thompson and Valesa Johnson of Public Financial Management. He stated the Council unanimously adopted both Resolutions and it could not have been done without the assistance of everyone concerned.

ADJOURNMENT

Vice Chairman Franklin recessed the meeting of the Chattanooga Council until Tuesday, April 8, 2003 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

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

**City Council Building
Chattanooga, Tennessee
April 8, 2003
6:00 p.m.**

Chairman Littlefield called the recessed meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Hakeem, Lively, Page, and Robinson present; Councilman Pierce was out of the city due to personal commitment; Councilman Taylor joined the meeting later. 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, Vice Chairman Franklin gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

On motion of Councilman Benson, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 24, ARTICLE IX, TO INCLUDE A NEW SECTION 24-272,
RELATIVE TO THE INSTALLATION OF SIGNS, SIGNALS, MARKINGS, OR
OTHER DEVICES INTENDED TO REGULATE, WARN, OR GUIDE TRAFFIC
ON PRIVATE PROPERTY TO BE IN CONFORMITY WITH THE UNIFORM
VEHICLE CODE AND THE MANUAL ON UNIFORM TRAFFIC CONTROL
DEVICES, 2000 EDITION**

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

REZONING

2002-163: Charles E. Lawson

Councilmen Franklin and Page made the motion to substitute the amendments to this ordinance; the motion carried.

On motion of Councilman Franklin, seconded by Councilman Page,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5404 LONGVIEW DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

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

RESCIND CLOSURE AND ABANDONMENT

MR-2001-153: Americo Group by Thomas Kale

Councilman Benson stated this matter has been requested for deferral for one week pursuant to discussion in today's Legal and Legislative Committee meeting.

On motion of Councilman Benson, seconded by Councilman Hakeem,

AN ORDINANCE AMENDING ORDINANCE NO. 11216, ADOPTED DECEMBER 4, 2001 AND AS AMENDED BY ORDINANCE NO. 11282, ADOPTED JULY 15, 2002, BY RESCINDING THE CLOSING AND ABANDONING OF ALL RECORDED RIGHTS-OF-WAY IN AN AREA BOUNDED BY WEST 33RD STREET ON THE NORTH, WEST 35TH STREET ON THE SOUTH, BROAD STREET ON THE EAST AND ST. ELMO AVENUE ON THE WEST, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

was tabled one week.

REZONING

2003-002: First Tennessee Bank National Association

Jerry Pace, Director of Operations with the Regional Planning Agency (RPA), stated that this matter has been requested for withdrawal from the applicant.

On motion of Councilman Lively, seconded by Councilman Hakeem,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1319 COWART STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS

was withdrawn at the request of the applicant.

RIGHT-OF-WAY NAME CHANGE

2003-031: City of Chattanooga

Pursuant to notice of public hearing, the request of the City of Chattanooga to change the right-of-way name of Access Road and a portion of the 4400 block of James Drive to James Lane came on to be heard.

There was no opposition in attendance.

Chairman Littlefield stated all the right-of-way name changes have been recommended for approval from the City Engineer's office.

Councilman Hakeem stated this matter and Ordinances VI(f) and (g) were discussed in last week's Public Works Committee meeting and approval is recommended.

On motion of Councilman Hakeem, seconded by Councilman Lively,

AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF ACCESS ROAD AND A PORTION OF THE 4400 BLOCK OF JAMES DRIVE TO JAMES LANE, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED HEREIN

passed first reading.

REZONING

2003-032: Waymon Oliver

Pursuant to notice of public hearing the request of Waymon Oliver to rezone a tract of land located at 104 East 38th Street came on to be heard.

The applicant was not present; there was no opposition in attendance.

Councilman Hakeem inquired as to whether this request is located in Councilman Taylor's district and whether he (Taylor) had any questions about it.

Mr. Pace responded that he did not know and indicated that the applicant is not present tonight.

On motion of Councilman Hakeem, 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 104 EAST 38TH STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**
was tabled one week.

REZONING

2003-033: Sheryl Jenkins

Pursuant to notice of public hearing, the request of Sheryl Jenkins to rezone a tract of land located at 4101 Norcross Road came on to be heard.

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

Mr. Pace stated this request is surrounded by RT-1 and R-2 in the area to the west. Various photos were shown by PowerPoint presentation wherein it was stated that the request is in agreement with the North River/Hixson Community Plan. He indicated that the request comes with approval from both the Planning Commission and Staff.

REZONING (Continued)

On motion of Councilman Hakeem, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND OF LAND LOCATED AT 4101 NORCROSS ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM RT-1 RESIDENTIAL
TOWNHOUSE TO R-2 RESIDENTIAL ZONE**
passed first reading.

RIGHT-OF-WAY NAME CHANGE

2003-034: City of Chattanooga

Pursuant to notice of public hearing, the request of the City of Chattanooga to change the right-of-way name of Crescent Club Drive Extension to Arbor Creek Way came on to be heard.

There was no opposition in attendance.

On motion of Councilman Page, seconded by Councilman Franklin,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
CRESCENT CLUB DRIVE EXTENSION TO ARBOR CREEK WAY, SAID
RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED HEREIN**
passed first reading.

RIGHT-OF-WAY NAME CHANGE

2003-035: City of Chattanooga

Pursuant to notice of public hearing, the request of the City of Chattanooga to change the right-of-way name of Summit Avenue to Aubrey Avenue came on to be heard.

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

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF SUMMIT
AVENUE TO AUBREY AVENUE, SAID RIGHT-OF-WAY BEING MORE
PARTICULARLY DESCRIBED HEREIN**
passed first reading.

REZONING

2003-037: Margie Baumgardner, Ted Fugunt, And Valor & Sun Land Associates, Inc.

Pursuant to notice of public hearing, the request of Margie Baumgardner, Ted Fugunt, And Valor & Sun Land Associates, Inc. to rezone a tract of land located in the 2300 block of Napier Drive came on to be heard.

Representatives for the applicant were present; there was no opposition.

Mr. Pace stated this request is located in the Hamilton Place community on Napier Drive with R-1, R-4 and commercial in the area toward Shallowford. He stated there is an R-4 zone that was formerly known as the Knife Museum that is now an office and a church is located across the street. He stated the request meets the intent of the Hamilton Place Plan and displayed a generic proposed site plan for offices, as well as a second future development of an office tower. He stated the request comes with approval of both the Staff and Planning Commission and has lengthy conditions incorporated to ensure that the development meets the approval of the Plan. He stated the largest condition was the one having to do with the Traffic Engineer in addressing concerns of additional traffic at Napier and Shallowford, as that is a busy, congested area. He stated the Traffic Engineer has sanctioned his approval.

Councilman Benson asked if he was right in thinking that one condition, even though it is R-4, is that it would be "office only".

Mr. Pace stated the conditions listed reference a lot of uses that will not be in this R-4 zone, but "office use only" is not a part of that. He stated many conditions for R-4 were deleted and considered not appropriate for this location.

Councilman Benson stated the people in the area want assurance this is for "office only".

Mr. Pace responded that "office use only" is not in the ordinance itself and could be added.

Mr. Benson stated that he met with the people quite a bit and might be mistaken about this.

REZONING (Continued)

Ken Defoor and Rudy Walldorf were present representing the applicant and stated that they met with the community, RPA and Councilman Benson regarding this matter and struck out quite a few items that fall under R-4. He stated a bank wants to locate on this parcel and have a drive-through area; that they have struck out dormitories, logging houses, frat ernizes, funeral homes, small animal hospital – everything allowed in R-4!

Councilman Benson inquired about whether the conditions include apartments.

Mr. Defoor responded single-family, multiple family and manufactured homes are all restricted. He stated residential items are excluded; that there are a “train load” of things they have taken out!

On motion of Councilman Benson, seconded by Councilwoman Robinson,
**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 2300 BLOCK OF NAPIER DRIVE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-
4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

REZONING

2003-038: Cheryl Fuqua

Pursuant to notice of public hearing, the request of Cheryl Fuqua to rezone a tract of land located at 5722 Morgan Lane came on to be heard.

The applicant was not present; nineteen persons in opposition were in attendance.

Mr. Pace stated this request is located off the Dayton Boulevard area north of the Red Bank City Limits; that the 10.43-acre tract is in a single-family neighborhood with R-4 and RT-Z. He stated there is a duplex across the street on Morgan Lane; that the area slopes and goes up a hill to Crestview where it is difficult for two cars to pass at any one point. He stated the North River/Hixson Plan recommends the area remain low density single-family and this duplex request does not fit within this recommended portion.

REZONING (Continued)

Mr. Pace stated both the Planning Commission and Staff recommend denial as it is felt this is not an appropriate use for density and would be too much for the narrow roads and existing single family residential within the area.

On motion of Councilman Lively, seconded by Councilman Benson,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958 AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 5722 MORGAN LANE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL
ZONE**

was denied.

ADOPTION OF HILL CITY/NORTHSIDE NEIGHBORHOOD PLAN

Paul Stutz of the Regional Planning Agency stated that the boundaries of the plan include Manufacturers Road to the South, Highway 27 to the west, Forest Avenue to the east and the Red Bank City Limits to the north. He stated at the start of the planning process there were major issues from the community which involved thirty-three (33) parcels in the single family area zoned R-1 that are vacant; that their concern had to do with how they would be developed and the type of uses. He stated they looked at the environmental areas on Stringer's Ridge that many see from the Aquarium, which has been identified as the "back door" of the community, thus Hill City. He stated another steep slope in the area that is currently undeveloped is a concern for the community with regard to when it would be developed and how; that it is their hope it would be developed in a way that would be sensitive to the community and the City.

Mr. Stutz stated that they looked at a lot of influences of the urban neighborhood and found out early on that the exits off Highway 27 onto Manning and Whitehall onto Highway 27 would be closed whenever the Olgiati Bridge is completed. He stated that the community has indicated that there is a lot of traffic on Manufacturers Road and they would not have the same access to get up into the neighborhood as before if this occurs. He stated there is a hodge-podge of land uses of institutional, commercial and manufacturing that is all mixed together and there is a need to look at how to address that and the form or shape it should take. He stated as for the urban, single-family residential areas there are a lot of lots that are 5,000 square feet or smaller and the land use should accommodate that.

**ADOPTION OF HILL CITY/NORTHSIDE
NEIGHBORHOOD PLAN (Continued)**

Mr. Stutz stated areas of resource conservation were addressed and there is nothing in the ordinance to protect steep slopes; that development conservation easements can be developed in a sensitive manner so as not to disturb the scenic view or affect the neighborhood negatively with water runoff. He stated if someone wanted to come in and buy single family residential and make it over into a law office, that might be acceptable. He stated if they wanted to buy several single-family residential homes, tear them down and put up an office complex or commercial that would not be compatible with the neighborhood. He stated they looked at the commercial areas and how they could be developed in a manner that would promote mixed use and urban design; that currently on the lower shore C-7 is the zone and something that fits in that environment, and they would not want any more suburban development in an urban area. He stated these areas should be sensitive to those design elements and could go to commercial venues that would serve the community and visiting public. He stated everyone within the community is happy with the Waterfront Plan and the extension of Coolidge Park; that the proposed developments are sensitive to the community.

Mr. Stutz concluded his comments by stating that the community has a lot of potential for future connections and focused their thoughts in terms of transportation elements, sidewalk improvements and better connections to schools, parks and grocery stores. He stated it was mentioned that a lot of people use Bell Avenue as "cut through" street and the community likes the idea of having pedestrian crossings to slow traffic so it would no longer be used as a "cut through". He referenced a shuttle route for the area and that they worked with the planners to look at different routes; that a central location would serve the commercial on the north shore and enhance development along Manufacturers Road. He stated one way to protect the steep slopes is to put them in conservation easements, which would connect the community with the waterfront, future bicycle connections and Moccasin Bend. He displayed a photo showing streetscaping that would enhance a commercial center up to Manning Street and north to Bell Avenue and would bring back commercial to that area, as well as crosswalk connections to all sorts of activity, indicating that the community felt that North Market Street was the dividing line.

Councilwoman Robinson stated this is a great plan and that she was excited to watch the neighborhood association and residents come together and develop this over time.

**ADOPTION OF HILL CITY/NORTHSIDE
NEIGHBORHOOD PLAN (Continued)**

Councilwoman Robinson expressed concern with regard to the proposed closing of the exits from Highway 27 at Whitehall and East Manning, noting that her concern was not as much for the Whitehall exit as the one at East Manning as that would close the only exit into this area short of the Signal Mountain Road exit. She stated this would limit any access onto only one exit at Manufacturers Road. She stated that it comes at a time that TDOT's ambitious plan for an improved bridge is unfolding and at the exciting time of the development of the Hill City Plan and the 21st Century Waterfront Plan. She stated there is the proposed establishment of a national park on the Moccasin Bend peninsula and, in addition, we are encouraging neighborhood enhancement development where there will be more residents in the area. She asked that the City officials and TDOT sit down together and look at the closing of these exits, particularly at Manning, and revisit the matter in light of the progress this area is getting ready to enjoy.

Councilman Benson stated that this was thoroughly discussed in today's Legal and Legislative Committee; that it is a good plan and the RPA and community are to be commended for their work. He expressed his pleasure that everyone got involved with the land use plan, as it is important to have smart growth.

(COUNCILMAN TAYLOR JOINED THE MEETING AT THIS POINT.)

J. D. King stated that he lives on Sawyer Street, which flanks the street at the foot of the ridge. He stated that his biggest concern is that the "cart is being placed before the horse" as the area is called Hill City for a reason. He stated that he wants much care to be taken when the ridge is developed; that time and nature have had an effect on the area as far as charting the flow of water and too much cutting might affect that. He stated change is the only true constant and this is a good plan, however, he wanted care to be taken on the ridge as there are homes there, including his. He asked that very conscious thinking take place before any type of abrasive cutting is done on the ridge that might affect the water flow.

Linda Bennett, President of the Northside Neighborhood Association expressed thanks to Councilman Taylor, Councilwoman Robinson, Paul Stutz and Dana Stoogenke for all their assistance, as well as the residents who attended the meetings. She expressed appreciation for every effort that was taken to put this plan in place.

**ADOPTION OF HILL CITY/NORTHSIDE
NEIGHBORHOOD PLAN (Continued)**

Councilman Taylor stated he was happy to make this valuable vote for Hill City and expressed thanks to everyone for their work and leadership; that the community as a whole has done an outstanding job!

On motion of Councilman Benson, seconded by Councilman Lively,

**A RESOLUTION TO ADOPT THE HILL CITY/NORTHSIDE NEIGHBORHOOD
PLAN**

was adopted.

INCURRENCE OF INDEBTEDNESS

Councilman Hakeem stated that the Budget and Finance Committee recommends approval of this Resolution allowing for an opportunity for the City to utilize the services of the Tennessee Municipal League's Bond Fund to the "tune" of six million dollars and Resolution 7(c) give authorization for the City to move forward in this effort. He stated Resolutions (f) and (i) - (n) are also recommended for approval.

On motion of Councilman Hakeem, seconded b Councilman Lively,

**A RESOLUTION AUTHORIZING THE INCURRENCE OF INDEBTEDNESS BY
THE CITY OF CHATTANOOGA, TENNESSEE, OF NOT TO EXCEED SIX
MILLION DOLLARS (\$6,000,000.00) BY THE EXECUTION WITH A PUBLIC
BUILDING AUTHORITY OF ONE OR MORE LOAN AGREEMENTS OR
OTHER SUCH INSTRUMENT EVIDENCING SUCH INDEBTEDNESS, TO
PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS, AND TO
FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO**

was adopted.

EXECUTION AND DELIVERY OF LOAN AGREEMENTS

On motion of Councilman Lively, seconded by Councilman Page,

**A RESOLUTION APPROVING THE EXECUTION AND DELIVERY OF ONE
OR MORE LOAN AGREEMENTS FOR THE PURPOSE OF PROVIDING
FUNDS FOR FINANCING CERTAIN PUBLIC WORKS PROJECTS FOR THE
CITY OF CHATTANOOGA, TENNESSEE**

was adopted.

SPECIAL POLICEMEN

On motion of Councilman Benson, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE APPOINTMENT OF CLYDE D. SMITH, GLEN T. POPE, JR., WILLIAM M. MCBEE, PHILLIP WADE HOLMES, JOHN TERRELL TURNER AND WILLIAM SMITH CUTTER AS SPECIAL POLICEMEN (ARMED) FOR THE CHATTANOOGA POLICE DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

PERMANENT EASEMENT

On motion of Councilman Franklin, seconded by Councilman Page,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE ANY AND ALL DOCUMENTS RELATIVE TO A PERMANENT EASEMENT WITH THE ELECTRIC POWER BOARD ON A TRACT OF LAND LYING WEST OF RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

was adopted.

LEASE AGREEMENT: PEGASUS BROADCAST TELEVISION, INC.

On motion of Councilman Benson, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE MAYOR OR THE CITY FINANCE OFFICER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FACILITATE A LEASE AGREEMENT WITH PEGASUS BROADCAST TELEVISION, INC. (OWNER OF WDSI FOX 61), IN THE FORM ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO ERECT AN ANTENNA ON PROPERTY LOCATED AT 959 GATEWAY AVENUE, FOR THE MONTHLY RATE OF ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)

was adopted.

2003-2004 COMMUNITY DEVELOPMENT FUNDING

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION APPROVING FISCAL YEAR 2003-2004 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP ACT GRANT, AND EMERGENCY SHELTER GRANT FUNDING, AS SHOWN MORE FULLY HEREINBELOW

was adopted.

**REQUEST REGIONAL PLANNING AGENCY TO
DEVELOP A COMMUNITY LAND USE PLAN**

Councilman Benson stated this matter was discussed in the Legal and Legislative Committee today and completes the land use plan from the interstate through the county line eastward. He stated approval is recommended.

On motion of Councilman Hakeem, seconded by Councilman Benson,
**A RESOLUTION AUTHORIZING THE CHATTANOOGA-HAMILTON
COUNTY REGIONAL PLANNING AGENCY TO DEVELOP A COMMUNITY
LAND USE PLAN FOR THE EAST BRAINERD ROAD CORRIDOR AND THE
SURROUNDING AREA**

was adopted.

ACCEPTANCE OF GRANTS

On motion of Councilman Page, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO APPLY FOR
THREE GRANTS FROM THE TENNESSEE OFFICE OF CRIMINAL JUSTICE
PROGRAMS, EDWARD BYRNE MEMORIAL GRANT PROGRAM, IN A
TOTAL AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-FOUR
THOUSAND DOLLARS (\$244,000.00) FOR THE PURPOSES SPECIFIED
HEREIN, WHICH, IF AWARDED, WILL REQUIRE LOCAL MATCHING
FUNDS OF ONE THIRD OF THE GRANT FUNDS AWARDED**

was adopted.

ACCEPTANCE OF GRANTS

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OFFICE OF
PERFORMANCE REVIEW TO APPLY FOR AND ACCEPT GRANTS FROM
THE UNITED STATES DEPARTMENT OF JUSTICE IN AN AMOUNT
TOTALING UP TO FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00)
FOR A FOUR YEAR PROGRAM TO PROVIDE ASSISTANCE TO ADULT
OFFENDERS UPON THEIR RE-ENTRY INTO THE COMMUNITY**

was adopted.

AGREEMENT: TDOT

On motion of Councilman Benson, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT), RELATIVE TO CONTRACT NO. E-02-003, MARTIN LUTHER KING BOULEVARD, MCCALLIE AVENUE/BAILEY AVENUE TWO WAY TRAFFIC CONVERSION, FOR A TOTAL AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000.00)

was adopted.

CONTRACT: TALLEY CONSTRUCTION COMPANY

On motion of Councilman Franklin, seconded by Councilman Page,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT E-02-003-200, MARTIN LUTHER KING BOULEVARD, MCCALLIE AVENUE/BAILEY AVENUE TWO WAY TRAFFIC CONVERSION, TO TALLEY CONSTRUCTION COMPANY FOR A TOTAL AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED FORTY-SIX THOUSAND FOUR HUNDRED TWENTY-ONE AND 60/100 DOLLARS (\$1,346,421.60), INCLUDING A CONTINGENCY AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)

was adopted.

AGREEMENT: ARCADIS G&M, INC.

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH ARCADIS G&M, INC., RELATIVE TO RESIDENT PROJECT REPRESENTATIVE SERVICES (RPR), CONTRACT NO. E-02-003, MARTIN LUTHER KING BOULEVARD, MCCALLIE AVENUE/BAILEY AVENUE TWO WAY TRAFFIC CONVERSION, FOR A TOTAL AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

was adopted.

GRANT

On motion of Councilman Lively, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR A GRANT FROM THE UNITED STATES FIRE ADMINISTRATION AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF TWO HUNDRED SIX THOUSAND FIVE HUNDRED FIFTY-NINE DOLLARS (\$206,559.00), WHICH, IF AWARDED, WILL REQUIRE LOCAL MATCHING FUNDS OF SIXTY-ONE THOUSAND NINE HUNDRED SIXTY-SEVEN DOLLARS (\$61,967.00) AND, IF SELECTED FOR APPROVAL, AUTHORIZING THE ACCEPTANCE OF SAID GRANT AND PAYMENT OF LOCAL MATCHING FUNDS

was adopted.

OVERTIME

Overtime for the week ending April 4, 2003 totaled \$70,481.07.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ✍ **DAVID B. MASTERS** – Resignation, Light Equipment Operator, Waste Resources, effective April 1, 2003.
- ✍ **JACK L. ROLLINS** – Retirement, Chief Plant Operator, Waste Resources, effective March 31, 2003.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **CATHERINE M. KATZMAN** – Resignation, Field Supervisor/Animal Services, effective April 28, 2003.

FINANCE AND ADMINISTRATION DEPARTMENT:

- ✍ **SIMONE WHITE** – Family Medical Leave, Budget Analyst, Sr., effective February 6 – June 6, 2003.

PURCHASE

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

KEY JAMES BRICK (Lower and better bid)

R0062217/P0018713

Common Brick

\$159.00/M

DIXIE FILTERS, INC. (Best bid)

R0067070/P0018331

Odor Control Filter Media (*Factory Industrial Maintenance, the apparent low bidder was not recommended for the award of this contract since their bid was ruled non-responsive for failing to meet the bidding requirements and specifications in five different areas*)

PURCHASE

On motion of Councilman Taylor, seconded by Councilman Franklin, the following purchase was approved for use by the Chattanooga Police Department:

DECATUR ELECTRONICS (Best bid)

R0065199/B0000758

In-Car Video Recording System

\$115,500.00

REFUND

On motion of Councilman Page, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund of overpayment of 2002 property taxes and stormwater fees:

TRADE CENTER HOTEL ASSOCIATION -- \$1,424.73

REFUND

On motion of Councilman Lively, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund due to amended report from Tax Management Audit:

BIG RIVER GRILLE & BREWING -- \$4,331.64

PURCHASES

On motion of Councilman Lively, seconded by Councilman Franklin, the following purchase was approved for use by the Finance and Administration Department, Information Services Division:

SOFTWARE PLUS (Single source)

R049288

Computer Network Software per TCA 6-56-304.2

\$18,758.88

ORACLE CORPORATION (Single source)

R049290

Network Software License and Support Fees per TCA 6-56-304.2

\$14,640.00

COMMITTEES

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee for Tuesday, April 15 beginning at 3 p.m.**

Councilman Hakeem reminded Council members of the **Public Works Committee meeting scheduled for 4 p.m. on Tuesday, April 15.**

Councilwoman Robinson stated the next meeting of the **Parks and Recreation Committee is scheduled for Tuesday, April 22 at 4 p.m.**

ELECTION OF COUNCIL OFFICERS

Chairman Littlefield reminded Council members that the election of Council officers is scheduled for next Tuesday, April 15.

ADJOURNMENT

Chairman Littlefield adjourned the meeting of the Chattanooga Council until Tuesday, April 15, 2003 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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