

**City Council Building
Chattanooga, Tennessee
August 3, 2004
6:00 p.m.**

Chairman Benson called the meeting of the Chattanooga Council to order with Councilmen Franklin, Hakeem, Littlefield, Lively, Page, Pierce, Robinson 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, Councilman Taylor gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: DEAN ARNOLD

Dean Arnold presented a copy of his book, *Cherokee Betrayal – From the Constitution to the Trail of Tears*, to the Council indicating that it is a project he studied in small fashion for the last twenty years and in the last year and a half “cranked it up”. He stated that he has gone through the career of investigative journalist to historian and wanted to make the Council more aware of his interest. He expressed regret that he could not give each member a copy, because it costs real money to do so! He stated that the book is a prehistory of Chattanooga and covers in dramatic detail events that took place in the early 1800's with the Cherokees and the U. S. government; that a number of things happened that many are not aware and tells a gripping story that is important for all Chattanoogaans to know. He stated the end captures the 1838 event as the Cherokee nation came together in preparation for the “Trail of Tears”, which happened to be the same year Chattanooga was incorporated and is an important sobering part of our history all should know about. He stated that the book is on sale at Barnes and Noble, available through Amazon.com or can be purchased from him.

SPECIAL PRESENTATION: DEAN ARNOLD
(Continued)

Chairman Benson expressed thanks to Mr. Arnold for coming forward with the book indicating that the book is a great achievement chronicling the history of the Cherokee betrayal. He stated Mr. Arnold's years publishing as an investigative journalist was helpful in many ways to the community that presented a diversity of opinion and other things needed in decision-making.

Councilman Littlefield congratulated Mr. Arnold on this project and stated that he has known him since before starting the Chattanooga Fax; that he has always been a promising citizen in this community. He stated that he has purchased a number of copies and given them as gifts and indicated that he has read it and recommends it to Council members as it included many facts he did not know. He stated that he knew the general story and the details are far more tragic than things people have heard about. He stated while the new Trail of Tears Park is being developed and all other developments in Chattanooga, it is time to recognize this poignant period in our history and in some way incorporate the Native Americans that are no longer part of our community but in our culture. He stated that he looks for to Mr. Arnold's next book called ***The Spirit of Chattanooga.***

Councilwoman Robinson stated that this is a time when we find ourselves on the forefront of dedicating the 21st Century Waterfront Plan in our City and the centerpiece of this will be one of the finest pieces of public art ever commissioned in the City and the southeast commemorating the "Trail of Tears" which will be unveiled in May of 2005. She stated it is to be placed in between the new aquarium and the Market Street Bridge, which was the departure point for many of those Native Americans who were loaded on boats and shipped away. She exclaimed this is a wonderful time for Mr. Arnold's publication!

Mr. Arnold stated that he had gone to Oklahoma to interview the Chief for the book and met the artist working on the public art project who showed him glimpses of what he plans to do.

Councilwoman Robinson stated that eight Native Americans from tribes in the southeast are collaborating to make this a joint effort.

Chairman Benson again expressed appreciation to Mr. Arnold for the presentation of the book and indicated that it would be placed in the Council Office reception area.

AMEND CHARTER

On motion of Councilman Lively, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO AMEND PROVISIONS OF THE CHARTER REQUIRING ORDINANCES TO BE READ THREE (3) TIMES, SO AS TO PROVIDE FOR TWO (2) READINGS INSTEAD OF THREE (3)

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.

AMEND CHARTER

On motion of Councilwoman Robinson, seconded by Councilman Taylor,
AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO AMEND PROVISIONS OF THE CHARTER AS TO WHEN ORDINANCES TAKE EFFECT SO AS TO PROVIDE THAT THEY GO INTO EFFECT UPON BECOMING LAW OR AT SUCH SUBSEQUENT TIME AS THE COUNCIL MAY DESIGNATE

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 CHARTER

On motion of Councilman Lively, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO AMEND PROVISIONS OF THE CHARTER TO REQUIRE CERTAIN INFORMATION TO BE A PART OF THE ANNUAL CITY BUDGET

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

REZONING

2004-052: Joseph Ryan Cooke

Councilman Hakeem stated questions had been raised in regard to this request.

Jerry Pace, Director of Operations with the Regional Planning Agency (RPA), stated that all questions had been answered and Atty. Reingold, attorney for the applicant, is satisfied with the results.

On motion of Councilman Littlefield, 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 2108 NEWTON STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE**

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

AMEND CONDITIONS

2004-094: Gregory Shawn Petree

Councilmen Lively and Hakeem made the motion and second to substitute the amendment to this Ordinance; the motion carried.

On motion of Councilman Littlefield, 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. 11475 ON PROPERTY
LOCATED AT 2510 DUNCAN AVENUE, BEING MORE PARTICULARLY
DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

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

REZONING

2004-076: Henry C. Eickhoff and Karen Ford Eickhoff

Councilman Littlefield stated that this matter had been deferred pending a discussion with the applicant. He stated that the property had been up for sale and he was contacted by Mr. Eickhoff last week who informed him that the property had been sold and is presently operated as a medical supply business, which is within the C-5 zone and the rezoning is no longer needed. He **made the motion to deny the request.**

Chairman Benson asked if Councilman Littlefield wants to withdraw the request, rather than deny.

Councilman Littlefield stated that he asked the applicant if he wanted the request to be denied and he responded, "Yes".

On motion of Councilman Littlefield, 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 AT 4400 BRAINERD ROAD, MORE PARTICULARLY
DESCRIBED HERIEN, FROM R-1 RESIDENTIAL ZONE AND C-5
NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE
COMMERCIAL ZONE**

was denied at the request of the applicant.

CLOSE AND ABANDON

MR-2004-016: City of Chattanooga c/o Naveed Minhas

Councilman Hakeem stated Ordinances (b), (c), (d) and Resolutions (a), (b) and (c) were discussed in today's Public Works Committee and approval is recommended. He noted that Ordnances (e) and (f) come from Committee with a recommendation for denial.

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING SEWER AND
STORMWATER EASEMENTS ON TRACTS OF LAND LOCATED AT THE
SPENCER J. MCCALLIE HOMES SITE ON SEVERAL LOTS, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

passed first reading.

AMEND ORDINANCE NO. 11563

MR-2004-066: Joe Woodall

On motion of Councilman Franklin, seconded by Councilman Hakeem,
AN ORDINANCE AMENDING ORDINANCE NO. 11563, ADOPTED JUNE 1, 2004, CLOSING AND ABANDONING AN UNOPENED PORTION OF THE 3300 BLOCK OF CRESTFIELD DRIVE, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, BY CORRECTING THE PROPERTY DESCRIPTION
passed first reading.

CLOSE AND ABANDON

MR-2004-085: Roy L. Roach

The applicant was present; opposition was in attendance.

Councilmen Lively and Franklin made the motion and second to approve this Ordinance on first reading.

Councilman Littlefield stated that he still has questions about this closure that need to be addressed. He asked Messrs. Pace and Minhas to explain what is being proposed as it affects residents who might wish to be heard.

Naveed Minhas, City Engineer, stated that he looked at the property and this is an unopened or partially open alley, which runs behind the applicant's property. He stated the recommendation from Public Works is to close the alley subject to the City maintaining an access easement.

Councilman Littlefield asked if the access would be only for City trucks. Mr. Minhas responded "yes".

Councilman Littlefield stated that he was not sure that would be satisfactory and that a resident would like to speak to that.

Jerry Moody stated that he was speaking for three residents adjoining the property: Phil Windham (1720 South Crest Manor Lane), Franz Reichert and Wayne McCoy. He stated during inclement weather, the sand and salt trucks cannot get up the road from Sunset Terrace, as it is a narrow one lane street. He stated the residents in the area have to park on the alley, which is fairly level, and come out that way. He stated on mornings after ice and snow situations this is the only way residents can get to work.

CLOSE AND ABANDON (Continued)

Mr. Moody stated they have no problem with the abandonment if it is maintained for public access so they can still leave their properties in the event of bad weather.

Councilman Littlefield stated that he has talked with Mr. Windham about this and understands the situation; that the terrain the residents are dealing with is difficult to get trucks on the Ridge. He stated he does not know if what we are doing here in closing the alley to public access and not going to permit neighbors to have this occasional need to do what they need to do. He stated that he needs to know more about what the owner is attempting to do on either side and why this is necessary or needed.

Scott Grant, attorney for Mr. Roach, stated that to his understanding an easement is being granted across the public utility easement and does not think they are changing anything, just combining this into one parcel for property owned on both sides of the road.

Councilman Littlefield asked Mr. Roach if he was aware of the concern of neighbors present tonight.

Roy Roach stated that this was the first he had heard of it; that he thought Mr. Moody objected at the Planning meeting regarding the City not being able to get their trucks in to clean the sewer and that is what will be granted. He stated this is his property and he wants to build a house and make it all one large lot for a very large house.

Councilman Littlefield asked Mr. Roach if he is concerned with the setback requirements of the alley.

Mr. Roach responded "not as much as that as it is a dead end street, dark and on the Ridge". He stated in the past Mr. Moody knows what it is used for sometimes and he (Roach) would like to get that stopped if he is going to live there.

Councilman Littlefield stated that he did not think the issues would be worked out tonight and proposed that the matter be deferred one week so the parties could talk and work with Messrs. Minhas and Pace to see if there is a "meeting ground", either as temporary use or a revision of the ordinance. He stated once the Council closes and abandons there is no going back, reiterating that he wants to make sure the Council is doing the right thing for all involved.

CLOSE AND ABANDON (Continued)

Councilman Hakeem inquired as to whether Mr. Roach plans to build the house over the entire piece of property.

Mr. Roach stated that he has agreed to grant the easement and the house will be far enough away and the easement will be open. He stated that he would like to work this out now and does not mind Mr. Moody and the neighbors coming through there and would have to make arrangements to do that. He stated that he does not want any and everyone coming through.

Councilman Littlefield stated that this is only action on first reading and would not delay things that much by one week; that he would like to get the details right before taking action on something the Council could not easily correct.

At this point, Councilmen Lively and Franklin withdrew their previous motion and second to approve.

On motion of Councilman Littlefield, seconded by Councilman Lively,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED
PORTION OF THE 1800 BLOCK OF WEST AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**
was tabled one week.

CLOSE AND ABANDON

MR-2004-106: Northside Presbyterian Church

Councilman Hakeem and Littlefield made the motion and second to deny this request.

Jim Wilson, a member of Northside Presbyterian Church, stated that the request is for closure of an unimproved, unopened alley fronting on two property owners and the Church is one of them. He stated the homeowner on Endicott is in agreement. He indicated that the closure would allow the Church to combine their campus as the unopened alley runs between property the Church acquired over the last several years; that the intent is to make a play area for the Church's day care operation. He stated they are "pressed" for outdoor play space and abandoning the alley allows them to combine the entire campus.

CLOSE AND ABANDON (Continued)

Mr. Minhas stated that the alley in question also provides access to property zoned R-2 on the back and side of the Church. He stated to his knowledge the property does not belong to the Church and should be left open for access for development in that area.

Councilman Littlefield inquired as to whether the property would be landlocked if the alley is closed and abandoned.

Mr. Minhas stated that there would still be access to Mississippi Avenue.

It was then indicated by Mr. Wilson that the Church owned the property Mr. Minhas referenced.

Councilman Littlefield stated that the matter should be deferred one week for further discussion.

At this point, Councilmen Hakeem and Littlefield withdrew their previous motion and second for denial.

On motion of Councilman Littlefield, seconded by Councilwoman Robinson,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY
LOCATED PARALLEL TO THE 1000 BLOCK OF ENDICOTT STREET AND THE
900 BLOCK OF MISSISSIPPI AVENUE, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE**
was tabled one week.

CLOSE AND ABANDON

MR-2004-128: John P. Skates

The applicant was not present.

On motion of Councilman Hakeem, seconded by Councilman Littlefield,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY
LOCATED PARALLEL TO THE 3300 BLOCK OF EAST 39TH STREET AND
EAST 40TH STREET AND THE UNOPENED 3300 BLOCK OF EAST 40TH
STREET MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE**
was denied.

(Councilman Franklin excused himself from the meeting at this point.)

CHANGE ORDER

On motion of Councilman Littlefield, seconded by Councilman Hakeem,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 (FINAL), RELATIVE TO CONTRACT NO. 28K1, MOCCASIN BEND WASTEWATER TREATMENT PLANT SOLIDS HANDLING FACILITIES, CENTRIFUGE BUILDING NO. 2 AND PLANT WAREHOUSE, WITH MAX FOOTE CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY FORTY-EIGHT THOUSAND FOUR HUNDRED TWENTY-SIX AND 06/100 DOLLARS (\$48,426.06), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED THREE MILLION NINE HUNDRED ELEVEN THOUSAND ONE HUNDRED NINETY-FIVE AND 94/100 DOLLARS (\$3,911,915.94)

was adopted.

AGREEMENT: CONSOLIDATED TECHNOLOGIES, INC.

On motion of Councilman Hakeem, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. E-03-007-102, WILCOX BOULEVARD TUNNEL IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00)

was adopted.

CONTRACT: TDOT

On motion of Councilman Lively, seconded by Councilman Page,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CITY TO MAINTAIN AND SUPPLY POWER TO SIGNALS AT THE INTERSECTION OF HIGHWAY 153 AT WINDING LANE AND HIGHWAY 153 AT WOLFORD DEVELOPMENT (SOUTH ENTRANCE)

was adopted.

OVERTIME

Overtime for the week ending July 30, 2004 totaled \$9,671.13.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **ARTHUR T. SANDS** – Suspension (3 days without pay), Equipment Operator, Sr., Citywide Services, effective July 22 –28, 2004.
- **ANTONIO D. SANDS** – Suspension (3 days without pay), Heavy Equipment Operator, Citywide Services, effective July 20 –22, 2004.
- **LABRONE PARIS** – Suspension (3 days without pay), Equipment Operator, Sr., Citywide Services, effective July 28, 29, 2004 and August 2, 2004.
- **JAMES H. WILSON** – Hire, Tree Trimmer, Citywide Services, Pay Grade 8/Step 1, \$22,818.00 annually, effective July 28, 2004.

CHATTANOOGA FIRE DEPARTMENT:

- **JUANITA SPENCER-MEIER, ALFRED WALKER** – Promotion, Senior Firefighter, Pay Grade F2/Step 3, \$31,055.00 annually, effective August 6, 2004.
- **MICHAEL D. DAVENPORT, DAVID COWDEN** – Promotion, Senior Firefighter, Pay Grade F2/Step 4, \$32,442.00 annually, effective August 6, 2004.
- **MICHAEL MEDLEY** – Promotion, Senior Firefighter, Pay Grade F2/Step 11, \$42,151.00 annually, effective August 6, 2004.

CHATTANOOGA POLICE DEPARTMENT:

- **JOY NELSON** – Termination, Police Officer, effective July 27, 2004.
- **ROBBIE HALLMARK** – Rehire, School Patrol Officer, \$27.59 daily rate, effective August 6, 2004.
- **CAMMIE TUDORS** – Return from Family Medical Leave, Communications Officer, effective August 1, 2004.
- **BRIAN S. ANGEL, KENNETH L. BLUE, ODELL DRAPER, III, JASON R. GOSSETT, DAVID G. HAYS, RICKY J. MATHEWS, VENUS D. MATHEWS, ZACHARY J. MOODY, BRIAN J. PICKRELL, SARA E. RACK, LEROY WRIGHT, JR.** – Hire, Police Officers, Pay Grade P1/Step 1, effective August 6, 2004.

PERSONNEL (Continued)

- **DANIEL D. SIMS** – Lateral Hiring, Police Officer, Pay Grade P1/Step 5, effective August 6, 2004.

- **ADAM REED** – Resignation, Police Cadet, effective July 28, 2004.

FINANCE DEPARTMENT:

- **BRETT HYSINGER** – Hire, Management Budget Analyst, Pay Grade 17/Step 1, \$33,568.00 annually, effective August 6, 2004.

PURCHASE

On motion of Councilman Hakeem, seconded by Councilwoman Robinson, the following purchase was approved for use by the Finance and Administration Department:

HUFFAKER & TRIMBLE (Lower and better bid)
R0072812

Public Employee Faithful Performance Bonds

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

COMMITTEES

Councilman Hakeem reminded Council members of the **Public Works Committee meeting scheduled for Tuesday, August 17 at 4 p.m.**

Councilman Littlefield stated that the **Legal and Legislative Committee would be as regularly scheduled on Tuesday, August 10 at 3 p.m.** He also reported that the first meeting of the Animal Care Trust (ACT) Board and Advisory Committee was held on last Friday, at which time they organized themselves in order to apply for the 501(c)3 tax-exempt status. He stated the Chair for the ACT Board is Barbby Wilson, the City's representative on the Human Society Board, and the Vice Chairman is Ray Deering.

COMMITTEES (Continued)

Chairman Benson indicated that Doug Brown is the Treasurer and Carolyn Mitchell is the Secretary of the ACT Board. He indicated that Robin Keefe is the Chair for the Advisory Board, Don Alderman is Vice Chair and Kelley Poulk is Secretary. He stated ACT would be set up in a temporary office in City Hall and would have a full-time President working out of that office until they are self-sufficient.

Councilman Pierce scheduled a meeting of the **Budget and Finance Committee immediately following the meeting of the Parks and Recreation Committee** pertaining to the capital budget. He expressed hope that all on the Council members could be present.

COMMUNITY MEETING - NORTH RIVER PLAN

Councilman Page announced that the meeting for input regarding an update of the North River Plan is scheduled for September 20 at 6:30 p.m. rather than August 23. He stated that plans are to have the Mayor as part of the meeting and persons from the community could have input at that time regarding the Plan. He stated the meeting would be held at the North River Civic Center.

PRENTICE HICKS

Prentice Hicks of 4313 Kelly's Ferry Road in Lookout Valley stated that he was present to bring to the Council's attention that next week the request for a proposed rezoning for WalMart would be before them and requested that they deny the rezoning.

Councilman Littlefield informed Mr. Hicks that a legally advertised public hearing would be held on next Tuesday and that he could make his comments at that time.

LOU MCKENZIE

Lou McKenzie stated that she lives in North Hamilton County in Sale Creek. She stated that she has known Prentice Hicks a long time and that the two are good friends. She stated most people interested in the WalMart rezoning are demonstrating and indicated that people could come to the Legal and Legislative Committee to express their views and concern for information upon which Council members could meditate, contemplate and then make a decision.

LOU MCKENZIE (Continued)

Ms. McKenzie stated that the Committee has been discussing the Tree Ordinance for some time now, which was brought about mainly due to what happened in Concord and East Brainerd; that it is happening in North Hamilton County and all over Tennessee. She stated at some point in time the Council would best serve the community if they would start to listen to the people concerned about how our trees are being wiped out and knows Councilwoman Robinson is concerned about this. She related information regarding the WalMart stores and indicated that there are three WalMarts within the Chattanooga limits and twelve in the greater Chattanooga area, with five more that are proposed to be built, which is redundant and excessive; that thirty have closed statewide, which affects the economy and landscape. She stated the Lookout Valley, Tiftonia area has important trees there and wildlife would be destroyed. She referenced the wildlife coming into the East Brainerd area once trees were removed there. She stated the surrounding area has flooded in the past and acres of adjoining forest would be clear-cut and turned into a giant parking lot. She stated Cummings Highway cannot take on the additional traffic that would be generated, as it backs up at rush hour and if there is a problem on I-24 the traffic backs up, as well.

At the conclusion of Ms McKenzie's comments, Councilman Littlefield stated that he has known Mr. Hicks for quite some time and did not intend to short circuit him, as he felt he (Hicks) would get the most attention when the whole case comes before the Council next week. He stated that he could have heard him in Legal and Legislative Committee today and asked him to come next week or speak again if he wished.

Mr. Hicks indicated that he would save his comments for next week.

ADJOURNMENT

On motion of Councilman Littlefield, seconded by Councilman Page, the meeting of the Chattanooga Council was adjourned until Tuesday, August 10, 2004 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)